



CABINET

7.30 pm	Wednesday 8 May 2019	Council Chamber - Town Hall
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Members 9: Quorum 3

Councillor Damian White (Leader of the Council), Chairman

Cabinet Member responsibility:

Councillor Robert Benham

Cabinet Member for Education, Children & Families

Councillor Osman Dervish

Cabinet Member for Environment

Councillor Joshua Chapman

Cabinet Member for Housing

Councillor Jason Frost

Cabinet Member for Health & Adult Care Services

Councillor Roger Ramsey

Cabinet Member for Finance & Property

Councillor Viddy Persaud

Cabinet Member for Public Protection and Safety

Zena Smith
Democratic and Election Services Manager

For information about the meeting please contact:

Debra Marlow tel: 01708 433091

e-mail: debra.marlow@onesource.co.uk



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Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

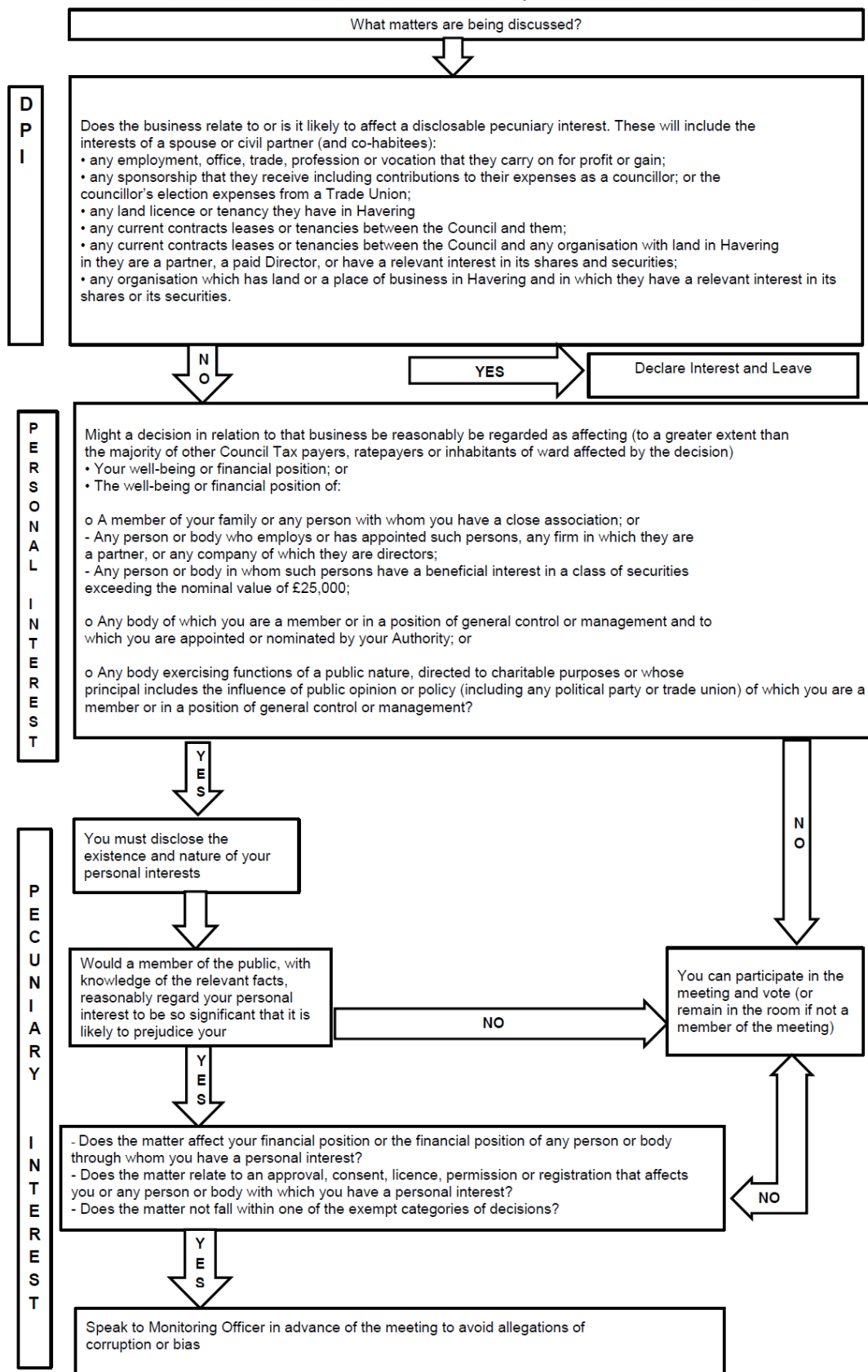
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

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Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA

1 ANNOUNCEMENTS

On behalf of the Chairman, there will be an announcement about the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE

(if any) - receive

3 DISCLOSURES OF INTEREST

Members are invited to disclose any interests in any of the items on the agenda at this point of the meeting. Members may still disclose an interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting held on 17th April, 2019, and to authorise the Chairman to sign them.

5 DEVELOPING THE LOCAL VOLUNTARY AND COMMUNITY SECTOR (Pages 7 - 38)

6 PRIVATE HOUSING HEALTH ASSISTANCE POLICY (Pages 39 - 96)

7 TENANCY POLICY 2018 (Pages 97 - 178)

8 HAVERING AUTISM STRATEGY (ALL AGE) 2019-2022 - DRAFT (Pages 179 - 230)

9 ALLOCATION OF RESOURCES TO DELIVER OFSTED IMPROVEMENT PROGRAMME (Pages 231 - 250)

10 REVIEW OF PRIVATE SECTOR LEASED (PSL) ACCOMMODATION (Pages 251 - 262)

11 PRIVATE SECTOR HOUSING ENFORCEMENT SCHEME 2: TO CONSULT ON PROPOSALS TO EXPAND PRIVATE SECTOR HOUSING LANDLORD LICENSING IN THE BOROUGH (Pages 263 - 356)

12 S92 METROPOLITAN POLICE OFFICERS (Pages 357 - 366)

13 EXCLUSION OF THE PRESS AND PUBLIC

To consider whether the press and public should now be excluded from the remainder of the meeting on the grounds that it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the press and public were present during those items there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972; and, if it is decided to exclude the public on those grounds, the Committee to resolve accordingly on the motion of the Chairman.

14 APPROVAL TO ENTER INTO A GRANT AGREEMENT WITH THE GREATER LONDON AUTHORITY IN RELATION TO THE BUILDING COUNCIL HOMES FOR LONDONERS AFFORDABLE HOUSING PROGRAMME (Pages 367 - 380)

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MINUTES OF A CABINET MEETING
Council Chamber - Town Hall
Wednesday, 17 April 2019
(7.30 - 8.15 pm)

Present:

Councillor Damian White (Leader of the Council), Chairman

Cabinet Member responsibility:

Councillor Robert Benham

Cabinet Member for Education,
Children & Families

Councillor Osman Dervish

Cabinet Member for Environment

Councillor Joshua Chapman

Cabinet Member for Housing

Councillor Roger Ramsey

Cabinet Member for Finance &
Property

Councillor Viddy Persaud

Cabinet Member for Public
Protection and Safety

An apology was received for the absence of Councillor Jason Frost.

54 DISCLOSURES OF INTEREST

There were no declarations of interest.

55 MINUTES

The minutes of the Cabinet Meeting held on the 13th March, 2019 were agreed and signed by the Chair as an accurate record of the same.

56 IMPLEMENTATION OF THE NEW SPECIAL FREE SCHOOL IN HAVERING

The Implementation of the New Special Free School in Havering report was presented to Cabinet by Councillor Robert Benham, Cabinet Lead Member for Education, Children & Families.

The Local Authority projected a continued increase in the number of pupils being assessed as having more complex Special Educational Needs and Disabilities (SEND), however the growth in SEND numbers was increasing at a faster rate than forecasted. As such, it was not possible to

accommodate the increase at existing facilities, so a new site and building was required.

In November 2016, the Local Authority submitted an expression of interest to the Department for Education (DfE) for a new special school in Havering. In April 2017, the DfE notified Havering that their bid had been successful. In March 2018, following the completion process, the DfE announced that Samuel Ward Academy Trust, now known as Unity Schools Partnership Trust, had been successful.

During the DfE's feasibility process, it became apparent that the original site proposed for the school, Century Youth House in Albert Road, Romford was too small to deliver the school. A lack of suitable site would have risked the entire project, so an analysis of alternative sites was undertaken. The results of this analysis identified the Gaynes secondary school site as the preferred option, and so the DfE conducted a further feasibility study of the Gaynes site. The results of this study showed that whilst there was sufficient site at Gaynes to accommodate the new special free school, there would need to be significant remedial costs to ensure that Gaynes had sufficient accommodation for their pupils, at a cost of c£2.1m. Therefore, it was decided to seek a further alternative site.

In April 2018, St Edward's Church of England Academy joined the Unity Schools Partnership Trust, so once the Gaynes site had been discounted, it was decided that a potential further alternative option would be investigated, siting the new special free school on the St Edward's Church of England Academy site, as both shared the same Academy Trust.

An initial feasibility report identified that it would be possible to accommodate the new special free school on the St Edward's Church of England Academy site by demolishing block B, the music block at the front of the site, and re-providing the music block, either via a new build block or re-providing the music block within existing accommodation. The Council has to compensate the Academy for the loss of the music block, which was estimated at £800k. However, the compensation was deemed to be good value for money, as the estimated cost for the new special free school was £8.5m, which was coming from the DfE.

This option was recommended to Cabinet as it would release the site area required to enable the new special free school to be built on the St Edward's Church of England Academy site in an area separate from the main Academy building, whilst resulting in no loss of provision for the Academy, through the re-provision of the music facilities.

The new special free school would provide provision for 60 places for individuals aged 3 – 16 years old.

Following discussion,

Cabinet:

1. **APPROVED** the new special free school to be sited on St Edward's Church of England Academy site, London Road, Romford RM7 9NX
2. **APPROVED** additional funding to Unity Schools Partnership Trust for remedial works needed at St Edward's Church of England Academy as a result of using part of the School building for the purpose of a new free school:
 - Re-provision of the music block - £800,000

57 **SERIOUS GROUP VIOLENCE AND KNIFE CRIME STRATEGY 2019-2022**

The Serious Group Violence and Knife Crime Strategy 2019-2022 was presented to Cabinet by Councillor Viddy Persaud, the Cabinet Lead Member for Public Protection and Safety.

Cabinet agreed to receive the supplementary agenda amending the report recommendations and legal implications.

Havering launched its first Serious Group Violence Strategy in 2014. This second strategy aligned its strategic aims with those set out in the regional (MOPAC and London Crime Reduction Board) and national (Ending Gang Violence and Exploitation) strategic ambitions with a focus on:

- Tackling knife crime and gangs
- Early intervention for those on the periphery of crime
- Protecting and safeguarding our children (from exploitation & county lines)

Serious youth violence and knife crime was of high concern for residents and the public in general, with fear of crime disproportionately high in Havering; and tackling violent crime remained a priority for the Havering Community Safety Partnership.

Young people at risk of involvement in serious youth violence would be offered targeted, tailored prevention and intervention from an early age, in order to discourage their involvement in offending and ensure they receive the right support from the right partners at the right stage in their life.

The Strategy would be delivered in partnership with the Police, Council and commissioned and voluntary services as detailed in the action plan.

The strategy and associated action plan focused on 4 key areas - prevention, intervention, enforcement and intelligence and information sharing.

It was noted that Safer Schools Officers carried out workshops for Year 6 pupils and secondary school pupils, providing information on safety and the consequences of violence and knife crime and the Gangs Mentoring Service was active in the borough. There had been an increase in stop and search in the borough since January 2019 and this was monitored on a monthly basis. Members agreed that the prevention of crime needed to be a higher priority for the Council, and recognised the reduction in Police resources. Following discussion:

Cabinet:

1. **APPROVED** the Serious Group Violence and Knife Crime Strategy 2019-2022 and associated Action Plan.

58 **VIOLENCE AGAINST WOMEN AND GIRLS STRATEGY 2019-2022**

The Violence Against Women and Girls Strategy 2019-2022 was presented to Cabinet by Councillor Viddy Persaud, the Cabinet Lead Member for Public Protection and Safety.

Havering launched its first Violence Against Women and Girls (VAWG) Strategy in 2014. This second VAWG strategy was aligned to the MOPAC VAWG strategy launched in 2018.

Domestic Violence seriously impacted on the lives of families in Havering and was a key demand driver for services such as community safety, children and young people services and housing.

Between January to December 2018, there were 4,061 domestic violence incidents reported to the police and 2,515 domestic violence offences recorded by the police.

The Crime Survey for England and Wales 2017 estimated that 20.5% of people aged 16 to 59 (6.8 million victims) had experienced some form of domestic abuse since the age of 16, which meant there were potentially around 30,000 survivors of domestic abuse currently living in Havering.

In 2018, domestic abuse offences saw an increase by 8.5% nationally; in comparison Havering saw an increase of 13.7%.

Havering had aligned its objectives with those set out in the MOPAC VAWG Strategy for London, in respect of prevention, provision and protection.

The VAWG Strategy was to be delivered over a three-year period. The action plan would be refreshed annually to take into account emerging trends, or developments in legislation or working practices. The Strategy would be implemented and monitored by the VAWG Strategic Group, which reported directly to the Havering Community Safety Partnership. The Strategic Group would also have oversight of the Multi-Agency Risk Assessment Conference (MARAC), which reviewed high risk victims within

the Borough. Progress would be reported annually to the Crime and Disorder Overview and Scrutiny Group.

Cabinet:

1. **APPROVED** the VAWG Strategy 2019-2022

Chairman

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CABINET

8th May 2019

Subject Heading:

Developing the Local Voluntary and Community Sector

Cabinet Member:

Councillor Viddy Persaud, Cabinet Member for Public Protection and Safety

SLT Lead:

Jane West, Chief Operating Officer

Report Author and contact details:

Jerry Haley, Senior Community Resilience and Development Officer

Policy context:

The Voluntary and Community Sector strategic framework is very much about civic pride. Our vision is focused around the borough's communities, and places themes of the Council's vision.

Financial summary:

The expectation is that the strategic framework it will be developed by existing Council staff in conjunction with the voluntary sector.

Agreement in principle to the use of unspent PRG grant of £152,586.44 held in reserves. The financial implications of the proposals developed will be assessed as part of that decision making process.

Is this a Key Decision?

This is a key decision. It has an effect on two or more wards

When should this matter be reviewed?

April 2020

Reviewing OSC:

Overview and Scrutiny Board

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[x]
[x]
[x]
[x]

SUMMARY

The Voluntary and Community Sector and statutory bodies continue to face many challenges and opportunities. We can best face these by working collaboratively in a strong partnership. The Voluntary and Community Strategic Framework 2019 – 2022 builds on the work of the Council's Voluntary Sector Strategy 2015 – 2018 but seeks to take this work a stage further. The focus of this is very much on partnership and all sectors working for the common good. The full framework is attached at Appendix 1.

RECOMMENDATIONS

1. Cabinet agree the joint approach of this report in developing this framework into a full strategy with the Voluntary and Community Sector
2. Agree in principle, the use of funding held in reserve for the voluntary and community sector. Each separate spend item to be agreed by the Lead Member for Community Safety and Public Protection through the executive decision process.

REPORT DETAIL

1. The Strategic Framework

This seeks to address the issues that Havering's Voluntary and Community Sector faces. It is divided into three main tranches and sets a framework for;

- Building Communities
- Building Partnerships
- Building Resilience

The strategic framework sets an agenda for all sectors to work together to set joint actions and achieve positive outcomes. The draft has been developed jointly with Havering's Compact. The draft strategic framework is cognisant of Havering's new vision, 'Cleaner, Safer, Prouder – Together' and the initial action plan connects with the themes.

- Communities
- Places
- Connections
- Opportunities

This framework is emergent and will be developed by the Voluntary and Community Sector with the Council and other statutory agencies over the next three years.

2. The External Funding Problem

The following table highlights the problem Havering's VCS faces. It focusses on the external finance our charities; voluntary and community groups have received from main funders such as Big Lottery, Henry Smith Foundation and City Bridge Trust from the period 1st January 2013 to 31st August 2018.

Council	Havering	Barking and Dagenham	Redbridge
Total number of grants	163	226	277
Total number of funders	12	14	22
Total recipients	124	174	184
Total Awarded	£4,492,046	£9,338,267	£11,128,280
Largest Grant	£336,692	£1,000,000	£750,000

Source: Grantnav 360

What this represents is that we are drastically below the amounts and number of grants raised by Barking and Dagenham and Redbridge.

This also needs to be looked at in the context that Redbridge and Barking and Dagenham do not do particularly well when compared to the rest of London.

The map at Appendix 2 produced by the research organisation 360 Degree Giving shows that Havering is the least well funded place in terms of external funding in London.

3. Funding the Voluntary and Community Sector

The initial problem the framework addresses is the 'Funding Gap'.

Local Area Agreement Performance Reward Grants (PRG) were set up under the Government as a way of rewarding councils and partners for meeting centrally set targets from 2007-2010. 81 Councils received funding through this process and Havering was very successful with regard to this, in that they received £2.82 million pounds in reward grant. Of that grant, a proportion was allocated under the theme of funding voluntary sector activity. Currently £152,586.44 remains unspent. The

ethos of this grant was very much regarding building community capacity however is 'one off' expenditure.

The governance of this grant initially sat with the Havering Strategic Partnership however when this disbanded, authority for the allocation of funds passed to the Cabinet.

To unlock the potential of the voluntary sector it is vital that the Council is able to support the sector to access external funding. Therefore, it is proposed to Cabinet, to use this reward grant to support the development of the Sector.

Research by a number of organisations has shown that the VCS have a much greater chance of gaining external funding when a Council is involved in the project. For example, the crowd funder platform, Space Hive, report that 52% of their projects meet funding targets however when a Council is involved this rises to 89%.

There, of course, would have to be governance arrangements, regarding the allocation of these funds and this could be led by Compact Steering Group in which the Lead Member for Public Protection and Safety sits as well as other statutory partners. Strong accountability arrangements would be developed and subject to reports to Overview and Scrutiny Board on a six monthly basis. The £152k (the Council's overall commitment) would still sit with the Council as the accountable body and spend is likely to be in the form of grants to the voluntary sector.

The table in appendix 3 details a number of initiatives the money could be spent on.

4. What the funds could be used for

To ensure fairness in the distribution of Performance Reward Grant the fund would only be distributed using initiatives that would give all groups the same chance to bid for funds. For example, this could include :

A Place Based Giving Scheme. The definition of a Placed Based Giving Scheme (PBGS) in London is 'a partnership of people and organisations with a range of local knowledge and skills who come together to develop a placed based giving programme. A Havering Place Based Giving Scheme would identify and collect new resources for the Borough (including business involvement), ensure better problem solving, raise awareness of local issues and get people to work towards a common goal.

London's Giving is working to support this new movement. A further three year's funding was confirmed in Spring 2017 from the City of London's Corporation's charitable funder City Bridge Trust.

Crowdfunding: The appeal of crowdfunding lies in the following features and benefits:

- Democratic – the crowd chooses which projects succeed, any project can succeed provided it can find that support. The Council of course would have overall governance on which projects it supported and therefore allowed to access the chosen crowdfunding platform.
- Transparent – backers can see where their investment is spent;
- Local – backers are typically local, and therefore motivated to see the project succeed;
- Simple – crowdfunding is almost completely delivered digitally through easy to follow platforms;
- Speedy – Funding can be secured within a matter of weeks;
- Accesses a large community of potential small investors.

Bid writing: There also maybe an opportunity to employ a professional bid writer to allow our voluntary and community sector a better chance to secure much needed funding.

A final decision about how to allocate funds would be taken by the Steering Group overseeing these finances subject to the scrutiny arrangements outlined above.,

REASONS AND OPTIONS

The Option Appraisal for this report is follows

1. Do nothing
2. Develop another idea for the benefit of the Community and Voluntary Sector. However buy in from the Voluntary and Community Sector would need to be sought.
3. Allocate the Performance Reward Grant using the mechanisms outlined above.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising directly from agreeing the development of a strategy. The expectation is that it will be developed by existing Council staff in conjunction with the voluntary sector.

Whilst the report agrees in principle to the use of unspent PRG grant of 152,586.44 held in reserves, the financial implications of the proposals developed will be assessed as part of that decision making process. The aim is that the use of

these funds will attract further funding into the borough for the benefit of the community,

Legal implications and risks:

Section 1 of the Localism Act 2011 gives a local authority the power to do anything that individuals generally may do. The council's contribution to costs associated with the launch and development of the schemes within this framework is within the scope of this general power.

The Authority will need to ensure that the distribution of grants is fair and proportionate and complies with its duties under the Equality Act, set out in more detail below.

Human Resources implications and risks:

There are no direct human resource implications for the Council. The project management and implementation will be met by existing resources of the Council

Equalities implications and risks:

Under Section 149 of the Public Sector Equality Duty, local authorities must, in the exercise of its functions, have due regard to the need to –

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Projects that are a product of this strategy will seek to advance the above. Equality Impact Assessments will be developed for projects, if and when needed.

BACKGROUND PAPERS

None

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Voluntary and Community Sector Strategic Framework 2019 - 2022

Cleaner, Safer, Prouder - Together



Document Control

Document details

Name	Voluntary Sector Strategic Framework
Version number	V.10
Status	draft
Author	Jerry Haley , Senior Community Resilience and Development Officer
Lead officer	Trevor Meers, Corporate and Community Resilience Manager Sandy Hamberger, Assistant Director, Policy, Performance and Community
Compact Lead	Paul Rose, Chair of Compact
Approved by	
Review date	1 st April 2020

Supersedes	V09
Target audience	Voluntary and Community Sector stakeholders, Statutory Sector, Business Sector
Related to	Council's Corporate Plan Havering Compact Demand Management Strategy

Version history

Version	Status	Date	Dissemination/Change
V1	Draft	03/12/2018	First draft
V2 – V8	Draft	11/01/2018 – 28/02/19	Drafts with changes from the Compact
V9 – V10	Draft	7/3/19	Draft with ideas from members of LBH corporate leadership team

Contents

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Achievements of 2015 / 18 Strategy

Value of the Voluntary Sector

Action Plan

Foreword

Chair of Compact and Lead Member

The Voluntary and Community Sector and statutory bodies continue to face many challenges and opportunities. We can best face these by working collaboratively in a strong partnership. This framework builds on the work of the Council's Voluntary Sector Strategy 2015 – 2018 but seeks to take this work a stage further. The focus of this strategy is very much of on integration and all sectors working for the common good

The purpose of the strategic framework is to set out how we will work together to ensure that the voluntary sector has the capacity to support growing communities, through prevention and increased community resilience.

Put simply, in these difficult economic times, the way the Council, its partners and the community and voluntary sector work together will need to change if we are to deliver improved outcomes that benefit our communities.

Across the Borough, we recognise that significant change is happening in terms of our demographic profile, demand for services and the rising number of people living and moving to Havering. We know that around 10,000 new homes will be built and Cross Rail completes in 2020. The impact on our communities will be significant and therefore the work across communities and sectors is very important.

Havering has a thriving Compact and this is very much seen as the catalyst to bring all agencies across the private, public and voluntary sector together and act as a springboard for new initiatives. The main objectives of these initiatives are to bring more external funding into the borough, greater work within communities, and building greater resilience and sustainability into all that we do.

As Chair of Havering Compact and Lead Member for the Council we are particularly keen to promote joint working initiatives to bring much needed funding to the Borough.

This document sets a framework for joint working and will be renewed each year as new ventures and initiatives are explored by the working group of the Compact tasked with overseeing this project.

National Context

Civil Society Strategy 2018 and how this impacts on our work

The government produced their first civil society strategy for the first time in over ten years in 2018. This strategy sets out an aspiration for communities with strong financial, physical and natural resources, and strong connections between people. This includes public funding, private investment, buildings, and other spaces for a community to use. It also includes trust and goodwill, and the organisations and partnerships that bring people together.

To help communities thrive, the government believes we need to look at five foundations of social value: people, places, the social sector, the private sector, and the public sector. In the past we have too often thought of these foundations as separate from each other. But when they work together, the whole is greater than the sum of its parts. This Strategy sets to put these aims into action.

The government's vision is that in the future the public sector will focus more on the needs of places and take a more collaborative approach. By working with service providers, the private sector, individuals, and communities in Havering, we should achieve better social and economic results that will make excellent places for people to live and work in. A joint strategy between the voluntary and statutory sector, business sector and public sector (police, fire, health and council) is essential to this aim.

Local Context

There are 419 registered Charities based in Havering according to the Charity Commission as at December 2018

Information regarding the myriad of community and voluntary organisations can be accessed through Havering's Family Services Hub.

<https://familyserviceshub.havering.gov.uk/kb5/havering/directory/family.page?familychannel=0>

The main challenge the voluntary and community sector faces in Havering is how to capture new sources of funding to become sustainable and resilient. In terms of funds obtained from the main external funding bodies, Havering as a place has some improvement to make. This is highlighted by the table below that shows how we compare to our nearest neighbours between the period 1st January 2013 and 31st August 2018.

Council	Havering	Barking and Dagenham	Redbridge
Total number of grants	163	226	277
Total number of funders	12	14	22
Total recipients	124	174	184
Total Awarded	£4,492,046	£9,338,267	£11,128,280
Largest Grant	£336,692	£1,000,000	£750,000

New ways of funding are needed in addition to improving the performance regarding the above. There are a few schemes that could be implemented to complement the above. These can either be launched as isolated projects or integrated into a single project.

- Placed Based Giving Schemes
- Crowdfunding
- Local Lotteries

However, for such schemes to be successful, for example, Crowdfunding platforms report that only 52% (the highest on any platform) complete projects; when a council backs a project with a seed funding initiative that rises to 89%.

To unlock the potential of the voluntary sector it is vital that the Council is able to support the sector to access external funding and build initiatives in partnership with the voluntary sector; two of these are outlined below.

Havering Deal

The Deal is an informal agreement between the council and everyone who lives or works here, to work together to create a better borough.

The approach will be to manage, facilitate and co-design services with the community- a new relationship between the Council and its residents basing it on shared responsibility with initiatives to manage demand and change resident's behaviours. The Deal will be framed in terms of intrinsic motivation, incentives and reciprocity. Vital to the Deal across the council and the communities will be application of intelligence by applying behavioural insight and nudge tactics and predicting demand by understanding resident service utilisation to prevent and reduce demand using the principles of the deal which broadly are:

- Encourage behaviour change
- Focus on people and communities
- Encourage a two way conversation
- Indicate a consistent message about the Council and what it stands for

The informal agreement with the resident and Council will be a deal on both sides making a pact to work together to achieve outcomes together. The deal will create personal responsibility for all staff, residents and partners to achieve positive outcomes for their communities. Some of the key ideas for the deal are:

1. Reduce/Reuse and Recycle
2. Get more involved in your communities
3. Help protect children and the vulnerable.
4. Digital Havering
5. Healthy and Active Havering

Local Area Co-ordination

The model provides a strategically relevant offer that discharges the council's statutory duty under Section 2 of Care Act 2014 in relation to preventing, reducing and delaying the need for care and support (Prevention); and the NHS Five Year Forward View around prevention.

Local Area Coordination as a concept originated in Western Australia in the late 1980s and in recent years has been launched in a number of areas in England. Inclusive Neighbourhoods is the national body that delivers and promotes the approach of Local Area Coordination in England supporting Local Authorities to embed the philosophy. Local Area Coordination approach is to focus on people and places, and so generates new possibilities for positive change. It looks for solutions that help people sustain themselves in full community life from the very

beginning – even before people come into contact with services. On a wider level, it seeks to promote a different way of delivering services out in the community with a personalised approach shifting the culture of council services. Taking the learning from established sites, the feasibility study would seek to identify the conditions and assets required for success, identify current resources invested in similar activity and evaluate the effectiveness; identify wider benefits the approach could offer for wider transformation of services such as Community Reablement, alternatives to buildings based Day Services and health outreach. Independent evaluation on Local Area Coordination demonstrates that it:

- Builds individual, family and community resilience;
- Reduces demand for services;
- Reduces isolation and loneliness;
- Increases choice, control and contribution;
- Builds inclusion and citizenship;
- Is a catalyst for reform;
- Simplifies the system for local people.

In addition, Local Area Coordination seeks to encourage cultural change within council and wider services – moving to a community asset-based approach which is more person centred and effective. The type of support includes:

- Level 1 – provision of information and/or limited support;
- Level 2 – a longer term relationship supporting people (children and adults); who are vulnerable due to physical, intellectual, cognitive and/or sensory disability, mental health needs, age or frailty, and require sustained assistance to build relationships, nurture control, choice and self-sufficiency, plan for the future and find practical solutions to problems.

The Local Area Co-ordination Network suggest that in England and Wales there is a growing body of evidence^[1] on the outcomes for individuals, community and the service system from investing in Local Area Co-ordination, with Social Return On Investment (SROI) of up to £4 for every £1 invested based on independent evaluations^[2].

The wider outcomes include:

^[1] Local Area Co-ordination Network <http://lacnetwork.org/local-area-coordination/evidence-base/>

^[2] Thurrock <http://www.socialvalueuk.org/app/uploads/2017/01/Assured-SROI-Local-Area-Coordination-in-Thurrock-Report.pdf>

Isle of Wight <https://www.centreforwelfarereform.org/uploads/attachment/517/local-area-coordination-evaluation-isle-of-wight.pdf>

Southampton <http://wessexahsn.org.uk/img/projects/loW%20-%20Local%20Area%20Coordinator%20Evaluation%20Report%20FINAL.pdf>

Derby <https://www.centreforwelfarereform.org/uploads/attachment/516/executive-summary-local-area-coordination-sroi.pdf>

- Reductions in referrals/visits to GP, A&E, adult care, mental health and safeguarding services; avoided housing evictions
- Reduced dependence on day services and better health outcomes
- Relationship developments across neighbourhoods leading to increased community capacity
- Contribution to system reform and culture change through cross system partnerships

Through these evaluations people themselves report:

- Feeling less isolated through Increased valued, informal, support relationships
- Increasing capacity of families to continue in caring role,
- Improved access to information
- Improved access to specialist services, communities
- Support into volunteering, training and employment,

Social Value

Social Value relates to the additional social benefits that can be achieved beyond the direct scope of a project or contract. The London Borough of Havering is subject to the Social Value Act 2012 which requires public entities , at the pre-procurement stage, to consider how procured goods or services could improve the social, economic and environmental well being of the relevant area.

Social Value is intrinsically related to the social responsibilities the Council already has in terms of being a social housing landlord, providing support to vulnerable adults and children and supporting business sustainability throughout the local economy.

At a time of increasing budget pressures , social value is an opportunity to creatively extend the Council's reach to improve outcomes for individuals, communities and the environment in a manner that creates value to activities that are already being undertaken. Social benefits associated with social value include building community capacity.

The Council is now involved in three joint ventures and has its own arm's length housing company. These will see up to £3bn being invested in construction locally. The Social Value benefits of this level in investment must be harnessed to deliver maximum opportunity for the local community.

Achievements of 2015 / 18 Strategy

The following are achievements of the 2015 / 18 strategy that this strategic framework will seek to build upon

- The present Compact was established in 2015 and now goes from strength to strength. A new Compact Forum was instigated to give all organisations a greater say and a further communication channel to make views known
- The establishment and further development of Compact and Active Living Newsletters. These saw a month on month increase over the last three years. The Compact Newsletters now has almost 2000 individual subscribers whilst the Active Living newsletter has almost 5000 subscribers
- The establishment of a charitable purpose company, 'Ensemble' to deliver joint agency bids on behalf of the voluntary sector. This now needs to be further developed; joint funding bids are submitted. Tapestry took the proactive lead on this.
- Greater buying by all statutory agencies with the voluntary and community sector. The Council (including the Lead Member), Police, Fire Service and Clinical Commission Group now attend Compact meetings on a regular basis.
- Surgeries have been established with National Lottery who give advice to fund applicants on a monthly basis
- Establishment of two highly successful, well attended funding fayres. The second, in November 2018 was in partnership with the business sector
- Three Successful Local Charities Day events held and included a range of partners
- Voluntary & Community web section created within LBH website and regularly updated with VCS information
- Weekly/monthly external grant information collated and placed on the LBH website
- Volunteer Tool Kit created and accessible through the HVC website
- Access to learning. Training sessions delivered for the VCS, working in partnership with the Business Sector
- 125 Community Clean Ups took place with 1092 volunteers taking part between 2015 and 2018

Value of the Voluntary Sector

Financial and Social

An example of the value of voluntary sector in Havering is Havering Volunteer Centre recently accredited by NVCO until 2021 as delivering excellent services in all aspects of volunteering.

Greater London Volunteering equates that volunteers, into long term volunteering roles, save an organisation £13 per hour in volunteering time, including salaries, pension, NI etc.

Havering Volunteer Centre has placed 668 volunteers in Havering since its inception in 2016. Volunteers, on average, give more than seven hours a week to volunteering. If a volunteer does 7 hours volunteering for one day a week for 52 weeks (and on average most do), these 668 volunteers have saved the economy of Havering over £3.1million.

Havering Citizens Advice can demonstrate similar value.

In their recent annual report they demonstrated the following value to society

- **£744,000** saved at least by government and public services
- **£4.6m** in estimated wider social and economic and social value to society
- **£10.50** benefit to our clients for every £1 invested in our local service

There are more than 4000 known volunteers giving their gift of time to the community. Havering Volunteer Centre want to extend the possibility and benefits of volunteers to everyone and build a future where participation becomes the norm. This involves people getting together and adopting creative ways to use their skills and experience, through practical participation. Charitable organisations, groups and individuals at the heart getting together to shape the very services they rely on or help to deliver.

The impact volunteering makes on the community is massive, impacting on services and organisations we use every day. We know volunteering increases the skills and well-being of volunteers as well as social connections. We also know volunteering helps bring together communities by developing our understanding of each other better, creating a cohesive and united community.

Volunteers are at the heart of the community and will respond to crisis and help the borough maintain resilience by pulling in expertise and local resources. For example local volunteers supporting community disasters such as the Grenfell Fire or the Manchester bombings. Local Volunteer Centres play a crucial role in co-ordinating the voluntary action, they have local knowledge, resources and volunteers project management expertise.

If the Borough has a healthy, Independent and influential VCSE, the benefit can be felt by all in the community.

Vision, Themes & Aims

The United Nations defines **community development** as "a process where **community members come together to take collective action and generate solutions to common problems**. It is a broad term given to the practices of civic leaders, activists, involved citizens and professionals to improve various aspects of communities, typically aiming to **build stronger and more resilient local communities**.

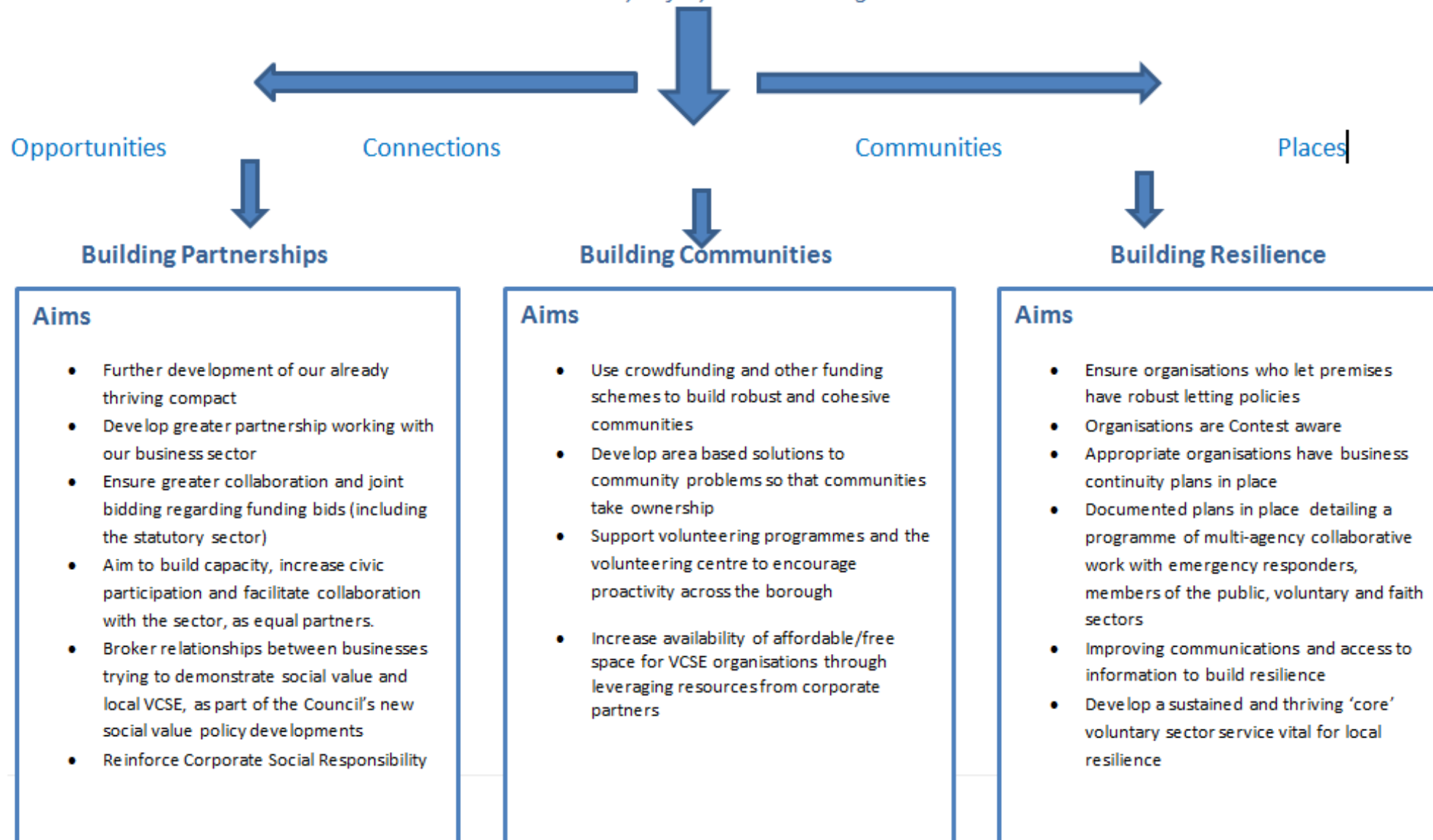
The themes of this strategy come directly from this statement

Community members come together – **Building Communities**

Take collective action and generate solutions to common problems – **Building Partnerships**

Build stronger and more resilient local communities – **Building Resilience**

Vision: Cleaner, Safer, Prouder - Together



Action Plan

Aim	What we will see.....	Vision
<i>Building Partnerships</i>		<i>Theme</i>
Further development of our already thriving compact	100% attendance by statutory organisations to Compact Steering Group and Forum meetings Increased attendance with a diverse range of stakeholders at Compact Forum meetings Councillors briefed on the work of the Compact and able to champion the Compact	Communities Opportunities Opportunities / Communities
Develop greater partnership working with our business sector	Source and secure new funding and resource opportunities with our business sector Development of crowdfunding / placed based giving model Greater development and use of trusts and foundations Development of greater linkages with businesses	Opportunities Places Opportunities Opportunities
Ensure greater collaboration and joint bidding regarding funding applications and events	Cross working regarding joint bid applications Greater success in securing funding throughout the Borough The annual Havering Funding Fayre Support for annual charities day Support for Volunteering week Major funders offering bespoke support	Opportunities Opportunities Connections / Opportunities / Communities Communities Opportunities

Improving communications and access to information	Work with partners to explore digital means (such as the Good Exchange – one form for all funders) to build a strong effective social sector	Opportunities
Building Communities		
Use funding initiatives such as crowdfunding, placed based giving, local lotteries to build robust and cohesive communities	<p>Evaluate differing crowdfunding / placed based giving schemes</p> <p>Independent board to be instigated to oversee funding. This to include Council Lead Member, compact chair, other compact and statutory agency members</p> <p>Roll out of projects that promote neighbourhoods and community cohesion.</p>	<p>Opportunities</p> <p>Opportunities / Communities</p> <p>Communities</p>
Develop area based solutions to community problems so that communities take ownership	<p>Voluntary sector to be aware that funds are available through s106 funding and Social Value Act 2012 for community activities</p> <p>Promote and support the recruitment of volunteers across Havering</p> <p>Capitalise on and promote the benefits of volunteering for volunteers, in particular seeking routes into paid employment and ensuring opportunities for the vulnerable, isolated and lonely.</p> <p>Develop partnership models that create further volunteering opportunities</p> <p>Continue the recognition of volunteers and volunteering programmes and promote them throughout the borough</p> <p>Develop a community champions initiative</p>	<p>Opportunities / Connections</p> <p>Communities / Connections Opportunities</p> <p>Opportunities</p> <p>Opportunities</p> <p>Communities</p>

Support volunteering programmes and the volunteering centre to encourage proactivity across the Borough	<p>Local public and private sector organisations are engaged and supported to creatively deliver their corporate social responsibility agenda and actively promote employee programmes</p> <p>A model for evaluating the contribution and value of volunteers</p> <p>Local public and private sector organisations are engaged and supported to creatively deliver their corporate social responsibility agenda and actively promote employee volunteering programmes</p>	<p>Connections / Opportunities</p> <p>Communities</p> <p>Opportunities / Connections</p>
Building Resilience		
Ensure organisations are aware of Havering's Contest (Counter Terrorism) Action Plan and actions to be taken under the four Ps of the Counter Terrorism and Security Act 2015.	<p>Organisations who let premises have robust policies in place</p> <p>The Counter Terrorism Local Profile will be presented to the Compact Forum</p> <p>Contest awareness sessions</p> <p>Response and Recovery plans in place based on cyclical risk assessment to ensure we are prepared</p>	<p>Communities / Places</p> <p>Communities</p> <p>Communities</p> <p>Communities</p>
Documented plans in place detailing a	<p>Proactive public information campaigns</p> <p>Regular review / surveys on current community resilience issues within the Borough</p>	<p>Communities</p> <p>Communities /</p>

programme of multi agency collaborative work with emergency responders, members of the public, voluntary, community and faith sector	Annual business plan of resilience activity	Places
	Appropriate organisations have business continuity plans in place	Communities / Places
	Annual training and exercising programme	Communities
	Develop core voluntary sector resilience programmes	Communities

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				Enf				
				2,278,855				
			Hrw	Brn	Hgy	Wth		
			1,196,820	842,460	1,494,389	4,209,242		
Hdn	Elg	Brt	Cmd	Isl	Hck	Rdb	Hvg	
295,870	3,352,543	998,091	5,991,204	22,016,078	5,252,923	783,291	197,793	
Hns	Hms	Kns	Wst	Cty	Tow	Nwm	Bar	
538,030	2,286,343	2,372,524	6,587,661	2,141,189	6,466,200	1,068,583	602,696	
	Rch	Wns	Lam	Swr	Lsh	Grn	Bxl	
	1,184,688	2,435,629	11,881,266	7,945,878	2,955,193	2,363,029	500,980	
		Kng	Mrt	Crd	Brm			
		516,202	1,518,956	419,615	523,493			
				Stn				
				561,832				

Appendix 3 - Summary of Possible Funding Initiatives

Name of Initiative	What is does	Financial Commitments	Websites	Comments
Crowdfunding	The funding of a project or venture by raising money from a large number of people who each contribute a relatively small amount, typically via the Internet.	<p>There are two main crowd fund platforms regarding scaling up community and voluntary sector initiatives. Typical summary costs are as follows:</p> <p>Spacehive:</p> <p>Year 1 – ‘Activate’ - £30k</p> <p>Year 2 – ‘Scale Up’ - £26k</p> <p>Year 3 (and beyond) – Sustain - £19.5k per annum</p> <p>Crowdfunder Uk</p> <p>A total package</p>	<p>https://www.spacehive.com</p> <p>https://www.crowdfunder.co.uk/</p>	<p>It is worth noting that Spacehive are contracted as the GLA’s crowdfunder. The Mayor of London has pledged £1m of match funding from April 2019.</p> <p>Spacehive statistics show that 52% of projects are successful (meets funding target); this rises to 89% if a project is seed funded by a Council.</p>

		costs: £10,000 PLUS VAT and recommended optional services of £5,700 for a total of £15,700 for a 12 month program		
Place Based Giving Schemes	A partnership between communities, philanthropists, corporate donors and local organisations, local authorities and national funders that bring together resources in a collaborative way to benefit the community in a defined geographic location.	<p>This is entirely up to a Council / Businesses.</p> <p>Schemes take a variety of formats. Please see</p>	https://islingtongiving.org.uk/#site-menu-closer http://southwarkgiving.org/ http://barnetgiving.org.uk/ http://www.hackneygiving.org.uk/ https://suttongiving.org.uk/	City Bridge Trust launched a fund in April 2017 to fund Placed Based Giving Scheme £1 for every £1 donated
Local Lotteries	A local lottery that benefits good causes in a local area.	There is a small upfront fee to cover the cost of set up (£3000) plus the Local Authority Lottery License fee from the Gambling	https://www.gatherwell.co.uk/	Would have to consider whether this was viable against National Lottery Schemes.

		<p>Commission.</p> <ul style="list-style-type: none"> • The good causes do not have to pay anything. • All running costs are covered within the administration charge (18%) on ticket sales. There is no annual fee. • Marketing expenses to help grow the lottery 		
Good Exchange	Digital technology that brings multiple grants, donations and fundraising activities together and instantly matches the grant makers and donors that have money to give, with the charities and community groups that need money is where it starts.	For each bid it is 5% of the final award. For example for a successful bid of £10,000, the commission would be £500	https://thegoodexchange.com/ The Good Exchange (3 min video)	Aim of this site is that only one application needs to be completed rather than multiple ones to different funders

Professional Bid Writing	Allows the voluntary sector to access professional expertise when writing bids	An estimate received would be £6k for one day a week over a six month period.	None	
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CABINET

8th May 2019

Subject Heading:

Private Housing Health Assistance Policy.

Cabinet Member:

Councillor Jason Frost, Cabinet Member for Health & Adult Care Services.

SLT Lead:

Barbara Nicholls, Director of Adult Social Care & Health.

Report Author and contact details:

Alan Grierson, Project Manager.
Tel: 01708 43249.
Email: alan.grierson@havering.gov.uk

Policy context:

This report asks Cabinet to approve the Private Housing Health Assistance Policy.

Financial summary:

The financial resources to fund this policy will be from the Central Government provided Grant (Disabled Facilities Grant), administered through the Better Care Fund (BCF), valued at £1.679m for 2018/19. The allocation for 2019/20 is imminent and an uplift of approximately 8% is expected. The estimated additional cost of delivering discretionary housing grants is within the financial resources available. Discretionary grants are only available to residents within available funds.

Is this a Key Decision?

Yes. The estimated additional minimum expenditure of £0.640m will be met from the BCF Funds. The policy will have benefits for older people, disabled people, and people with chronic health conditions living in all Wards.

When should this matter be reviewed?

The policy will be reviewed in March 2023.

Reviewing OSC:

Individuals

The subject matter of this report deals with the following Council Objectives:

Communities making Havering	[X]
Places making Havering	[]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

The Private Housing Health Assistance Policy sets out the Council's proposed policy in relation to the provision of mandatory Disabled Facilities Grants, and to enable the Council to make best use of funds available through the Better Care Fund to provide discretionary housing grants to vulnerable people. The discretionary grants will be more flexible and will increase the level and range of assistance the Council can provide to vulnerable people to help them make improvements to their homes. This will help people retain their independence and carry on living in their own home in the community, and to live in homes that are safe and healthy for them.

RECOMMENDATIONS

That Cabinet:

- Approve the Private Housing Health Assistance Policy set out at Appendix 1.
- Note the expected positive impacts of the policy and the improvements in the health and wellbeing of the residents of Havering as outlined in the Equalities & Health Impact Assessment for the Private Housing Health Assistance Policy.

REPORT DETAIL

1. Funding for mandatory Disabled Facilities Grants (DFGs) and discretionary housing grants now comes through the Better Care Fund (BCF). In combination with powers in the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (the RRO) this gives the Council the opportunity to use DFG funding more flexibly in the future through the use of discretionary housing grants in addition to DFGs.
2. The Council currently provides mandatory DFGs (where home adaptations are needed to meet the needs of disabled individuals and are reasonable and practicable) but not discretionary housing grants. In order to provide discretionary housing grants to people in need the Council must approve an RRO compliant policy which confirms the types of discretionary grants that will be provided and the conditions attached to these.
3. Officers in the Council have engaged with other local authorities, and Foundations (the Government's appointed advisory agency for best practice in the delivery of housing grants) to inform the development of the Private Housing Health Assistance Policy (the Policy). The Policy is compliant with the RRO and meets the Government's central aim therein to create greater

flexibility in the delivery of housing grants and address housing issues on a wider preventative basis.

4. The Policy describes what the Council already does to deliver mandatory DFGs, this will not change. It also confirms how the Council will use powers under the RRO in relation to the provision of discretionary housing grants to people in need (i.e. older people, people with disabilities [adults & children], and people [adults and children] with chronic health conditions). The main aims of the policy are to help people in need through the use of housing grants to help them improve their housing conditions in order to:
 - reduce the risk of injuries and ill health;
 - help people maintain their health and wellbeing;
 - enable people to remain independent for as long as possible;
 - minimise pressures on local health and social care services.
5. The discretionary Grants that will be made available through the policy are:
 - 5.1 **DFG Top-Up** (maximum Grant - £15,000): To facilitate adaptations that exceed the maximum funding limit for DFGs. Grants in excess of £5,000 (up to a maximum of £10,000) will be registered as a charge on the title register or a local land charge. If the property is disposed of within 10 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.
 - 5.2 **Discretionary Disabled Adaptation Assistance** (maximum grant - £10,000): To simplify grants and provide fast track arrangements without the need for means testing for grants under £5,000. Also to provide assistance for more complex adaptations in cases where contributing to a mandatory DFG would cause financial hardship. A charge on the title register/local land charge may apply as in the DFG Top Up grant.
 - 5.3 **Moving On Assistance** (maximum grant - £12,000): To be considered where it is not reasonable or practicable to adapt an existing property. A charge on the title register/local land charge may apply as in the DFG Top Up grant.
 - 5.4 **Hospital Discharge Assistance** (maximum grant - £5,000): To facilitate quick discharge from hospital.
 - 5.5 **Safe, Warm and Well** (maximum grant - £12,000): To facilitate essential repairs and work to help people make their homes safe, warm, healthy, and free from hazards that present a health and safety risk to the people living in the home. A charge on the title register/local land charge may apply as in the DFG Top Up grant.
 - 5.6 **Dementia Aids, Adaptations, and Assistive Technology** (maximum grant - £750): To supplement existing services where an unmet need is identified. This grant can be used to replace gas, electric cooking facilities with microwaves and specialist assistive technology such as GIS tracking devices where appropriate.

- 5.7 **Sanctuary Scheme** (maximum grant - £1,000): To provide an occupier, who is at risk of domestic abuse, assistance to improve the security arrangements of their home.
6. The funding arrangements for the DFG transferred to the BCF in 2015, including an increase in available funding to support the annual housing programme. The comprehensive spending review in November 2015 announced that the Government allocation for the grant would more than double to over £500 million by 2019/20. As a result the Council's allocation for housing grants (which is ring-fenced for these purposes) is now £1.679m for 2018/19, of which £0.800m has been set aside for mandatory DFGs, leaving £0.879 for other spend in support of the prevention strategy, including the discretionary elements in the Policy. The additional estimated minimum annual spend of £0.640m on discretionary grants to deliver the policy will consequently be deliverable within the available funds.

REASONS AND OPTIONS

Reasons for the decision:

7. To provide a written policy describing what the Council already does to provide mandatory DFGs.
8. To make best use of the financial resources for housing grants provided by the Better Care Fund the Council must have a written policy that is consistent with the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002. This will enable the Council to provide discretionary housing grants to vulnerable people to improve their health and wellbeing, and to reduce pressures on local health and social care services.

Other options considered:

The Council could choose not to have a written policy for housing grants. This was rejected because:

9. A written policy is needed to ensure people living in Havering are aware of the mandatory Disabled Facilities Grants they are entitled to if their needs are eligible for housing grant assistance.
10. The Council cannot provide discretionary housing grants unless it has an RRO complaint policy to inform people about the discretionary grants available and the conditions attached to these.

IMPLICATIONS AND RISKS

Financial implications and risks:

11. The provision of the discretionary housing grants proposed within the policy will be at the discretion of the Council and will be subject to the availability of financial resources, which may be directed by the Council's strategic priorities.
12. Being a demand led initiative, activity through the programme will be monitored in line with the Council's Financial management framework, ensuring management action is taken to maintain spend within available budgets. The annual grant allocation is expected to increase in line with inflation and government policy, there may be further opportunities to increase the activity in support of the prevention strategy when additional funds are granted.
13. Although both the mandatory and discretionary policy form the bulk of the commitments for the annual DFG, there are other supplementary activities for which the DFG is expected to contribute. The financial risk associated with the Housing Policy is limited however, a holistic approach will be required to ensure all initiatives are considered as part of the monitoring arrangements.

Legal implications and risks:

14. The content of the policy is consistent with the requirements of the Housing Grants, Construction and Regeneration Act 1996 and the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002.
15. As stated within the Report the Council cannot distribute discretionary grants without a policy in place setting out what grants are available, the criteria for an award and the processes applicable.

Human Resources implications and risks:

16. Any changes in activity as a result of this policy will be managed within the service and in line with the appropriate HR policy if applicable.

Equalities implications and risks:

17. The Policy will have a positive impact on older people living in Havering as well as disabled people (adults and children), and people with chronic health conditions, by enabling discretionary housing grants that will:
 - reduce the risk of falls and injury;
 - reduce the risk of ill health;
 - minimise time spent in acute hospitals;
 - help people maintain independence and avoid the need for long term care.

18. The Equality & Health Impact Assessment for the Policy is attached as appendix 2. No negative impacts have been identified. However, landlords may choose not to give permission for adaptations for disabled people living in rented accommodation. This can be mitigated by supporting people to move to more suitable accommodation through the Moving On Grant.

BACKGROUND PAPERS

19. None.



Private Housing Health Assistance Policy

Housing Grants, Construction & Regeneration Act 1996

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002

Private Housing Health Assistance Policy 2019 – 2024

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Version control:

Policy – Adult Social Care and Support Planning			
Version	Draft for Cabinet Approval	Approved by	Barbara Nichols
Date last amended	29 April 2019	Approval date	
Lead officer	Alan Grierson	Review date	March 2024
Contact	01708 432 498	Effective date	

1. POLICY STATEMENT AND AIMS

- 1.1 Havering Council has an overarching vision that is focused around the Borough's communities, places, opportunities, and connections. By embracing both statutory and discretionary powers that are available to us via the Regulatory Reform Order 2002 the Authority aims to improve the health and well-being of residents (both adults and children) by helping them maintain independence, whilst having a focus on preventative works which will contribute to improving the quality of life of our vulnerable residents.
- 1.2 The focus of the Private Housing Health Assistance Policy is one of prevention to enable independent living, by supporting those whose independence may be at risk, to access housing (including their current home) which meets their needs. The Policy is steered by objectives within the Barking, Havering and Redbridge Better Care Fund Plan 2017-19, the Care Act 2014 and the Housing Grants, Construction & Regeneration Act 1996.
- 1.3 This policy sets out how Havering Council ("the Council") will, for dwellings within the Borough of Havering exercise:
 - (i) the Council's statutory duty for the provision of mandatory Disabled Facilities Grants under the provisions of the Housing Grants, Construction & Regeneration Act 1996;
 - (ii) the Council's discretion to provide flexible assistance to help improve living conditions and enable people to continue to live independently, or to enable a family to continue to care for a loved one and avoid them having to move from their family home into 24hr care, as determined by the Council in adopting Article 3 of the Regulatory Reform Order (Housing Assistance) (England & Wales) Order 2002.
- 1.4 Under the provisions of the Care Act 2014 the Council has a duty to meet the unmet needs of people with eligible social care needs. This policy covers those who do not qualify for such support as well as aiming to deliver assistance to help prevent the need for long term care arrangements.
- 1.5 With the exception of mandatory Disabled Facilities Grants, all other assistance which may be provided under this policy is at the discretion of the Council and will be subject to the availability of financial resources and how those resources may be directed by the Council's strategic priorities. The delivery of mandatory grants will take priority over the delivery of discretionary grants, at times of high demand waiting times for discretionary grants will be increased before waiting times for mandatory grants. The budgets associated with this strategy will be reviewed annually, the Council reserves the right to amend or suspend the discretionary elements of this policy if demand for discretionary grants exceeds the available budget. In these circumstances the Council does not undertake to maintain a waiting list for discretionary grants. The Council also reserves the right to prioritise resources made available for discretionary assistance in order to achieve wider strategic aims.

- 1.6 The Housing Renewal Grants (Services and Charges) Order 1996 enables Authorities to charge for specific elements of work undertaken in relation to the provision of assistance under the Housing Grants Construction and Regeneration Act 1996. Any fee can be incorporated into the total amount of grant aid awarded to a client. This policy gives the Director of Adult Social Services and Health the authority to charge a fee for relevant professional services (e.g. technical surveys, obtaining proof of title etc.) in relation to the provision of mandatory and discretionary assistance.
- 1.7 This policy will be reviewed after one year and subsequently as necessary to take into account changes to legislation, policies, or strategies at local or national level.
- 1.8 The aims of the Private Housing Assistance Policy are:
- (i) to provide advice, information and support on repair, maintenance, and adaptations of properties across the Borough;
 - (ii) to offer a health based framework of assistance to vulnerable groups & households, including those with long term health conditions;
 - (iii) whilst it is recognised that it is the home owner's responsibility to maintain their own properties, the Council will target limited resources to adults and children who are most vulnerable or have a health condition which could impact on their independent living and are not able to maintain or adapt their own properties, and support to families to provide safe and effective care to enable someone to remain at home.
 - (iv) that private landlords will not be eligible for any grants under this policy. Landlords have a duty to maintain their properties free from hazards and the Council will exercise its enforcement powers as appropriate to ensure that safe and healthy standards are attained in the private rented sector
 - (v) that in certain circumstances the tenant maybe eligible to apply for a grant under this policy, this will be considered on a case by case basis;
 - (vi) to contribute to the Better Care Fund, principally to reduce delayed transfers of care, minimise avoidable hospital admission, and facilitate early or timely discharge from hospital by tackling housing related matters;
 - (vii) to facilitate an increase in the number of vulnerable households able to heat their homes at reasonable cost;
 - (vii) to assist disabled people with adaptations to facilitate their movement in and around their home thereby improving their quality of life;
 - (viii) in offering assistance the Council will promote relevant services offered by other organisations;
 - (ix) to treat individuals fairly as required by the Equality Act 2010 and ensure that an individual's rights under data protection and human rights legislation are protected.
- 1.9 Minor amendments to the policy may be approved by the delegated powers held by the relevant Director, who may also use discretion in the application of the policy within delegated powers supported by an appropriate business case where needed.

2. INTRODUCTION

- 2.1 The suitability of the home is integral to meeting the needs of our residents. A home which enables them to live independently or supports others to provide safe and effective care contributes to the promotion of physical and emotional health and wellbeing and supports a full and active life.
- 2.2 Helping people to make the right housing choices for their needs and providing support to make the home safe can help reduce hospital admissions or re-admissions, reduce reliance on care and support, improve wellbeing and help maintain independence in the home. One of the ways of doing this is by providing financial assistance to support those choices or adapt the homes of disabled and vulnerable people enabling them to live safely.
- 2.3 This policy explains how the Council will use its resources, where available, to assist people in need of support to maintain independence in the home, reduce the need for support from social and health care services, and help prevent unnecessary and avoidable deterioration in their conditions.

3. LEGAL FRAMEWORK

- 3.1 The provision of a Disabled Facilities Grant (DFG) is regulated by the Housing Grants, Construction and Regeneration Act 1996. This places a statutory duty on the Council to provide grant assistance to qualifying disabled people to undertake a range of adaptations to their homes which are deemed “necessary and appropriate” to meet their needs, and it is “reasonable and practicable” to undertake the adaptations having regard to the age and condition of the dwelling. The grant is subject to a means test (except in the case of children) and works must be eligible as defined by the Act and Regulations.
- 3.2 The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (“the RRO”) gives the Council the power to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in Havering provided this is given in accordance with a published policy.
- 3.3 In accordance with the RRO, this policy has been adopted by the Council and includes details of the:
 - (i) types of assistance the Council may make available;
 - (ii) eligibility conditions for the assistance;
 - (iii) amount of assistance available;
 - (iv) conditions that will apply to the provision of the assistance;
 - (v) circumstances when repayment is required.

4. NATIONAL STRATEGIC CONTEXT

- 4.1 In April 2015 the Government made significant changes to the funding mechanism for DFGs by making the allocation part of the Better Care Fund (BCF); a pooled budget between the NHS and upper tier council's. The aim of the fund is to provide more joined up and customer focussed services to reduce hospital and care admissions and enable people to return from hospital more quickly.
- 4.2 The Care Act 2014 established a requirement that a needs assessment must be carried out where it appears to the social care authority that a person for whom they may provide or arrange community care services, may be in need of such services. The associated guidance states that the care and support system must actively promote wellbeing and independence and aim to prevent need, not just wait to respond when people reach crisis point.
- 4.3 Aligned to this, the NHS 5 Year Forward View (2014) noted that a key condition for transformation across local health economies is a strong primary and out-of-hospital care system, with well-developed planning about how to provide care in people's own homes, with a focus on prevention, promoting independence, and support to stay well.
- 4.4 Home adaptations and essential repairs for disabled and vulnerable people support these requirements as they can:
- (i) enable independence at home;
 - (ii) speed up hospital discharge/reduce admissions;
 - (iii) prevent escalation of need e.g. accidents and falls;
 - (iv) support maintenance of physical and mental wellbeing;
 - (v) support carers to enable people with disabilities to remain at home.
- 4.5 It is clear that home adaptations can contribute to meeting a range of Public Health, NHS, and Social Care outcomes. While the housing law relating to the provision of grants for disabled adaptations has not changed, there is scope for local innovation in delivery and opportunities to consider how home adaptations can better support housing, health, and social care to achieve improved health and wellbeing outcomes for adults and children with care and support needs.

5. NATIONAL AND LOCAL EVIDENCE

- 5.1 Disabled Facilities Grants and discretionary Housing Assistance Grants can make a significant contribution to meeting the needs of elderly and disabled people by providing assistance to facilitate adaptations in their homes to promote health, wellbeing, and maximise independence from expensive long term care arrangements.
- 5.2 The older population in the UK continues to grow. In 2016 there were 11.8 million UK residents aged 65 and over, by 2066 this figure will increase by 8.6 million when the total number of people in this age group will represent 26% of the total national population.

- 5.3 The population in Havering is significantly older in comparison with other London Boroughs with an estimated 47,000 people aged 64 and over. In the coming 25 years it is estimated that the number of people in this age group will increase by about 50% to nearly 70,000. The biggest increase will be in the number of people aged 81 and over with a percentage increase of 77%.
- 5.4 Many chronic health conditions experienced by people, particularly older people, have a causal link to, or are exacerbated by, poor housing. Health risks associated with cold homes include: increased respiratory illness, worsening of asthma, chronic obstructive pulmonary disease, worsening of arthritis, increased blood pressure, and risks of heart attack and stroke. A cold home also increases the risk of falls and accidents as strength and dexterity decreases at lower temperatures.
- 5.5 National research in 2016 indicated 20% of homes failed to meet the Decent Homes Standard, the private rented sector had the highest proportion of non-decent homes (27%) with high levels of damp problems. The social rented sector had the lowest proportion of non-decent homes (13%) and 20% of owner occupied homes failed the decent homes standard. National research conducted in 2011 indicated nearly one in three of the oldest households (where the oldest person is aged 75 and over) live in housing that has failed the Decent Homes Standard.
- 5.6 It is estimated that nationally falls alone are estimated to cost the NHS over £400 million each year. In addition, falls are one of the major reasons for people to move from their own home to residential care, again increasing social care costs and impacting on independence. The human cost of falling includes distress, pain, injury, loss of confidence, loss of independence and mortality. In Havering it is predicted that the number of falls for people over 65 will increase from an estimated 16,720 in 2018 to 25,550 in 2043. This means that the number of serious injuries caused by falls could increase from 4,180 in the current year to 6,388 per year in 25 years' time, an increase of nearly 53%.
- 5.7 In 2016 it was estimated that 906 adults in Havering have a moderate or severe learning disability, about 300 of whom were living in their family home with parents. Additionally nearly 1,700 people were estimated to have autistic spectrum disorders. The number of children with special educational needs and disabilities is growing year on year with average increases of between 40% - 50% between 2012 and 2015. Increases are particularly marked in respect of children with the most severe and complex needs.
- 5.8 Havering has one of the highest proportions of the population in the country with dementia and it is estimated that around half of people living with dementia are as yet undiagnosed.
- 5.9 In 2017/18 there were 2,149 cases of domestic violence recorded in Havering by the Met Police and 168 families/ individuals approached the Council as homeless due to being victims of violence.

6. FINANCING THE POLICY

- 6.1 The Government has targeted increased resources over recent years through the Better Care Fund (BCF) to support the delivery of housing grants to improve the homes of vulnerable people in order to maximise their independence and minimise reliance on long term care.
- 6.2 The local BCF is managed by Havering Council, with reporting requirements to the Local Health and Wellbeing Board. The Council receives a grant annually to provide housing solutions so that people in Havering can manage their own health and wellbeing, and live independently in their communities for as long as possible.
- 6.3 Mandatory DFGs will have priority on the use of BCF monies. In addition to the BCF the Council will exploit all possible opportunities of internal and external funding schemes, and opportunities to work with other providers to improve housing conditions for the people who live in Havering.
- 6.4 Discretionary Housing Assistance Grants will be delivered within the boundaries of this policy and the financial resources available. The Council reserves the right to amend or suspend the discretionary elements of this policy if demand for discretionary grants exceeds the available budget.

7. TYPES OF ASSISTANCE

7.1 Mandatory Assistance: Disabled Facilities Grants (DFGs)

- 7.1.1 The Council will continue to provide assistance to those who qualify for a DFG as laid down in legislation. The adaptations funded will be considered as being the most appropriate, reasonable, and cost effective way of meeting the assessed needs of the disabled person up to a maximum grant of £30,000.
- 7.1.2 Where the applicant/disabled person wishes to carry out works to the property which are over and above those assessed by the Occupational Therapist (OT), and the alternative works are agreed by the OT as reasonable and practicable and will meet the assessed needs of the disabled person, the Council may offer financial assistance up to the value of the assessed need.
- 7.1.3 The details of the mandatory DFG scheme are contained in appendix 1.

7.2 Discretionary Assistance: Housing Assistance Grants (HAGs)

- 7.2.1 Adopting Article 3 of the RRO provides greater flexibility to the Council to provide assistance schemes which help people meet their needs in a more flexible way than can be delivered through the use of DFGs alone.
- 7.2.2 Considering wider health determinants other than disability which can be made worse by housing conditions, the Council may consider the health impacts of housing conditions, for example the Council may consider the health impacts of housing on vulnerable owner occupiers and consider

schemes to undertake minor repairs to make homes safe and healthy or other preventative schemes which stop or delay conditions becoming worse.

- 7.2.3 The provision of assistance other than mandatory DFGs is subject to the availability of funding. An assessment of each case will be carried out to ensure that the right option for the household is being considered. This may include information about entitlement to benefits, third party funding e.g. charities, energy efficiency and signposting to other services and agencies.
- 7.2.4 A list of the discretionary assistance schemes available from the Council is included in appendix 1 along with the detail of each scheme that is available.

8. ELIGIBILITY CRITERIA AND CONDITIONS

- 8.1 In this policy the term “assistance” means any form of financial assistance approved for the purpose of housing renewal, maintenance, improvement or adaptation.” Condition” means any condition attached to such assistance. Any reference to “owner” or “person responsible” is taken to mean any owner or other person who is responsible for the relevant conditions either singly or jointly. This includes the original person who applied for or received the assistance, as well as any other person who has subsequently become responsible for any condition as a result of acquiring the property or an interest in it.
- 8.2 The specific criteria for each form of assistance are detailed in appendix 1. However, the following conditions will apply in all cases:
- (i) where it is possible and as stated in the schemes detailed in appendix 1, some financial assistance and related conditions will be secured as a legal charge against the property. A breach of conditions requires a repayment of all or part of the assistance. This charge will not be removed until either the conditions expire or until assistance is re-paid together with any interest or additional charges that may apply. The Council may demand that any grant which has been paid be repaid forthwith, together with any reasonable interest as the Council may determine from the date on which it was paid until repayment, at such reasonable rate as the Council may determine, but generally within twelve months;
 - (ii) a charge on the title register and/or a local land charge against the property is binding on any person who is at the time being an owner of the premises concerned. Where a condition is broken, the Council has the usual powers and remedies in law to enforce the charge and secure payment of any amount due;
 - (iii) where stated, it will be a condition of discretionary assistance for the grant, or part thereof, to be repaid to the Council if the person for whom the assistance was intended moves out of the adapted home within the timeframe stated in the individual scheme. If the person’s home is social housing the adapted premises may be vacated to allow it to be used for

another person and their family who would benefit from the adapted home, in this case the grant would not need to be repaid.

- (iv) where any condition is in force, the Council may require the person responsible to provide any information to satisfy the Council that the condition is being complied with. The Council can require this information in writing or in other reasonable form. It is a condition that this information is provided in the form required within a reasonable timescale as specified by the Council and as fully, accurately, and honestly as reasonable practicable. Failure to comply with this requirement is a breach of conditions in itself and the assistance, or part of the assistance where specified, must be re-paid to the Council;
- (v) it is for the person responsible for complying with any condition to demonstrate to the Council's satisfaction that the condition is being complied with. Failure to do so will be treated as failure to comply with the condition. The Council does not have the burden of having to prove that the condition is not being complied with;
- (vi) conditions will be enforced in all cases, unless there are exceptional circumstances which will be considered on a case by case basis. Money repaid or recovered will be recycled back into the private housing health assistance programme;
- (vii) the approval of assistance does not give or imply the Council's approval of any other consent that may be required, such as planning permission or building regulation consent. It is the responsibility of the applicant to obtain any such consent as may be required.

8.3 Any person making an application for assistance must:

- (i) be over the age of 18 years on the date of application;
- (ii) live in the dwelling which is subject to the application as their sole main residence;
- (iii) live within the London Borough of Havering or have an owner's interest in a property within Havering.

8.4 Persons will not be eligible for assistance in the following circumstances:

- (i) where ownership of the dwelling is disputed;
- (ii) where the owner of the property has a statutory duty to undertake the necessary works to the dwelling and it is reasonable for them to do so;
- (iii) where the proposed works would normally be covered by buildings insurance. If before a grant is approved it is found that the applicant has submitted an insurance claim, the applicant will be required to ask the insurance company to confirm in writing the extent of the claim and their liability, if any, and share this information with the Council. The value of the housing assistance will be reduced by the amount equivalent to the insurance company's liability;

- (iv) where works have started before the formal approval of an application, except where in exceptional circumstances a defect may present a serious risk to health and safety;
- (v) where the proposed works are to repair any shed or outbuildings;
- (vi) an application can only be considered when all relevant documents have been completed and sent to the Council. The Council will always attempt to establish why a client has not completed their application form if it has not been completed within 6 months of it being sent to the applicant.

8.6 Enquiries about how the policy is operated should be referred to the Private Housing Improvements Team in the first instance. Appeals against the refusal of a grant must be made in writing and detail the specific grounds on which the appeal is based, the relevant delegated officer will make the final decision.

9. MAKING AN APPLICATION AND PAYMENT OF ASSISTANCE

- 9.1 Applications must be made in writing on the appropriate form and include original documentation where requested. An application will only be considered complete once all of the relevant documentation has been provided.
- 9.2 The Council may charge an administration fee for any professional/technical services or charges incurred relating to the work for which the assistance is being sought e.g. obtaining proof of ownership, drawing of plans etc. This fee will be incorporated into the total assistance amount.
- 9.3 The client is responsible for the contract between themselves and the contractor, this includes instances where the Authority provides a list of builders. The Council will however take its duty of care seriously and ensure that all contractors on the list of builders sign up to a code of conduct and have the relevant insurances in place. Where a client chooses a contractor not on the list they will have responsibility for ensuring that all the work is carried out in accordance with the schedule of works provided by the Occupational Therapist. The Council will normally request two written quotations and will decide the reasonableness of the prices quoted taking into consideration standard prices and the cost of similar work, normally the value of the grant will be based on the cheapest reasonable quote. The Authority will normally wait until it receives confirmation from the applicant that the work has been completed to their satisfaction before making payment to the contractor. However, in exceptional circumstances the Authority reserves the right to make any payment directly to the contractor based on the satisfactory completion of the work as determined by the Authority and the receipt of a satisfactory invoice. In addition the Authority reserves the right to not pay interim payments for work valued at less than £10,000.
- 9.4 For larger and more complex grant applications such as extensions, the Council may appoint an agent to manage the grant works, this is at the discretion of the Council. Having exercised this discretion the applicant will

have to engage directly with the agent in order to complete the grant works. The Council reserves the right to include the cost of the management agent in the grant assistance in accordance with paragraphs 1.5 and 9.2.

- 9.5 In the event of any disputes between the applicant and the contractor the Council will help to resolve these where this is possible, unless an agent has been appointed, in which case the agent will help to resolve these. However, should this not be possible it may be necessary for the applicant to seek legal advice to remedy any dispute they have with the contractor.
- 9.6 The Council will normally arrange for grant payments to be made directly to the contractor upon completion of the works unless the owner can provide evidence that they have paid the contractor themselves, in which case the Council will reimburse the owner.

10. MAINTENANCE AND REPAIR

- 10.1 The Council is not responsible for ongoing maintenance or repair of any item other than ceiling track hoists provided under the Ceiling Track Hoist Scheme. However some of the individual items installed as part of grant aided work may have their own extended warranties that are provided by the manufacturer. It is the applicant's responsibility to ensure that they adhere to all conditions of a warranty and/or servicing. Any extended warranties are applied for in accordance with the manufacturer's guarantee. The cost of any extended warranty would normally be agreed at the time when the grant was approved however the authority can use its discretion to fund an extended warranty subject to a case being made and presented to the Social Services and Housing Adaptations panel. Copies of guarantees/warranties will be provided to the applicant after completion of the works.

11. REPAYMENT WHERE AN APPLICANT IS NOT ENTITLED TO A GRANT

- 11.1 All clients will be required to complete and sign an application form confirming that the information they have given to the Authority is correct. Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not, at the time the application was approved, entitled to a grant of that description, the Council may demand that any grant that has been paid to be repaid forthwith, together with any interest from the date on which it was paid until repayment, at such reasonable rate as the Council may determine, but generally within twelve months of the payment being made.

12. DATA PROTECTION

- 12.1 All data will be held in accordance with the General Data Protection Regulations (EU) 2016/679 (GDPR).

- 12.2 The Council may investigate or formally verify any of the information provided in connection with any application for assistance.
- 12.3 In order to progress an application it may be necessary to share information provided internally with other services or other organisations that may assist with the grant process. These may include:
- (i) Havering Council – Adult Social Care or Children’s Services, Revenue and Benefits, Planning & Building Control;
 - (ii) other agencies , individuals, or family members as specified by the applicant;
 - (iii) relevant Government Departments.
- 12.4 The Council is under a duty to protect public funds and may use the information provided for the prevention and detection of fraud. It may also use this information with other bodies administering public funds solely for these purposes.
- 12.5 The above information will need to be communicated with applicants at the time their personal information is obtained in the form of a Privacy Notice. This is necessary to comply with individuals’ “Right to be informed” in accordance with GDPR.
- 12.6 Safeguards will ensure the security of the data and will comply with the requirements of the GDPR.

INDIVIDUAL SCHEME DETAILS

Table 1: Summary of schemes.

Scheme Number	Type of Assistance	Means Test	Charge on Title Register/ Local Land Charge	Mandatory/ Discretionary	Key Outcome	Max. Funding
1	Disabled Facilities Grant (DFG)	Y	Y	Mandatory	Adaptations to enable independent living	£30,000
2	DFG top-up	Y (already done for DFG)	Y	Discretionary	Top up of mandatory DFG which exceeds grant limit	£15,000
3	Discretionary Disabled Adaptation Assistance	No formal means test. Financial criteria described in scheme 3	Y	Discretionary	Adaptations for those eligible for DFG without formal means testing	£10,000
4	Moving On Assistance	No formal means test. Financial criteria described in scheme 4	Y	Discretionary	Financial assistance to move to more suitable accommodation	£12,000
5	Hospital Discharge Assistance	N	N	Discretionary	Prevent delayed transfers of care associated with housing disrepair or access issues	£5,000
6	Safe, Warm and Well	No formal means test. Financial criteria described in scheme 6	Y	Discretionary	To provide a safe and warm home for older and disabled people to promote health, wellbeing, and independence	£12,000
7	Dementia Aids, Adaptations, and Assistive Technology	N	N	Discretionary	Enable people with a diagnosis of dementia manage their surroundings and retain their independence	£750
8	Sanctuary Scheme	N	N	Discretionary	Provide occupiers at risk of domestic abuse with improved security	£1,000

In the description of the schemes that follows, where reference is made to the Council this may include organisations or individuals working on behalf of the Council.

1. MANDATORY DISABLED FACILITIES GRANTS (DFGs)

Purpose	<p>Local Housing Authorities have a statutory duty to provide grant aid to disabled people to undertake a range of adaptations to their homes.</p> <p>Mandatory DFGs will be administered in accordance with the provisions of the Housing Grants, Construction and Regeneration Act 1996. The following provides a summary of these provisions, but should be read in conjunction with the full Act.</p>
Maximum amount	The maximum amount is £30,000
Applicant eligibility	All applicants must be eligible under the Act and there are no age restrictions on the disabled person who would benefit from this grant. Applicants must be supported by a recommendation from an Occupational Therapist confirming the person that the person is disabled for the purposes of the Act and that the proposed works are necessary and appropriate to meet the needs of the disabled person.
Eligible works	The relevant works must be necessary and appropriate to meet the needs of the disabled occupant (adult or child) and it must be reasonable and practicable to carry out the works having regard to the age and condition of the property. The purpose for which a grant must be given are detailed in Section 23 of the Housing Grants Construction and Regeneration Act 1996. Any associated fees e.g. technical surveys, obtaining proof of title etc. will be included in the total assistance amount.
Financial assessment	The grant is subject to a formal means test in accordance with the Housing Renewals Grant Regulations 2006 to determine the customer's contribution towards the cost of the works. Eligible works for a child will not be subject to a formal means test. The maximum grant including any contribution must not exceed £30,000.
Application	<p>Applications must be made on the relevant form and supported by a referral from an Occupational Therapist. The Council will consult the Social Services Authority on all applications.</p> <p>Applications may be made by owner occupiers, private tenants and Registered Providers of Social Housing (excluding Havering Council Tenants who may be eligible separately for aids and adaptations works via the Council as their landlord). In the case of tenants, the landlord may make an application on their behalf.</p>

1. MANDATORY DISABLED FACILITIES GRANTS (DFGs) (continued)

Payment	<p>Payment will be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices. In some instances payments may be made in instalments and the balance (no less than 10% of the total eligible works) paid on satisfactory completion.</p> <p>The applicant should agree and sign that they are satisfied with the quality of the work prior to payment. If the applicant refuses, the Council will inspect the work and if it believes it is of sufficiently good standard the payment will be made.</p>														
Conditions	<p>Written consent from owner(s) of the property must be obtained prior to works commencing.</p> <p>With the applicants permission the Council may remove items of equipment e.g. modular ramps and stair lifts from the property for re-use when they are no longer required by the disabled person. This will be considered on a case by case basis dependent on the age and condition of the item and the Council's capacity to recycle equipment. Where items are not considered appropriate for re-use, or where the Council decides not to remove items for any other reason, it will be the responsibility of the householder/property owner to remove any items at their own cost.</p> <p>Where the Council provides funding in excess of £5,000 this will be registered as a charge on the title register or a local land charge against the adapted property subject to a maximum of £10,000. If the property is disposed of within 10 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.</p> <p>The sliding scale relating to re-payments is as set out below:</p> <table border="1"> <thead> <tr> <th>Grant (£)</th><th>Repayment Requirement (£)</th></tr> </thead> <tbody> <tr> <td>30,000</td><td>10,000</td></tr> <tr> <td>25,000</td><td>10,000</td></tr> <tr> <td>20,000</td><td>10,000</td></tr> <tr> <td>15,000</td><td>10,000</td></tr> <tr> <td>10,000</td><td>5,000</td></tr> <tr> <td>5,000</td><td>0</td></tr> </tbody> </table> <p>The Council will not pay for additional works carried out without prior approval.</p> <p>All works must be completed within 12 months of approval.</p>	Grant (£)	Repayment Requirement (£)	30,000	10,000	25,000	10,000	20,000	10,000	15,000	10,000	10,000	5,000	5,000	0
Grant (£)	Repayment Requirement (£)														
30,000	10,000														
25,000	10,000														
20,000	10,000														
15,000	10,000														
10,000	5,000														
5,000	0														

2. TOP-UP OF MANDATORY DISABLED FACILITIES GRANT

Purpose	To provide discretionary financial assistance to a disabled person who qualifies for a mandatory DFG where the cost of the eligible works exceeds the mandatory grant maximum of £30,000.								
Maximum amount	The maximum top-up is £15,000.								
Applicant eligibility	This grant applies to top-ups for adaptations for disabled children as well as adults. The disabled person (if different from the applicant) must qualify for a mandatory DFG where the value of the eligible works (including the client contribution and any fees if applicable) exceeds the mandatory grant maximum.								
Eligible works	Works funded by the top-up must be eligible works which are necessary and appropriate to meet the disabled person's needs as defined by the Housing Grants Construction and Regeneration Act 1996.								
Financial assessment	The applicant will already have undertaken a means test for a mandatory DFG and will have contributed toward the cost of the adaptation accordingly. There will be no additional means test for the top-up.								
Application	Applications will be considered alongside an application for a mandatory DFG.								
Payment	The discretionary top-up will be paid as an additional amount to the mandatory DFG under the same payment conditions.								
Conditions	<p>Written consent from owner(s) of the property must be obtained prior to works commencing.</p> <p>Where the Council provides funding in excess of £5,000 this will be registered as a charge on the title register or a local land charge against the adapted property subject to a maximum of £10,000. The Council may also secure repayment for funding under £5,000 as set out below. If the property is disposed of within 10 years of the completion of the works (as determined by the Council), re-payment of the amount will be required.</p> <p>The sliding scale relating to re-payments is as set out below:</p> <table border="1"> <thead> <tr> <th>Grant (£)</th><th>Repayment Requirement (£)</th></tr> </thead> <tbody> <tr> <td>15,000</td><td>10,000</td></tr> <tr> <td>10,000</td><td>5,000</td></tr> <tr> <td>5,000</td><td>2,500</td></tr> </tbody> </table> <p>Works must not commence until formal approval of the discretionary assistance and mandatory grant have been received by the applicant.</p>	Grant (£)	Repayment Requirement (£)	15,000	10,000	10,000	5,000	5,000	2,500
Grant (£)	Repayment Requirement (£)								
15,000	10,000								
10,000	5,000								
5,000	2,500								

3. DISCRETIONARY DISABLED ADAPTATIONS ASSISTANCE

Purpose	To provide discretionary financial assistance for disabled occupants who do not have financial resources to pay for necessary adaptations to help them to remain independent in their own home.
Maximum amount	The maximum assistance is £10,000.
Applicant eligibility	This grant applies to discretionary grants in relation to adaptations for disabled children as well as adults. The disabled occupant must be eligible for provision under the provision of the Housing Grants Construction and Regeneration Act 1996. Applicants must be supported by a referral from a Havering Council Occupational Therapist following assessment and must be eligible for a Disabled Facilities Grant. For grants over £5,000 applicants must have applied for a Disabled Facilities Grant where the means test indicated the applicant should make a financial contribution to their DFG, this is not required for grants that are for £5,000 or under.
Eligible works	The relevant works must be necessary and appropriate to meet the needs of the disabled occupant and it must be reasonable and practicable to carry out the works having regard to the age and condition of the property. The purposes for which a grant may be given are those detailed in section 23 of the Housing Grants Construction and Regeneration Act 1996. Any associated fees e.g. technical survey's obtaining proof of title etc. may be included in the total assistance amount.
Financial assessment	<p>There will be no statutory means testing. The following criteria will be applied:</p> <ul style="list-style-type: none"> • less than £16,000 capital savings and investments; • for single person – income no more than £16,750 per annum; • for couple with or without children, and single with children – income for customer and partner combined of no more than £25,000 per annum; <p>The income and savings levels established when the applicant applied for a DFG and the means test completed must be used for the application of this grant. The Council reserves the right to require evidence relating to income and savings if deemed appropriate by the Council.</p>

3. DISCRETIONARY DISABLED ADAPTATIONS ASSISTANCE (continued)

Payment	<p>Payment would normally be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices. The applicant should agree and sign they are satisfied with the quality of the work prior to payment. If the applicant refuses, the Council will inspect the work and if it believed it is of satisfactory good standard the payment will be made.</p>						
Conditions	<p>Written consent from owner(s) of the property must be obtained prior to works commencing.</p> <p>Where the applicant has an owner's interest in the property, the amount of the discretionary funding above £5,000 will be secured by attaching a charge on the title register or a local land charge on the adopted property. The Council may also secure repayment for funding under £5,000 as set out below. If the property is disposed of within 10 years of the completion of the works (as determined by the Council) re-payment of the amount will be required.</p> <p>The sliding scale relating to re-payments is as set out below:</p> <table border="1"> <thead> <tr> <th>Grant(£)</th><th>Repayment Requirement (£)</th></tr> </thead> <tbody> <tr> <td>10,000</td><td>5,000</td></tr> <tr> <td>5,000</td><td>2,500</td></tr> </tbody> </table> <p>The Council will not pay for any additional works carried out without prior approval.</p>	Grant(£)	Repayment Requirement (£)	10,000	5,000	5,000	2,500
Grant(£)	Repayment Requirement (£)						
10,000	5,000						
5,000	2,500						

4. MOVING ON ASSISTANCE

Purpose	This discretionary assistance enabled disabled people who would be eligible for a mandatory disabled facilities grant to move to more suitable accommodation, where it is considered (by the Council) more appropriate than providing funding through a mandatory DFG to adapt their existing home.
Maximum amount	The maximum amount is £12,000 and may be used in conjunction with a mandatory DFG to undertake eligible works to the new property.
Applicant eligibility	There is no age restriction for this grant. Any disabled person who would be eligible for adaptation works under a mandatory DFG.
Qualifying criteria	<p>A referral for adaptation of the existing property must have been received from an Occupation Therapist.</p> <p>In the Council's opinion, the existing property must be unsuitable for adaptation, in that it is not reasonably and practicably capable of being adapted to meet the needs of the disabled person.</p> <p>The applicant must have or propose to have an owner's interest in the new property. The existing and new properties must be within the London Borough of Havering, and be the permanent, main residence of the disabled occupant.</p> <p>In the opinion of the Council and in conjunction with the Occupational Therapist, the new property must be considered suitable for the needs of the disabled person or must be reasonably and practicably capable of being adapted to meet the needs of the disabled person.</p> <p>The assistance can be used for the following eligible costs:</p> <ul style="list-style-type: none"> • legal and ancillary fees; • estate agent fees; • removal costs.

4. MOVING ON ASSISTANCE (continued)

Financial assessment	<p>There will be no statutory means testing for this assistance. The following criteria will be applied:</p> <ul style="list-style-type: none"> • less than £16,000 capital savings and investments; • for single person – income no more than £16,750 per annum; • for couple with or without children, and single with children – income for customer and partner combined of no more than £25,000 per annum; <p>The applicant will self-declare income and savings levels. The Council reserves the right to require evidence relating to income and savings if deemed appropriate by the Council.</p>						
Payment	<p>Payment will be made to the applicant's solicitor on exchange of contract so that funding is available for completion. Evidence of the fees will be required prior to the payment.</p>						
Conditions	<p>This discretionary assistance may only be awarded once to any disabled person.</p> <p>Where an award has been made under this policy and prior to the exchange of contracts and the disabled person is no longer able to relocate to the new property e.g. they have moved into permanent care or deceased, the Council may decide to pay all, some, or none of the assistance.</p> <p>The amount of the discretionary funding will be secured by attaching a charge on the title register or a local land charge on the new property. If the property is disposed of within 10 years of the completion of the purchase (as determined by the Council) re-payment will be required in accordance with the sliding scale below.</p> <table border="1"> <thead> <tr> <th>Grant(£)</th><th>Repayment Requirement (£)</th></tr> </thead> <tbody> <tr> <td>10,000</td><td>5,000</td></tr> <tr> <td>5,000</td><td>2,500</td></tr> </tbody> </table>	Grant(£)	Repayment Requirement (£)	10,000	5,000	5,000	2,500
Grant(£)	Repayment Requirement (£)						
10,000	5,000						
5,000	2,500						

5. HOSPITAL DISCHARGE ASSISTANCE

Purpose	This assistance is for people in hospital whose discharge is delayed due to the condition of their home. The assistance may fund urgent adaptations that allow access in and around the person's home by providing stair lifts or ramps. Other minor works which are needed to facilitate their discharge from hospital will also be considered e.g. one off clearance of hoarded properties and works to the heating systems.
Maximum amount	The maximum grant is £5,000
Applicant eligibility	<p>This grant applies to discretionary assistance in relation to adaptations for disabled children as well as adults. The applicant must be in hospital or a health funded placement and their discharge delayed.</p> <p>The application must be accompanied by a referral from a hospital Occupational Therapist or other suitably qualified professional confirming the urgent works that are required to the home to enable discharge.</p> <p>The property subject to the application must normally be the applicant's permanent accommodation.</p>
Eligible works	<p>Eligible works can include those listed below (this is not an exhaustive list). Works will be determined on a case by case basis which will facilitate discharge from hospital or health funded placement:</p> <ul style="list-style-type: none"> • stair lifts; • ramps and door widening to the essential doorways; • heating repairs or improvements; • clearance and one off deep clean of hoarded goods.
Financial assessment	This assistance is not subject to a means test.
Payment	Payment would normally be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices. The applicant should agree and sign they are satisfied with the quality of the work prior to payment. If the applicant refuses, the Council will inspect the work and if it believed it is of satisfactory good standard the payment will be made.

5. HOSPITAL DISCHARGE ASSISTANCE (continued)

Conditions	<p>Written consent from owner(s) of the property must normally be obtained prior to works commencing. However, if no structural works are being undertaken (e.g. cleaning a property) this will not be necessary.</p> <p>If the cost of the works exceeds the maximum financial assistance the Council will liaise with the Occupational Therapist and/or relevant professional(s) to determine the priority works.</p> <p>The Council will not pay for any additional works carried out without prior approval.</p>
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6. SAFE, WARM AND WELL

Purpose	<p>This discretionary assistance is for occupiers over the age of 65, or those with chronic or severe health conditions (including children and younger adults) affected by poor housing conditions and provides:</p> <ol style="list-style-type: none"> Essential repairs to their home in order to remain safe and healthy. A gas central heating system of suitable design and installation for a homeowner with vulnerable occupiers, where previously there has been no such system, or where the existing system, in the opinion of the contractor/surveyor, cannot be effectively repaired at reasonable cost or where it has been condemned by a suitable competent person. Assistance to owner occupiers where works are needed to make the dwelling wind and weatherproof or reduce a hazard.
Maximum amount	The maximum amount is £12,000.
Applicant eligibility	<p>For purpose (a) the applicant must be an owner occupier or private tenant with a full repairing responsibility, for purpose (b) an owner occupier, and purpose (c) have an owners interest.</p> <p>For all purposes the applicant or a member of the household must be 60 years of age or older on the date of application, or have a diagnosed health condition that is exasperated by poor housing conditions. Applications must be supported by a recommendation from an Occupational Therapist based on evidence of the condition e.g. letter/report/referral from a General Practitioner or other relevant health professional. Examples of relevant conditions include:</p> <ul style="list-style-type: none"> arthritis (osteo and rheumatoid, requiring regular treatment and review); cardiovascular disease (e.g. heart disease or stroke); respiratory disease (e.g. chronic bronchitis, severe asthma, emphysema or chronic obstructive pulmonary disease). <p>For purpose (b) assistance may be provided where there is a child under 14 living in the property.</p>
Eligible works	<p>For purpose (a) essential repairs are Category 1 hazards as defined by the Housing Health & Safety rating System, and serious Category 2 hazards as determined by the Housing Act 2004, which affects the ability of the property to be safe, wind and weather proof. Examples of works may include:</p>

6. SAFE, WARM AND WELL (continued)

Eligible works (continued)	<ul style="list-style-type: none"> • heating repairs or replacement; • works to prevent falls; • roof repairs. • security <p>For purpose (b) the scheme will be a one stop shop that caters for but not limited to:</p> <ul style="list-style-type: none"> • design and installation and first annual service of the whole house gas central heating system to meet the needs of the home owner/occupier; • associated electrical check and upgrade to comply with Building Regulations and manufacturer's instructions; • associated building work/access as required; • where necessary the moving/storage of furniture, removal and relaying of carpets; • where disturbed the making of good internal decoration in line with the works carried out. <p>No alternative to a gas fuelled central heating system will be considered.</p> <p>For purpose (c) works eligible for assistance will be at the discretion of the Council. As a general condition the works should help remedy defects or deficiencies which have a direct impact on health. The purpose of the works will be to secure an immediate remedy and not necessarily for reducing long term maintenance costs.</p> <p>Any associated fees, e.g. technical surveys, obtaining proof of title, legitimate project management fees etc, will be included in the total assistance amount.</p> <p>All properties will be subject to inspection and assessment by the Council or its agent.</p>
Financial assessment	<p>There will be no statutory means testing for this assistance. The following criteria will be applied:</p> <ul style="list-style-type: none"> • less than £16,000 capital savings and investments; • for single person – income no more than £16,750 per annum; • for couple with or without children, and single with children – income for customer and partner combined of no more than £25,000 per annum; <p>The applicant will self-declare income and savings levels. The Council reserves the right to require evidence relating to income and savings if deemed appropriate by the Council.</p>

6. SAFE, WARM AND WELL (continued)

Payment	<p>Payment would normally be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices. The applicant should agree and sign they are satisfied with the quality of the work prior to payment. If the applicant refuses, the Council will inspect the work and if it believed it is of satisfactory good standard the payment will be made.</p>
Conditions	<p>For purposes (a) and (b) the applicant must have lived in the property for a minimum of 12 months as their main residence and written consent from the owner(s) of the property must be obtained prior to the works commencing.</p> <p>For purpose (c) works must be completed within 3 months of the grant being given.</p> <p>For purpose (a):</p> <ul style="list-style-type: none"> the Council will not consider applications in respect of dwellings which have been built or converted less than 10 years from the date of application; where works beyond the maximum assistance value are identified, the assistance will be prioritised based upon the hazard score and circumstances of the applicant. Works must be reasonable and practicable having regard to the age and condition of the property. <p>For all purposes:</p> <ul style="list-style-type: none"> it must be reasonable and practicable to undertake the works; The applicant will self-declare income, savings levels and investments; the Council will not normally pay for works carried out without prior approval and the Council will not pay for any additional works carried out without prior approval; no more than 2 applications will be accepted from the same applicant in respect of one address in any 5 year period; the amount of discretionary funding above £5,000 will be secured by attaching a charge on the title register or a local land charge on the property. The Council may also secure repayments for funding under £5,000 as set out below. If the property is disposed of within 10 years of the completion of the works (as determined by the Council) re-payment of the amount will be required; only one application for assistance will be considered within any 3 year period (further applications may be considered at the discretion of Housing and Social service panel in exceptional circumstances.

6. SAFE, WARM AND WELL (continued)

Conditions (continued)	The sliding scale relating to re-payments is as set out below:							
	<table><tr><th>Grant(£)</th><th>Repayment Requirement (£)</th></tr><tr><td>10,000</td><td>5,000</td></tr><tr><td>5,000</td><td>2,500</td></tr></table>	Grant(£)	Repayment Requirement (£)	10,000	5,000	5,000	2,500	
	Grant(£)	Repayment Requirement (£)						
	10,000	5,000						
5,000	2,500							
The Council will not pay for any additional works carried out without prior approval.								

7. DEMENTIA AIDS, ADAPTATIONS, AND ASSISTIVE TECHNOLOGY

Purpose	This assistance will, subject to the usual charging policy, provide aids, adaptations, and assistive technology in the home designed to enable people with a diagnosis of dementia to manage their surroundings and retain their independence.
Maximum amount	The maximum funding is £750.
Applicant eligibility	Applicants must be owner occupiers or private tenants with a clinical diagnosis of dementia and referred by a General Practitioner, Dementia Support Worker, or other relevant professional, confirming the works which are necessary and appropriate to support them to retain their independence.
Eligible works	The Council will work with the relevant health professionals to determine appropriate works on a case by case basis. This may include: contracting coloured hand rails, thermostatic taps, lighting and door signage, assistive technology devices, etc.
Financial assessment	This assistance is not means tested.
Payment	The Council will appoint contractor or work with a third party to undertake the eligible works. Payment will be made directly to the contractor upon satisfactory completion of the works and approval of invoices.
Conditions	<p>It must be reasonable and practicable to undertake the works.</p> <p>All works must relate to the applicants dementia needs and assist them to remain in their home independently for a longer period.</p>

8. SANCTUARY SCHEME

Purpose	This discretionary grant will provide an occupier, who is at risk of domestic abuse, assistance to improve the security arrangements of their home.
Maximum amount	The maximum funding will be £1,000.
Applicant eligibility	Where an appropriate officer in the Council is satisfied that one or more person's has suffered from, or is threatened by, domestic abuse.
Eligible works	The assistance provided will be in the form of security measures, such as door and window locks, security lighting.
Financial assessment	This assistance is not means tested.
Payment	Payment would normally be made directly to the contractor upon satisfactory completion of the eligible works and approval of invoices. The applicant should agree and sign they are satisfied with the quality of the work prior to payment. If the applicant refuses, the Council will inspect the work and if it believed it is of satisfactory good standard the payment will be made.
Conditions	It must be reasonable and practicable to undertake the works. The Council will not pay for works carried out without prior approval.

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Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Private Housing Health Assistance Policy
Lead officer:	Alan Grierson, Project Manager, Adult Social Care & Health
Approved by:	Barbara Nichols, Director of Adults Social Care & Health
Date completed:	27/03/2019
Scheduled date for review:	March 2024

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	Yes
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@haverling.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	Private Housing Health Assistance Policy		
2	Type of activity	New Housing Grants Policy		
3	Scope of activity	The new policy describes what the Council already does to deliver mandatory Disabled Facilities Grants (DFGs) to help older and disabled people (adults & children) make sure their homes are accessible. The new policy also enables the Council to provide discretionary Housing Assistance Grants (HAGs) in a more flexible way to increase the types of housing grants available to help older and disabled people (adults & children) maximise their independence, keep safe, and keep healthy in their own homes.		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	Not applicable		

Completed by:	Alan Grierson, Project Manager, Adult Social Services Housing and Health
Date:	27/03/2019

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:

Funding for DFGs and discretionary housing grants now comes through the Better Care Fund. In combination with powers in the Regulatory Reform Order 2002 (the RRO) this gives the Council the opportunity to use DFG funding more flexibly in the future through the use of discretionary housing grants. However, to provide discretionary housing grants the Council must have an RRO complaint policy which confirms the types of discretionary grants that will be provided and the conditions attached to these. The Private Housing Health Assistance Policy (the policy) is compliant with the RRO and will enable the Council to use its discretion to provide discretionary housing grants to vulnerable people and people with chronic health conditions.

The policy is steered by objectives within the Barking, Havering and Redbridge Better Care Fund Plan 2017-19, the Care Act 2014 and the Housing Grants, Construction and Regeneration Act 1996. The main aims of the policy are to ensure the homes of vulnerable people are improved so that they can regain or retain their independence and carry on living in their own home in the community, and to live in homes that are safe and healthy. The delivery of the policy will benefit vulnerable people living in Havering and reduce pressures on local health and social care services.

The provision of discretionary housing grants is particularly relevant for people living in Havering given the population of the Borough is significantly older in comparison with other London Boroughs. In addition to this up to 19% of working age people (16 – 64 years) living in Havering have a disability or long term illness. The estimated proportion of people aged 18 – 64 in Havering living with moderate physical disabilities (e.g. unable to manage stairs and need aids or assistance to walk) is one of the highest among London Local Authorities, and the number of young people with learning disabilities and challenging behaviour is set to rise. Further evidence of the needs of the population in Havering is set out in the relevant sections of this EqHIA below.

The policy sets out what the Council already does to provide mandatory Disabled Facilities Grants (DFGs) to older people, and disabled adults and children, to help them make their homes more accessible. DFGs are restricted by national eligibility criteria, they are limited to helping people make their home more accessible, and they are all subject to formal means testing. The new policy also enables the Council to provide housing grants to vulnerable people in a more flexible way through the use of discretionary Housing Assistance Grants (HAGs) in addition to the current mandatory DFGs. There are 7 discretionary grant schemes within the new policy:

- DFG Top-Up
- Discretionary Disabled Adaptation Assistance
- Moving On Assistance
- Hospital Discharge Assistance
- Safe, Warm and Well
- Dementia Aids, Adaptations, and Assistive Technology
- Sanctuary Scheme

These discretionary grants will increase the level and range of assistance the Council can provide through housing grants to vulnerable people to help them make improvements to their home to ensure they have a safe, secure, and healthy place to live that meets their individual complex needs (alongside the provision of person centred support if they have unmet eligible care needs for social care). This will help more vulnerable people to:

- continue to live independently in their own home for as long as possible by adapting it to meet their individual complex needs;
- reduce the risks of having to receive long term care or move into a care home, or delay these outcomes for as long as possible;
- live in a safe and warm home to reduce the risk of ill health;
- reduce hazards in their home and minimise the risk of injury, e.g. through falling;
- avoid the need for acute hospital care and facilitate quick discharge from hospital;
- move to a more suitable place to live if their current home cannot be adapted to meet their individual needs.

The discretionary grants will enable a higher level of assistance to be provided to facilitate more complex adaptations to the homes of vulnerable people such as extensions. Eligibility for discretionary grants is subject to less restrictive financial assessments than DFGs making housing grants available to people who are asset rich but cash poor, as well as people whose financial circumstances mean they may not meet eligibility criteria for a mandatory DFG but would be subject to financial hardship if they had to fund the adaptations they need themselves.

A number of other local authorities have already developed an RRO compliant policy and are starting to deliver discretionary housing grants. However, the provision of discretionary housing grants across the country is patchy and still in early stages of development. The Council has engaged with local authorities who have already started to deliver discretionary housing grants as well as Foundations (a Government sponsored agency to provide support to agencies in the delivery of DFGs) to ensure the Private Housing Health Assistance Policy is based on legislative requirements and current best practice.

Who will be affected by the activity?

The new discretionary grants will benefit older people living in Havering as well as adults and children with disabilities and chronic health conditions as set out above.

Protected Characteristic – Age:

Please tick (✓) the relevant box:		Overall impact:
Positive	✓	<p>The discretionary grants made available by the Private Housing Health Assistance Policy will have a positive impact on older people living in Havering by broadening the range of grants and types of adaptations available in a more flexible way. The grants will:</p> <ul style="list-style-type: none"> • improve the homes of older people to make them warmer and help avoid exacerbating chronic health conditions; • reduce the risk of falls; • reduce the risk of ill health and injuries that lead to hospital admissions;
Neutral		
Negative		

	<ul style="list-style-type: none"> • ensure the homes of older people, are adapted to their changing needs to help them maintain their independence, live at home for longer, and avoid/delay the need for long term care and/or admission to a residential care service; <p>Children and young people will also benefit from the policy in similar ways, in particular young children who have chronic health conditions that may be exasperated by poor housing conditions (see disability section for the benefits to disabled children and young people).</p>
<p>Evidence:</p> <p>The population in Havering is significantly older in comparison with other London Boroughs with an estimated 47,000 people over the age of 65. Over the next 25 years it is estimated that the number of people aged over 65 will increase by nearly 50%, by 2043 the estimated number of people aged 65+ living in the Borough will be nearly 70,000. In this period the number of people between 65 – 80 years old is predicted to rise by 12,600 to 46,500, an increase of 37.2%. It is also estimated that the number of people aged 81 and over will increase by 10,100 to 23,200, an increase of 77%. (<i>GLA Intelligence Unit: Central Trend Population Projections</i>). POPPI data shows that, of the whole population in Havering, the number of people aged 65 and over will increase by 41.6% between 2017 and 2035. (<i>Projecting Older People Population Information [POPPI] System statistics, Institute of Public Care</i>). The projected increase in the number of older people in Havering is reflected in national population estimates. Nationally by 2066 there is projected to be 8.6 million more people aged 65 years and over, this will then represent 26% of the population. The fastest increase will be seen in the 85 years and over age group. (<i>Population estimates: Principle Population Projections, 2016 based, Office for National Statistics</i>).</p> <p>Havering has one of the highest proportions of the population in the country with dementia and it is estimated that around half of people living with dementia are as yet undiagnosed (<i>Havering JSNA 2017</i>).</p> <p>Many chronic health conditions experienced by people, particularly older people, have a causal link to, or are exacerbated by, poor housing. Frail and older people experience poorer physical and mental health and higher risk of mortality, while babies and young children have an increased risk of respiratory problems. It is estimated that the annual cost to the NHS of treating disease due to cold private housing is over £850 million per year (<i>Cost of Poor Housing to the NHS, Briefing Paper, Building Research Establishment on behalf of the BRE Trust, 2015</i>). This does not include additional spending by social services, or economic losses through absences from work. Health risks associated with cold homes include: increased respiratory illness, worsening of asthma, chronic obstructive pulmonary disease, worsening of arthritis, increased blood pressure, and risks of heart attack and stroke. A cold home also increases the risk of falls and accidents as strength and dexterity decreases at lower temperatures. Making homes weather safe, wind and weather proof, alongside ensuring suitable indoor temperatures can be maintained could reduce symptoms or instances of illness.</p> <p>The House of Commons, Communities and Local Government Committee has recognised the well evidenced link between poor quality housing and a number of health issues including the risk of falls. (<i>Source: “Housing for Older People”, House of Commons, Communities and Local Government Committee, February 2018</i>).</p>	

For the last three years where records are available, the London Borough of Havering had the highest number of excess winter deaths of any London Borough

2013/14: Havering = 130, Outer London Borough Average = 78

2014/15: Havering = 200, Outer London Borough Average = 151

2015/16: Havering = 160, Outer London Borough Average = 64

(Source: Office of National Statistics on Excess Winter Deaths 2018).

Using the data available (from GLA Intelligence Unit, Havering JSNA, and NICE) it is estimated that the number of falls for people over 65 will increase from an estimated 16,720 in 2018 to 25,550 in 2043. This means that the number of serious injuries caused by falls is estimated to increase from 4,180 in the current year to 6,388 per year in 25 years' time, an increase of nearly 53%. Other data (from POPPI System statistics, Institute of Public Care) predicts the number of people aged 65 and over admitted to hospital as a result of falls between 2017 – 2035 will increase by 26%, with the biggest increase being in the 75 years and over age group.

National data indicates about 30% of people older than 65, and 50% of people older than 80, will fall at least once a year. Up to a quarter of people who fall will sustain a serious injury: (Falls Assessment & Prevention of Falls in Older People, National Institute for Health & Care Excellence, [NICE]. June 2013).

Falls are one of the major reasons for people to move from their own home to residential care, this has a significant impact on the independence of older people and increases social care costs. A package of relatively low cost adaptations could reduce falls and may delay hospital admissions. Research conducted in 2016 indicated adapting homes to minimise the risk of falls could save the NHS over £400 million per annum. (Source: BRE Report 2016).

Alongside the ageing population there is also a rise in the proportion of the population diagnosed with dementia. Dementia alongside other chronic health conditions presents more challenges to ensure people's accommodation remains suitable to avoid the need for residential care. Figures released by Alzheimer's Research UK indicate there has been a 56% rise in the number of people diagnosed with dementia from 2010/11 to 2015/16. (Source: Alzheimer's Research UK).

Work to quantify the number of dwellings in Havering that have "Category 1 Hazards" (i.e. hazards that may present a serious threat to the health and safety of people living in or visiting the home) is underway. Nationally a report by Care & Repair England in March 2016 "Off The Radar, Housing disrepair and health impact later in life" concluded:

- 1.2 million (approximately 1 in 5) households occupied by at least one person aged 65 or over failed to meet the Decent Homes Standard in 2012;
- the vast majority of households (79%) occupied by at least one person aged 65 or over that failed to meet the Decent Homes Standard were owner occupiers;
- the main reason for homes failing the Decent Homes Standard was the presence of category 1 hazards, the two most common category 1 hazards were falls risks and excess cold;
- 731 thousand households occupied by at least one person aged 65 or over lived in a home with a category 1 hazard, 85% of these were owner occupied homes.
- The majority of older people (85%) with a long term illness or disability living in non-decent homes are owner occupiers.

Sources used:

- GLA Intelligence Unit: Central Trend Population Projection;
- Projecting Older People Population Information [POPPI] System statistics, Institute of Public Care;
- Population estimates: Principle Population Projections, 2016 based, Office for National Statistics;
- Havering JSNA 2017;
- Cost of Poor Housing to the NHS, Briefing Paper, Building Research Establishment on behalf of the BRE Trust, 2015;
- Housing for Older People, House of Commons, Communities and Local Government Committee, February 2018;
- Office of National Statistics on Excess Winter Deaths 2018;
- GLA Intelligence Unit, Havering JSNA, and NICE;
- Falls Assessment & Prevention of Falls in Older People, National Institute for Health & Care Excellence, [NICE], June 2013;
- BRE Report, 2016;
- Alzheimer's Research UK;
- Care & Repair England in March 2016 "Off The Radar, Housing Disrepair and Health Impact Later in Life.

Protected Characteristic - Disability:

Please tick (✓)
the relevant box:

Positive

✓

Neutral**Negative****Overall impact:**

The Private Housing Health Assistance Policy will have a positive impact on people with a broad range of disabilities (adults and children) including but not necessarily limited to: people with moderate and severe physical disabilities, sensory disabilities, people with learning disabilities or autism with challenging needs (in particular children and young people with these needs who live in the family home), people with progressive conditions whose needs may change over time.

The policy will broaden the range of grants and types of adaptations available to disabled people in a more flexible way. The grants will:

- ensure the homes of disabled people, are adapted to their changing needs to help them maintain their independence, live at home for longer, and avoid/delay the need for long term care and/or admission to a residential care service or residential school;
- improve the homes of disabled people to make them warmer and help avoid exacerbating chronic health conditions;
- reduce the risk of falls;
- reduce the risk of ill health and injuries that lead to hospital admissions;

Evidence:

Up to 19% of working age people (16 – 64 years) who live in Havering have a disability or long term illness. (Source ONS Population Survey 2015).

The estimated number of people in Havering aged 18-64 living with moderate physical

disabilities (e.g. unable to manage stairs and need aids or assistance to walk) was 11,870 in 2017, a rate of 7,865 per 1000,000 population aged 18 – 64 years. This rate is one of the highest among London local authorities. Furthermore 3,506 adults (16 - 64 years) were estimated to be living with serious physical disabilities. The rate is 2,323 per 100,000 which is again much higher than the London rate. (*Source; Havering JSNA: Projecting Adult Needs and Service Information System (PANSI 2017), and mid-year population estimates 2017, Office for National Statistics (ONS).*)

Chronic health conditions have a causal link to, or are exacerbated by, poor housing. Frail people experience poorer physical and mental health and a higher risk of mortality, babies and young children have an increased risk of respiratory problems (*Source Cost of Poor Housing to the NHS, Briefing Paper, Building Research Establishment on behalf of the BRE Trust, 2015*). Nationally in 2016 20% of dwellings (4.7M homes) failed to meet the Decent Homes Standard. The private rented sector had the highest proportion of non-decent homes (27%) while the social rented sector had the lowest (13%). Among owner occupied homes, 20% failed to meet the Decent Homes Standard in 2016. Damp problems were more prevalent in the rented sectors. Some 8% of private rented dwellings had some type of damp problem, compared with 5% of social rented dwellings and 3% of owner occupied dwellings. Private rented dwellings were, on average, older and therefore more likely to have defects to the damp proofing course, roof covering, gutters, or down pipes, which could lead to problems with rising or penetrating damp affecting at least one room in the property.

The number of children with special educational needs and disabilities is growing year on year with average increases of between 40% - 50% between 2012 and 2015. Increases are particularly marked in respect of children with the most severe and complex needs (*Havering JSNA 2017*).

Research commissioned by Adult Social Services indicates that in the immediate future there will be between 2 - 4 young people with learning disabilities who have challenging behaviour coming through transition into adulthood in each Borough including Havering. This is an increase compared to previous years. Some of these children and their families may need adaptations to their home to provide a home environment that is safe and sustainable for the child with disabilities and the rest of the family to help avoid the need for early admission into a residential care service or residential school.

Sources used:

- ONS Population Survey 2015;
- Havering JSN;
- Projecting Adult Needs and Service Information System (PANSI 2017);
- Mid-year population estimates 2017, Office for National Statistics (ONS);
- Research commissioned by Adult Social Services, this was informed by: The Transforming Care Partnership Report (2016) [a tripartite report for Barking & Dagenham, Redbridge, and Havering], PANSI predictive model, Adults and Children's data systems;
- The Cost of Poor Housing to the NHS, Briefing Paper, Building Research Establishment on behalf of the BRE Trust, 2015).

Protected Characteristic - Sex/gender:		
Please tick (✓) the relevant box:		Overall impact: The policy makes housing grants available to vulnerable people based on their need to adapt their homes according to their individual needs and health conditions not their sex or gender. The policy explicitly states that people will be treated fairly as required by the Equalities Act 2010 and that people's rights are protected. The availability of housing grants through the policy is not be affected by the sex or gender of the applicant, the policy has a neutral impact dependent on gender. It is likely that more housing grants will be provided to provide assistance to women because the life expectancy for women compared to men in the Borough is higher and they are more likely to eligible to apply for a housing grant adaptation in older age.
Positive		
Neutral	✓	
Negative		
Evidence: According to the latest available three years aggregated data (2015-17) from Office for National Statistics (ONS) The life expectancy at birth ¹⁵ for people living in Havering is 79.6 years for males and 84.2 years for females. A report by Care & Repair England "Off The Radar" indicated 52% of people aged 65 or over report as having a long term illness or disability that limits activities of daily living. 47% of women and 39% of men over 65 reported difficulty walking even moderate distances.		
Sources used: This is Havering 2019: Havering Joint Strategic Needs Assessment. Off The Radar: Care & Repair England.		

Protected Characteristic - Ethnicity/race:		
Please tick (✓) the relevant box:		Overall impact: As a result of the policy housing grants will be available to vulnerable people and people with chronic health needs irrespective of their race or ethnicity. The policy explicitly states that people will be treated fairly as required by the Equalities Act 2010 and that people's rights are protected. The availability of adaptations will not be affected by the ethnicity or race of the applicant, the policy will have a neutral impact on people in this category.

Positive		Havering has one of the least ethnically diverse populations in London. It is therefore likely that more housing grants will be given to white people than people from the BAME community. However, there is some evidence nationally that there are higher levels of long term illness amongst older Black, Asian, and minority ethnic (BAME) groups compared to the white population in England. If this is the case people from the BAME population in Havering may be proportionately more eligible to seek a housing grant under the new policy than white people. However, overall impact on this category of people remains neutral.
Neutral	✓	
Negative		
Evidence: An estimated 83% of the people living in Havering are white British. The role of home adaptations in improving later life”, BRE, November 2017, indicates there are higher levels of long term illness amongst older Black, Asian, and minority ethnic (BAME) groups than in the white population in England.		
Sources used: Havering Data Intelligence Hub, March 2019. The Role of Home Adaptations In Improving Later Life: BRE Report, November 2017.		

Protected Characteristic - Religion/faith:		
<i>Please tick (✓) the relevant box:</i>		Overall impact: The policy makes no distinction about the availability of housing grants to people from any particular religion or faith. Older people, people with disabilities, and people with long term medical conditions who have different faiths, or who have no faith at all, will all benefit in the same way.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient evidence to indicate the policy will have a positive or negative impact on people who have different faiths.		
Sources used: There is insufficient evidence to indicate the policy will have a positive or negative impact on people who have different faiths.		

Protected Characteristic - Sexual orientation:		
Please tick (✓) the relevant box:		Overall impact: The policy makes no distinction about the availability of housing grants to people with different sexual orientation. The policy explicitly states that people will be treated fairly as required by the Equalities Act 2010 and that people's rights are protected. The policy will make more housing grants available more flexibly to older people, people with disabilities, and people with chronic health conditions irrespective of their sexual orientation.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on their sexual orientation.		
Sources used: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on their sexual orientation.		

Protected Characteristic - Gender reassignment:		
Please tick (✓) the relevant box:		Overall impact: The policy makes housing grants available to people who have re-assigned their gender or going through gender re-assignment in the same way as other people. The determining factors for eligibility to the housing grants are based on an individual's disability or chronic health need. The availability of housing grants through the policy is not be affected by gender reassignment, the policy has a neutral impact on people who have re-assigned their gender or are in the process of doing so.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on gender reassignment.		
Sources used: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on gender reassignment.		

Protected Characteristic - Marriage/civil partnership:		
Please tick (✓) the relevant box:		Overall impact: The policy makes housing grants available to people irrespective of their marital status. The policy will make more housing grants available more flexibly to older people, people with disabilities, and people with chronic health conditions irrespective of their marital status.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on their marital status.		
Sources used: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on their marital status.		

Protected Characteristic - Pregnancy, maternity and paternity:		
Please tick (✓) the relevant box:		Overall impact: The policy makes housing grants available to people irrespective of their maternity/paternity status.
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on pregnancy, maternity or paternity.		
Sources used: There is insufficient evidence to indicate the policy will have a positive or negative impact on people dependent on pregnancy, maternity or paternity.		

Socio-economic status:		
Please tick (✓) the relevant box:		Overall impact: The discretionary grants available in the policy will have a positive effect on people with low incomes. It is known that people on low incomes are more likely to have multiple health conditions and disabilities, and will therefore benefit from having greater range of adaptations available through a more flexible approach. The average cost of DFG adaptations has risen significantly over the past decade, whilst the means test and passporting arrangements (where some people receive a DFG automatically because of the benefits they receive) have remained the same since May 2008. Whilst the cost of adaptations is increasing the policy will make it easier for people with low economic status to receive financial assistance to adapt their home to make it more accessible and safer. Although the policy has financial eligibility criteria for high cost discretionary grants to ensure assistance is provided to the people that need it most and not to people that can afford their own adaptations, the discretionary grants enable more people to receive grants without a formal means test to ensure assistance is provided to people who need adaptations to help them maintain their independence but can't afford them because of their low income and lack of savings.
Positive	✓	
Neutral		
Negative		
Evidence: Research completed by the Academy of Medical Sciences has shown that people with multiple health problems are more likely to be disabled, and that multiple health conditions are more common among people with low income. In 2015 Marmot identified a strong relationship between low income, poor health, and fewer impairment free years, and in 2017 MICRA reported on evidence indicating that frailty (loss of muscle strength, falls, and confusion) occurs almost 10 years earlier in people that are in the lowest third in terms of wealth. In areas with high proportions of people on low incomes, people in their 60's may be experiencing health conditions that normally only appear in people when they reach their 70's. In 2016 NHS England developed an optimal pathway to try to ensure that people with frailty are supported to remain living independently, the External DFG Review in December 2018 concluded that adaptations could play a much bigger role in this process. The average cost of grants is rising. In 2009/10 the average cost was just over £7,000, this rose to nearly £9,000 in 2016/17 (LOGASnet and Foundations FOI 2018). This reflects increases in building costs as well as a possible increase in the level of complexity of needs. In addition to this the average cost of DFGs is higher in London than elsewhere in the UK (DFG External Review, 2018). The financial thresholds for mandatory DFGs have been unchanged since May 2008, whilst actual prices have increased by nearly 30% since then. In some local authorities the percentage of DFG applicants who receive a full grant has reduced by 15% over the		

last decade. Passporting arrangements in the current regulations are out of date, not taking into account changes in the benefits system over recent years including Universal Credit. Anecdotal evidence from front line staff indicates a number of disabled local people have been unable to receive a DFG over recent years because the formal means test (required for a mandatory DFG) excluded them from this type of assistance, a number of these people were unable to fund the adaptation themselves because to do so would have caused them financial hardship. The national External Review on DFGs (UWE 2018) confirms that on a national basis the biggest identifiable reason for adaptations not proceeding is because individuals are not deemed eligible for full financial assistance for their adaptation due to the means test (DFG External Review 2019).

Sources used:

- Disabled Facilities Grant and Other Adaptations – External Review, University of West England, December 2018;
- Multimorbidity: a priority for global health research, The Academy of Medical Sciences, April 2018;
- The Health Gap, Marmot, M., 2015;
- The Golden Generation, Wellbeing and Inequalities in Later Life, Manchester Institute for Collaborative Research on Ageing, 2017;
- The variation between standard and optimal pathways – Janet’s story: Frailty, RightCare scenario, 2016;
- LOGASnet and Foundations FOI 2018.

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person’s physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.

Please tick (✓) all the relevant boxes that apply:

Positive ✓

Neutral

Negative

Overall impact:

The Private Housing Health Assistance Policy enables the Council to use discretionary powers to deliver a broader range of housing grant assistance to vulnerable people (adults and children) in a much more flexible way. Mandatory Disabled Facilities Grants are already provided by the Council, these are mainly used to make homes more accessible for older and disabled people to help them live independently at home for as long as possible. The new housing grant schemes in the policy will broaden the types of housing grants available, this will have a positive impact on the health and wellbeing of older people, adults and children with physical, mental, sensory or multiple disabilities, and/or chronic health conditions by making discretionary housing grants available that will:

- improve their housing conditions;
- reduce hazards in their home that could be detrimental to their health.

There are 6 discretionary housing grant schemes in the policy that will have particular benefits for health and wellbeing as outlined below;

		Discretionary Scheme	Benefits
		DFG Top-Up	Enable people to make larger adaptations to their home than can be delivered through a mandatory DFG alone, e.g. extensions, garage conversions etc. to facilitate access to critical facilities at home, reduce risk of injury, ill health and maintain health & wellbeing.
		Discretionary Disabled Adaptation Assistance	More assistance to a broader range of people who need financial assistance to make their homes more accessible to reduce risk of injury, ill health, and maintain health & wellbeing.
		Moving On Assistance	Assistance to enable people to move (if they want) to another home that can meet their needs (when it is not possible for them to adapt their own home with the other grants available) to help maintain their health & wellbeing.
		Hospital Discharge Assistance	Quick access to small adaptations in their home that will minimise the time they need to spend in an acute hospital.
		Safe, Warm and Well	Essential repairs and home improvements to help people keep safe, warm, and healthy at home by reducing hazards that present a health and safety risk to people living in the home.
		Dementia Aids, Adaptations, and Assistive Technology	Enable people with a diagnosis of dementia to manage their surroundings and retain their independence.
		<p>Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box</p> <p style="text-align: right;">Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
		<p>Although the policy has a positive impact overall tenants in private lets may be distressed if their landlord refuses permission for their property to be adapted. This can be mitigated by the provision of a Move On Grant to enable the person move to more suitable accommodation.</p>	

Evidence:

The increasing needs of older people living in Havering:

The increasing needs of older people living in Havering is as outlined in the “Protected Characteristic – Age” section of this document.

Avoiding falls:

Falls are one of the major causes of injury for older people. It leads to avoidable hospital admissions and is one of the major reasons for older people losing their independence.

The bulk of the evidence in relation to avoiding falls is outlined in the “Protected Characteristic – Age” section of this document.

In addition to the evidence already outlined, according to data from POPPI the number of people in Havering aged 65 and over predicted to be admitted to hospital as a result of falls is predicted to rise by 26% between 2017 and 2035. The number of people predicted to be admitted to hospital as a result of falls over this period is shown below:

2017: 1,015 people
2020: 1,066 people
2025: 1,208 people
2030: 1,330 people
2035: 1,488 people

The percentage increase in predicted falls is highest in the 75 and over age group. The percentage increase in age groups over this period is shown below;

Aged 65 – 69: 27% increase
Aged 70 – 74: 30% increase
Aged 75 and over: 50% increase

Addressing poor housing conditions

Chronic health conditions are exacerbated by poor housing, particularly cold and damp housing conditions. The bulk of the evidence about how the policy will have a positive impact on the health and wellbeing of older people, people with disabilities, and people with chronic health conditions by addressing poor housing conditions is outlined in the “Protected Characteristic – Age” section of this document.

In addition to the evidence already outlined, in 2013 the GLA produced a report which set out what it considered were the specialist older persons’ (age 65 and over) housing needs in London. This estimated that 50% of the affordable rented older persons’ housing stock is not fit for purpose.

Also, a household is considered to be fuel poor if it has higher than typical energy costs and would be left with income below the poverty line if it spent the required money to meet those costs. Failure to provide acceptable levels of heating can contribute to properties becoming damp due to build-up of condensation. Evidence suggests the impact of living in a cold damp home can be severe, including impacts on respiratory and cardiovascular diseases, rheumatoid arthritis, and poor mental health. According to the Association for the Conservation of Energy the United Kingdom has the worst level of home energy efficiency in Europe (ACE March 2013). In addition the Department for Work and Pensions claim that 6% of pensioners do not have a damp free home with 3 % of these saying they can’t keep their homes warm (Homes Below Average Income: DWP 2017).

In 2015 the National Institute for Health and Care Excellence (NICE) published “Excess Winter Deaths & Illness & the Health Risks associated with Cold Homes”. One of the recommendations made was to improve the energy efficiency of homes.

The estimated cost of poor housing to the NHS is £1.4 billion (Care & Repair, “Off the Radar” March 2016: based on conservative modelling by BRE using NHS data and Housing Health & Safety Rating System data).

In 2016 20% of dwellings in the country (4.7M homes) failed to meet the Decent Homes Standard (down from 35% [7.7M homes] in 2006). The private rented sector had the highest proportion of non-decent homes (27%) while the social rented sector had the lowest (13%). Among owner occupied homes, 20% failed to meet the Decent Homes Standard in 2016. Damp problems were more prevalent in the rented sectors. Some 8% of private rented dwellings had some type of damp problem, compared with 5% of social rented dwellings and 3% of owner occupied dwellings. Private rented dwellings were, on average, older and therefore more likely to have defects to the damp proofing course, roof covering, gutters, or down pipes, which could lead to problems with rising or penetrating damp affective at least one room in the property.

In 2016, social stock had an average SAP rating (Standard Assessment Procedure for the Energy Rating of Dwellings) of 67, higher than private sector stock which had an average SAP rating of 61. The social sector was more energy efficient than the private sector. In particular there was a greater proportion of owner occupied homes in band D (52% compared with 49% of private rented sector dwellings). In the Social Sector 93% of dwellings were in EER bands A to D, with A being high energy efficiency). Among dwellings with solid walls, the social rented sector had a higher proportion with solid wall insulation (30%) than the private sector (7%). Among dwellings with cavity walls, the private rented sector had a lower proportion of dwellings with cavity insulation (55%) than the other tenures (for example 71% of owner occupied dwellings) (source: "The Cost of Poor Housing to the NHS", BRE, 2015).

Nearly one in three of the oldest households in England (where the oldest person is aged 75+) live in housing which has failed the official decent homes standard (English Housing Survey Housing Stock Summary July 2011). Of the age 75+ households one in eight live in housing which fail the decent homes standard because of sub-standard heating and insulation. Older people in private rented housing are most at risk of living in non-decent homes.

The English Housing Survey 2014- 15 confirmed that:

- 3 in 10 households contain an adult aged 65 years or older;
- three quarters of households where the oldest person was aged 65 years or older are home owners;
- almost half (47%) of those aged 75 – 84, and 61% of those 85 and over, live alone;
- three million households containing an adult aged 65 or over report a long term illness or disability;
- the majority of older households live in pre-1980 housing not built to modern accessibility standards. A quarter of those aged 75 – 84, and a third of those aged 85 years or older live in homes built before 1945;
- 1 in 5 homes occupied by older people in England failed to meet the Decent Homes Standard 2014, and those aged 85 years or over were more likely to live in non-decent homes (29%) compared with all other age groups;
- 40% of households containing at least one adult aged 65 years or over with a long term illness or disability, self-reported the need for installation of at least one adaptation;
- very few people needing adaptations were aiming to move and desire to move declines with age;
- 4% of households that included an adult aged 65 years or over are living in homes with the most serious risk of falls and a further 7% live in homes where such risks and less serious but still higher than average.

Sources used:

- GLA Intelligence Unit: Central Trend Population Projection;
- Projecting Older People Population Information [POPPI] System statistics, Institute of Public Care;
- Population estimates: Principle Population Projections, 2016 based, Office for National Statistics;
- Havering JSNA 2017;
- Cost of Poor Housing to the NHS, Briefing Paper, Building Research Establishment on behalf of the BRE Trust, 2015;
- Housing for Older People, House of Commons, Communities and Local Government Committee, February 2018;
- Office of National Statistics on Excess Winter Deaths 2018;
- GLA Intelligence Unit, Havering JSNA, and NICE;
- Falls Assessment & Prevention of Falls in Older People, National Institute for Health & Care Excellence, [NICE], June 2013;
- BRE Report, 2016;
- Alzheimer's Research UK;
- Off The Radar, Housing Disrepair and Health Impact Later in Life, Care & Repair England, March 2016;
- ACE March 2013;
- DWP 2017).
- Excess Winter Deaths & Illness & the Health Risks Associated with Cold Homes, National Institute for Health and Care Excellence (NICE), 2015;
- English Housing Survey Housing Stock Summary July 2011);
- English Housing Survey 2014- 15.

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	➔	Proceed with implementation of your activity
	2. The EqHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u>	➔	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	➔	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer
Protected characteristics	No negative impacts identified	Implement the policy	Develop outcome measurements and methods	Outcome measurements and methods to be in place by October 2019. Review outcomes when the policy is reviewed in 2024	Service Manager for the DFG Service
Health & Wellbeing Impact	Distress to a tenant if a landlord refuses permission for an adaptation	Move On Grant as appropriate	Monitor cases where permission refused	Measure alongside outcome measurements above	Service Manager for the DFG Service

5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review: The Private Housing Health Assistance Policy will be reviewed in March 2024. This EqHIA will be reviewed alongside the policy review.

Scheduled date of review: March 2024

Lead Officer conducting the review: Service Manager, Private Housing Improvement Team

Appendix: Health & Wellbeing Impact Tool

Will the activity/service/policy/procedure affect any of the following characteristics? Please tick/check the boxes below

The following are a range of considerations that might help you to complete the assessment.

Lifestyle YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Personal circumstances YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Access to services/facilities/amenities YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care	<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input checked="" type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy	<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities
Social Factors YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Economic Factors YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Environmental Factors YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures	<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion	<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input checked="" type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure

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CABINET

8th May 2019

Subject Heading:

Tenancy Policy

Cabinet Member:

Councillor Joshua Chapman

SLT Lead:

Gerri Scott, Interim Director of Housing

Report Author and contact details:

Neehara Wijeyesekera, Tenancy Services Manager, Housing Services

neehara.wijeyesekera@haverling.gov.uk;

01708-433812

Policy context:

The new Tenancy policy replaces the current Tenancy Management Policy. Its purpose is to inform home seekers and council officers about the type of tenancies that will be on offer from the London Borough of Havering. It sets out clearly how the Council lets out its properties.

The length of tenancy and the type of tenancy which we issue to tenants is subject to statute with little scope for discretion which the Council can apply.

This policy also sets out how the Council will monitor and review introductory and flexible tenancies. It also provides information on mutual exchanges.

The policy also explains the legal assignment and succession rights afforded to Introductory and Secure tenants, and to provide guidance on the principles when officers consider applications to assign or succeed to introductory or secure tenancies.

Financial summary:

The financial costs of implementing the new Tenancy Policy will be contained within the existing Housing Revenue Account budget

Is this a Key Decision?

(c) Significant effect on two or more Wards

When should this matter be reviewed?

A year after the consultation has been completed on the Tenancy Policy

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Communities making Havering

☒

Places making Havering

☒

Opportunities making Havering

☐

Connections making Havering

☐

SUMMARY

This report seeks the consideration and approval of members, in principle, (prior to consultation), for the Council's draft Tenancy Policy. The final version of this policy will be presented to Cabinet once a six week consultation period has been completed. The findings from this consultation exercise will be analysed and assessed to establish if there are any negative impacts on the protected characteristics arising from the policy which the Council will seek to mitigate.

RECOMMENDATIONS

The Cabinet is asked to:

1. Approve the draft Tenancy Policy in principle prior to consultation with residents and other stakeholders.
2. Agree for the Council to consult with residents and other stakeholders on the proposed changes in the draft Tenancy Policy.
3. Note that the results and feedback that emerges from the consultation will assist the Council in the completion of a full Equalities Impact Assessment which will support the final version of the Tenancy Policy.

REPORT DETAIL

- 1.1 The Tenancy Policy sets out the Councils' position in terms of letting out its own properties.
- 1.2 Our intention is to provide a balance between ensuring stability for households who are in need, in particular, for vulnerable households, against flexibility in the way that the Council manages its housing stock. Our aim is to ensure that we make the best and most suitable use of the limited lettings which become available each year.
- 1.3 The Localism Act gave Local Authorities the discretion to offer new tenants fixed term tenancies of no more than 5 years in duration. Havering has been granting flexible tenancies to all new tenants since April 2012, with the following exceptions:

- where a secure lifetime tenant transfers to another home within our housing stock to downsize because they are under-occupying their home, **or**
- where a tenant moves to a property designated for tenants aged 60 or over. These are sheltered and extra care schemes and flats in general needs schemes designated for people aged 60 or over. (or where the resident is 55 or over and requires a medium or high level of support due to frailty, ill-health or restricted mobility), **or**
- where existing secure tenants (or assured tenants of a housing association) whose tenancy began before 1st April 2012 have their tenancy terms and conditions preserved by law. Therefore, if they transfer to a different home in either Council or housing association stock, they will automatically be offered another secure or assured tenancy.

1.4 The recent Secure Tenancies (Victims of Domestic Abuse) Act 2018 provides protection for social housing tenants across all the protected characteristics with a secure life-time tenancy that are fleeing domestic abuse or violence. The new Act contains measures to ensure that lifetime tenants of social homes who are victims of domestic abuse are granted a further lifetime tenancy where either:

- they need to leave or have left their home to escape domestic abuse and are being re-housed by a local authority, **or**
- where they are a joint tenant and wish to remain a tenant of their social home after the perpetrator has left or been removed and the local authority decides to grant them a further sole tenancy in their current home.

The new policy recognises this new legislative provision.

1.5 It also continues with the general rule that 5 year terms should be granted in most circumstances and explains the circumstances when shorter or longer terms should be considered -expanding on the previous tenancy policy.

1.6 Further guidance is provided on the monitoring and review of introductory tenancies and the circumstances in which the introductory trial period should be extended or the introductory tenancy terminated for breach of tenancy. Tenants will be required to wholly or substantially comply with all the tenancy terms during the introductory trial period.

1.7 The policy also introduces ongoing tenancy reviews with annual tenancy assessments. This ensures transparency and sets clear expectations throughout the tenancy term. Guidance is clearly set out within the policy on the five clear criteria for the grant of a renewed tenancy.

1.8 The rules concerning mutual exchange applications are also consolidated within this policy.

- 1.9 This policy recognises the current legislative provision in place which the Council will apply to the Succession of Council Tenancies through the Localism Act 2011.
- 1.10 The new Tenancy policy seeks to amend and reflect a change in the legislation concerning the granting of statutory rights for secure lifetime tenancies which should have been effective from 1st April 2012. Under the Localism Act 2011, the statutory right for family members to succeed a tenancy on the death of the tenant was removed in law, limiting the right of succession to the spouse/partner of the deceased. Any additional family rights of succession are non-statutory.
- 1.11 In practice, the Council has not updated the succession clause in its secure lifetime tenancy agreement since April 2012, so at present (and until the new tenancy terms and conditions are in place), post April 2012 secure lifetime tenancies continue to be subject to the same family succession rights as older secure lifetime tenancies. Any new secure lifetime tenancies granted from the effective date of the new Tenancy Terms and Conditions will no longer have the non-statutory right of succession for family members and will be restricted to the statutory minimum succession right which is limited to the spouse or partner of deceased tenant (one time only). **This will only affect those residents who are granted a secure lifetime tenancy from the date that the new tenancy terms and conditions takes effect, so does not impact on existing secure life time tenants. The new policy simply tidies up the Council's policy position and brings it in line with current legislation.**
- 1.12 The policy also, in the event that the new provisions within the Housing and Planning Act 2016 are enacted, details the Council's position around succession should the provisions of the Act ever come into force.
- 1.13 The aim of our Succession policy is to create greater headroom within our stock, allowing the Council to free up property and to make better use of our scarce resource, ensuring a fairer distribution of social housing.

Consultation

- 2.1 On agreement from Cabinet, consultation on the draft Tenancy Policy will commence with feedback sought from residents, Members, Senior Managers of the Council and voluntary agencies.
- 2.2 The length of the consultation exercise will be for **six weeks**. This is in line with the Council's 'Public Consultation Policy' (2016).
- 2.3 The consultation will adhere to the Council's principles that '*any consultation should be clear, have a purpose, be informative and last a proportionate amount of time*'. The length of time chosen to consult with stakeholders has been considered in terms of legal advice and takes into account any impacts of the policy, which are negligible to existing council tenants. Primarily, the

key change will only affect potential new secure tenants who, from the commencement date of this policy, will no longer be granted the familial right of succession to family members other than a their spouse or partner.

2.4 With this in mind, Officers will apply a targeted form of consultation to engage with current housing register applicants who have been accepted on to the Housing Register, as well as with the stakeholders described above.

2.5 The methods of engagement that Officers will use will include:

- A link on the Housing Advice Internet pages where Housing Register applicants can access an online consultation survey.
- An online survey available on the Intranet for all residents
- Email briefings to staff, members and other stakeholders
- Notification in 'At the Heart' and 'Living' magazines for all residents

2.6 The information and feedback received from this consultation exercise will be used to inform the Equality Impact Assessment which will be used to accompany the final version of the Tenancy Policy.

REASONS AND OPTIONS

Reasons for the decision:

The Tenancy Policy describes how the Council creates, changes and ends tenancy agreements. The Policy ensures the Council follows current legislation and enables tenants to exercise their rights, as set out in the tenancy agreement; it also provides a reference point for housing staff to make their decisions.

To not consult on with residents and stakeholders would be unethical and in breach of the Council's statutory duties.

Other options considered:

If the Council fails to revise its Tenancy Policy and therefore its guidance to officers, residents and stakeholders, the Council leaves itself open to legal challenge and bad practice on the part of its officers.

Failure to consult with residents and stakeholders would be entirely unethical and dereliction of the Council's statutory duty to consult.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising from decision to approve and consult with residents and stakeholders on the draft Tenancy Policy as these will be delivered through existing resources.

Legal implications and risks:

There are no legal implications arising from decision to seek the opinion of and consult with stakeholders on the draft Tenancy Policy.

As drafted, existing secure tenants (both lifetime and flexible) who maintain their security of tenure, will not be affected by the new Tenancy Policy. The changes proposed in this Report (specifically the removal of familial succession to a tenant's family members, (except the spouse or partner), for new secure lifetime tenants would apply to prospective council tenants on the Housing Register if they bid successfully and are granted a secure council tenancy from the date on which this policy commences.

Consequently, the proposed length of time for the consultation (currently six weeks) appears reasonable. This is because there is no specific statutory timeframe for this consultation and the length of time should be proportionate and realistic to allow respondents sufficient time to provide a considered response.

Human Resources implications and risks:

There are no Human Resource implications arising from the decision to consult with residents and all affected stakeholders on the draft Tenancy Policy as these will be delivered through existing resources.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- I. the need to eliminate discrimination, harassment, victimisation and any
- II. other conduct that is prohibited by or under the Equality Act 2010;
- III. the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- IV. foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The consultation exercise on the draft Tenancy Policy will feed into the final published. The feedback will inform the Council where any decision making within its gift for the granting and management of tenancies has an adverse or negative impact on residents by virtue of any protected characteristic they may have. Housing Services will, where necessary set out an action plan to mitigate any adverse impacts identified following consultation on the draft Tenancy Policy.

BACKGROUND PAPERS

None

The following appendices have been submitted in support of this Cabinet report:

- Final Draft Housing Services' Tenancy Policy
- Draft EqHIA for Housing Services' Tenancy Policy



Havering
LONDON BOROUGH

Housing Services' **TENANCY POLICY**

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Tenancy Policy

Document Control

Document details

Name	Tenancy Policy (formerly Tenancy Management Policy)
Version number	1
Status	Final Draft
Author	Colin Frith, Housing Strategy & Policy Team Leader
Lead Officer	Neehara Wijeyesekera, Tenancy Services Manager
Approved by	Gerri Scott, Director of Housing (Interim)
Scheduled review date	April 2022

Version history

Version	Change	Date	Dissemination

Approval history

Version	Change	Date	Approving body
V.1	Draft	11 July 2018	Internal –Tenancy Services Manager, Housing Managers, Housing Policy Manager
Final draft	For approval	6 th February 2019	Cabinet
Final Draft	For approval	2 nd April 2019	Lead Member

TENANCY POLICY

PART 1 - INTRODUCTION

Scope of Policy

- 1.1. This policy includes the following matters:
- the grant of introductory and secure Council tenancies;
 - the monitoring and review of introductory tenancies;
 - the review of flexible tenancies;
 - mutual exchanges and
 - legal assignment and succession rights

Regulatory and Legal Context

- 1.1. This policy sets out the Council's approach to the issuing and re-issuing of Council Tenancies; and the management of those tenancies. The Council supports the principle of flexible tenancies, (except in sheltered housing schemes and in supported housing which meets long term care needs). Our affordable housing resources are a precious asset for which demand far exceeds supply.
- 1.2. This policy also explains the legal assignment and succession rights afforded to Introductory and Secure tenants, and to provide guidance on the principles when officers consider applications to assign or succeed to introductory or secure tenancies within the Council's discretion.
- 1.3. A review of the Council's succession policy was completed following the removal of statutory succession rights for non spouse/civil partner successors in the Localism Act 2011 and proposed changes to succession rights under the Housing and Planning Act 2016 (when implemented).
- 1.4. As a result of the Localism Act 2011, Havering chose to use the discretion to offer secure flexible tenancies for new social housing tenants rather than secure lifetime tenancies from April 2012. The Council viewed this as an opportunity to meet the Borough's housing needs in a more flexible way.
- 1.5. The intention behind this policy is to balance our aim of providing stability for households who are in need, in particular, for vulnerable households, against flexibility in the way that the Council manages our housing stock. Our aim is to ensure that we make the best and most suitable use of the limited lettings which become available each year.
- 1.6. Regulatory reform, legal changes and new Government initiatives have led to fundamental change in the way that tenancies are granted and administered. The Localism Act 2011 defined a standard for how local authorities deliver services to residents. From April 2012 the Regulatory Framework for Social Housing in England and Wales sets out a range of required outcomes in the Tenancy Standard.
- 1.7. The Tenancy Standard sets out a specific expectation for all Local Authorities to have and publish a Tenancy Policy. The Act also makes it easier for local communities to challenge the way local public services are delivered.
- 1.8. Havering Council is committed to ensuring that services delivered to residents are tailored to the needs of local communities.
- 1.9. The key features of the Localism Act 2011 and the regulatory framework are:

- Giving tenants a wide range of opportunities to influence and be involved in the formulation of their landlord's housing related policies and strategic priorities;
- Co-regulation of housing in conjunction with engaged residents and local politicians;
- Making the best use of available housing;
- Providing tenants wishing to move with access to clear and relevant advice about their housing options.

1.10 Local authorities have a general duty to provide housing and tenancy services in a fair and equitable way to all and to ensure that residents are involved in the management of their housing. They are required to maintain the homes and the environment.

1.11 This policy deals specifically with the management of Havering's own council tenancies.

1.12 In formulating this policy, the Council has had regard to the need to safeguard and promote the welfare of children; and this Policy accordingly includes arrangements for that purpose.

1.13 This policy updates and replaces the Council's Tenancy Management Policy 2014.

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PART 2 - GRANT OF COUNCIL TENANCIES

Housing Allocation

- 2.1 This policy relates to the allocation of social (Council) housing under **Part VI Housing Act 1996** in accordance with the Council's published Allocation Policy.
- 2.2 Persons to whom the Council may owe a duty to secure accommodation under the homelessness provisions of Part VII Housing Act 1996 or Homelessness Reduction Act 2017 will be granted non-secure tenancies or licences where accommodated in a Council Hostel and are not covered by this policy.

Types of Tenancy

- 2.3 A brief description of the types of tenancy is set out below:

COUNCIL TENANTS		
Type of Tenancy	Relevant legislation	Brief description
Licences	Common law Protection from Eviction Act 1977	<p>Licences may be granted in limited circumstances (e.g. service licences).</p> <p>Licences may be granted in exceptional circumstances, for example to:</p> <ul style="list-style-type: none"> • Care leavers; and • People under 18 years of age <p>Licensees reaching the age of 18 may then be offered an introductory tenancy as a new tenant. The licence period will not count towards the introductory tenancy trial period.</p>
Non-secure tenancies	Common law Protection from Eviction Act 1977 Schedule 1 Housing Act 1985 s.89 Housing Act 1980	Certain types of tenancy cannot be secure tenancies. These are specified in Schedule 1 of the Housing Act 1985 and include tenancies granted to homeless persons and asylum seekers, and properties let to the Council for use as temporary housing accommodation under Sch.1, paragraph 6 of the Housing Act 1985
Service licences	Common Law Protection from Eviction Act 1977 Schedule 1 Housing Act 1985 Ground 7 Sch 2 Housing Act 1985	<p>Service licences or non-secure tenancies may be granted to persons in consideration of their employment (such as residential caretakers). Such persons will usually be service licensees or service tenants and will not have security of tenure.</p> <p>Service licences may also occasionally be used for very short term arrangements. Legal Advice should be sought when considering a licence.</p>
Introductory tenancies	Housing Act 1996 Housing Act 1985	<p>Introductory tenancies are subject to a 12 month 'probationary' or trial period during which the tenancy may be terminated on a mandatory ground in accordance with this policy. The trial period may also be extended by 6 months.</p> <p>All new Council tenancies are introductory tenancies.</p>

Weekly periodic (lifetime) secure tenancies	Housing Act 1985	<p>These are traditional Council tenancies, often known as lifetime tenancies, which last from week to week until terminated in accordance with specified Grounds for Possession (Schedule 2 Housing Act 1985).</p> <p>Most Council tenancies granted before April 2014 are weekly tenancies.</p>
Flexible tenancies	Localism Act 2011 Housing Act 1985 – Schedule 2	<p>Flexible tenancies are a form of fixed term secure tenancy with all the main rights and protections applicable to weekly periodic secure tenancies.</p> <p>At least 6 months before the end of the tenancy, the Council may serve notice not to renew the tenancy on a mandatory ground for possession. Further details can be found here: http://www.legislation.gov.uk/ukpga/1985/68/schedule/2</p> <p>Most Council tenancies granted from April 2014 are flexible tenancies of 3 or 5 years.</p>

For information, the following tenancies are likely to be used across the Borough:

PRIVATE SECTOR / REGISTERED PROVIDERS & HOUSING ASSOCIATION TENANCIES		
Assured tenancies	Housing Act 1988	These are similar to secure tenancies, and are mostly used by private sector social landlords. Possession may only be sought upon the Grounds in Sch.2 of the Act
Assured shorthold tenancies	Housing Act 1988	<p>These are private sector tenancies, usually granted for 6 or 12 months. The landlord has an additional mandatory right to possession at the end of the tenancy following service of a valid s.21 Notice Requiring Possession.</p> <p>Where assured shorthold or starter tenants transfer from a Registered Provider into a council property, they should be offered an introductory tenancy as a new tenant. Any period during which the tenant was a starter tenant will count towards the introductory period of the new tenancy.</p>
Starter tenancies	Housing Act 1988	These are a form of private sector assured shorthold tenancy which will become a full assured tenancy after a specified period. They are similar to introductory tenancies.
Protected or Regulated tenancies (and restricted contracts)	Rent Act 1977	These tenancies are generally private sector tenancies granted prior to 1989. Possession may only be sought upon specified 'Cases' or grounds, and the rent may be registered with the Rent Officer.

JOINT TENANCIES

- 2.4 An applicant can make an application for a joint tenancy with their spouse or civil partner (this includes cohabiting partners in a long-term committed relationship who have resided together for at least 12 months) provided that they are eligible and meet the qualification criteria set out in the Council's Allocation Scheme.
- 2.5 The Council does not permit joint applications or grant joint tenancies with other persons except in exceptional circumstances (e.g. where a tenant is financially dependent upon a close family member or their eligibility for housing is dependent on another close family member), although close adult relatives and other household members may be included in the tenancy agreement as authorised occupants.

WHICH TYPE OF NEW TENANCY TO OFFER?

Introductory tenancy to be offered to New Council Tenants

- 2.6 Havering Council has chosen to operate the Introductory Tenancy Scheme in the Housing Act 1996. Under s.124 Housing Act 1996, in general, all new tenancies granted by the Council will **automatically** be introductory tenancies.
- 2.7 All **new Council Tenants** (see definition in 2.8 below) should be offered an **introductory tenancy** for the trial period of 1 year, with the potential to extend the trial period by a further six months. The tenancy will be an introductory tenancy during the trial period. 2.8 **New Council Tenants** are those persons who will have received an offer of an allocation of housing under Part VI Housing 1996 pursuant to the Council's Allocation Policy but are not already secure tenants of a Council or assured tenants of a Registered Provider.

AFTER THE INTRODUCTORY TENANCY:

Flexible Tenancies

- 2.9 The Council's policy is that, in general, all new Council tenants should receive a flexible tenancy following the completion of an introductory tenancy provided they continue to meet the eligibility, qualification and housing needs criterion prescribed within the Council's Allocation Policy.
- 2.10 Tenants have no statutory right of review or appeal against the type of tenancy offered.

Weekly periodic (lifetime) tenancies

2.11 It is the Council's policy **not** to grant any new weekly periodic (lifetime) secure tenancies **save in the special cases** set out in the table below.

SPECIAL CASES	
Category	Description
Transferring Havering Council Tenants	Where existing secure weekly periodic tenants of the Council transfer from one property to another within the Council's housing stock (e.g. up-sizing or down-sizing etc.), they should be offered a 'replacement' tenancy with the same legal status and duration as their original tenancy.
Transferring Tenants From Another Council	Where existing weekly periodic tenants of another Council transfer to a Havering Council property they should be offered a 'replacement' tenancy with the same legal status and duration as their original tenancy.
Transferring Secure or Assured Tenants From a Private Registered Provider	Where secure or assured (non-shorthold) tenants of a Registered Provider transfer to a Havering Council property they should be offered a 'replacement' secure tenancy with a similar degree of security and tenure as their original tenancy. This excludes registered provider tenants who transfer to a Council property in the instance of a mutual exchange with a council tenant.
Tenants affected by the Council's Housing Regeneration Programme	Tenants who are required to move as a result of the Council's Housing Regeneration schemes will be offered a tenancy with the same legal status and duration as their original tenancy. Where the tenant held a secure lifetime tenancy at their previous property, they will be offered a secure lifetime tenancy at their new property.
Sheltered, Extra-Care & Age restricted Accommodation	Weekly periodic (lifetime) secure tenancies should be offered to tenants who are moving to sheltered or extra-care housing or other age-restricted accommodation. If this is a new tenancy, then this will be subject to the introductory period. However, where a tenant moves from a sheltered or extra care housing scheme into general needs accommodation as a result of a change in their housing need, they will be offered a secure flexible tenancy.
Victims of Domestic Abuse	Applicants who are offered an allocation of housing on the grounds of domestic abuse are entitled to a periodic (lifetime) secure tenancy where they have lost their lifetime tenancy after they have fled their home. This includes existing tenants applying to move, and applies to all lifetime tenants of social housing, whether the person being re-housed and offered a new tenancy has a tenancy agreement with a local authority or a Registered Provider. Applicants who have not previously held a secure tenancy will commence as Introductory tenancies. This complies with the Secure Tenancies (Victims of Domestic Abuse) Act 2018.

Note: all special cases must be signed off by the Director of Housing and the Lead Member for Housing.

Settling-in Visit

- 2.12 The allocated Tenancy Officer should ensure they make a home visit to the new tenant within 3 weeks of the start of their new tenancy. A Home Visit form should be completed and actioned as necessary. In the case of care-leavers, a home visit should take place within 7 days.

Notice of Flexible Tenancy

- 2.13 The offer of an introductory tenancy **MUST** (where a flexible tenancy is to be granted) specify if it will be followed by a flexible tenancy pursuant to s.137A Housing Act 1996, along with the proposed length of the tenancy and the other express terms. Notice of the right of review of the length of tenancy should also be given (see Flexible Tenancies section below).

LENGTH OF TERM OF FLEXIBLE TENANCIES

Flexible Tenancies

- 2.14 A flexible tenancy must be granted for a minimum term of 2 years.
- 2.15 However, the Government has issued statutory Directions to the Regulator of Social Housing which set out that a flexible tenancy ought to be granted for a minimum term of 5 years, except in 'exceptional circumstances' when they can be granted for a minimum of 2 years.

Length of Term to be offered for flexible tenancies

- 2.15 The Table below sets out the length of flexible or fixed term tenancies to be offered:

LENGTH OF TERM OF FLEXIBLE TENANCIES	
Category	Description
GENERAL RULE	<p>In almost all cases, new Council Tenants should be offered a tenancy for a term of 5 years. All new tenancies will be granted as an introductory tenancy, and will automatically become a secure flexible tenancy after the introductory trial period, unless terminated by notice of proceedings for possession.</p> <p>The Council considers that this strikes a reasonable and proportionate balance between providing security of tenure for residents, while maintaining flexibility in the future application of its housing stock for local persons in need, including its duties under the Children Acts and social services legislation.</p> <p>A shorter fixed term of 3 years may be appropriate where there are genuine concerns that the tenant will not be able to properly manage their tenancy and keep to the tenancy terms. This includes circumstances where the tenancy has been demoted. As a general rule a 3 year term may often be appropriate.</p>

SHORTER OR LONGER TERMS

In exceptional cases, the Council may wish to offer a shorter tenancy. The Officer should consider the appropriate term to be offered in all cases taking into account the tenant's personal circumstances:

FIXED TERMS OF LESS THAN 5 YEARS

Rent arrears (transferring flexible or tenants)	<p>Tenancies of 3 years should be offered to tenants who have rent arrears or a history of non-payment or late payment of rent. This is in addition to the successful completion of a one year introductory tenancy.</p> <p>Where an agreement is in place for repayment of rent arrears, and such agreement has been maintained for a continuous period of at least 3 months, then it may be appropriate for a 5 year tenancy to be granted. Officers should seek advice from the Income Manager.</p> <p>This also applies to applicants with former tenant arrears owed to Havering Council.</p>
Breaches of tenancy / Notice of Seeking Possession and court orders	<p>Where applicants have a history of previous breaches of tenancy (e.g. for anti-social behaviour), then the Council will usually offer a shorter fixed term of 3 years.</p> <p>The Council will offer a shorter term of 3years to tenants against whom a court possession order or injunction has been granted or where a NOSP remains valid.</p>
Tenants with limited leave to remain or restricted immigration status	<p>Tenants who do not have indefinite leave to remain in the United Kingdom but only a limited leave to remain should be offered a 3year term to keep their eligibility for social housing under review.</p>
Request of tenant	<p>The tenant may request a shorter term (perhaps they plan to move abroad or purchase a property) or there may be other exceptional circumstances (e.g. where a tenant may need to transfer to supported or extra care accommodation or has a limited life expectancy).</p>
Condition of the property	<p>Where the tenant has failed to maintain their property to a good standard or failed to provide access to officers to allow them to conduct a Health and Safety/Fire risk assessment, on review, the Council may reduce the term of the tenancy to a three year tenancy.</p>

Length of Term for Vulnerable Tenants

- 2.17 While the Council recognises that some vulnerable tenants may find the tenancy renewal process unsettling, the Council nevertheless considers that a 5 year fixed term will be appropriate tenancy length in almost every case unless there are highly exceptional circumstances. Shorter terms, such as in the examples listed in the table above should be considered to enable the Council to regularly review the suitability of the housing to the tenant's needs and the tenant's ability to sustain their tenancy and perform the tenancy obligations.

RIGHT OF REVIEW OF LENGTH OF TERM

Notification of Length of Term and Right of Review

- 2.18 When a prospective tenant is offered a flexible tenancy (whether the tenancy starts as an introductory tenancy or otherwise), the Housing Advice and Demand Service will advise the Tenant of the proposed length of the flexible tenancy offered and advise the Tenant of their right to seek a review of that decision within 21 days of receipt of the offer, and to ask for an oral hearing.
- 2.19 There is no right of review against the decision to offer a flexible tenancy, only in relation to the length of term offered.

Extensions of time for review

- 2.20 The Council may allow a longer period for a review request. Such an extension must be requested and confirmed in writing. As a general rule, the Council will only accept a review request that has been made out of time in the most exceptional of circumstances. Any requests must be received within one month of the expiry of the date for requesting a review and must be supported by evidence
- 2.21 Officers should ensure that requests for extensions of time are considered carefully, and reasons provided if refused.

REVIEW PROCEDURE

CONDUCTING THE REVIEW AS TO LENGTH OF TERM (Flexible Tenancies)	
Procedure	Description
Reviewable decisions	The decision as to the length of flexible tenancy to be offered after the introductory period or as a new flexible (or fixed term tenancy)
Time to request Review	21 days of receipt of the offer of tenancy, or notice of the length of tenancy term, if later.
Requirements of review request	An application for a review must be made in writing and must include: (a) the tenant's name and address; (b) a description of the original decision in respect of which the review is sought including the date on which the decision was made; (c) if the review is requested pursuant to s107B of the Act, a statement of the reasons why, in the tenant's opinion, the length of the tenancy does not accord with a policy of the Council as to the length of the terms of the flexible tenancies it grants; (d) in any other case, a statement of the grounds on which the review is sought; (e) a statement to the effect that the tenant does, or does not, require the review to be conducted by way of an oral hearing; (f) a statement to the effect that the tenant does, or does not, agree to receive communications relating to the review by email, and if the former, the email address to which such communications should be sent.
Request for oral hearing	Where the tenant has requested an oral hearing within the time limit, then the Council must conduct a hearing. In other cases, the Council must deal with the review on paper.

Communication with the tenant	<p>It is important that correspondence sent to the tenant in connection with the review by the Council is taken as having been received by the applicant at the time when it is:</p> <ul style="list-style-type: none"> (a) given to the tenant in person; (b) sent by the Council by first class post to the tenant's address (c) delivered by hand to the tenant's address. (d) sent to the tenant's email address. <p>It is the tenant's responsibility to make sure that they keep the Council updated with their correct email and postal address and to notify the Council of any changes.</p>
Review without a hearing/Request for a paper review	<p>The Council must send a written notice to the tenant stating that the tenant may make written representations in support of their application, This must not be made any earlier than 5 days after the date that the applicant receives notice of the length of flexible tenancy to be offered to the tenant. In making a decision on the review the person conducting the review must take into account any representations received from the tenant.</p> <p>The review must be conducted by a person appointed for that purpose by the Council who may be an officer or employee of the Council, of greater seniority than the person who made the original decision who was not involved in the making of the original decision.</p>
Notice of Oral hearing	<p>The Council must send a written notice to the applicant stating the day on which, and the time and place at which it is proposed that the oral hearing is to take place, not less than 5 days on which the notice is received by the applicant. Any representation in support of the tenant's applications should be received by the Council no later than 48 hours in advance of the hearing.</p> <p>If at any time before the day on which the hearing is due to take place the applicant so requests, the landlord may postpone the hearing to a later date, not less than 5 days after receipt of notice of the new hearing date.</p>
Procedure at Hearing	<p>The hearing must be conducted by a person appointed for that purpose by the landlord, who may be an officer or employee of the landlord, of greater seniority than the person who made the original decision, and who was not involved in the making of the original decision.</p> <p>The hearing must be conducted with the minimum amount of formality and in accordance with any directions given by the person conducting it.</p> <p>At the hearing the applicant may:</p> <ul style="list-style-type: none"> a) make oral or written representations relevant to the decision to be made on the review; b) be accompanied or represented by another person appointed by the applicant for that purpose (whether that person is professionally qualified or not); c) call persons to give evidence on any matter relevant to the decision to be made on the review; and d) put questions to any person who gives evidence at the hearing. <p>The person who made the original decision may attend the hearing and</p>

	<p>may do any of the things the applicant may do.</p> <p>A person appointed as a representative has the same rights and obligations as the applicant (or, as the case may be, the person who made the original decision) for the purposes of the conduct of the hearing.</p> <p>The decision on the review must be made by the person who conducted the hearing.</p>
Failure to attend hearing	<p>If the applicant fails to attend the hearing, the person conducting it may, having regard to all the circumstances (including any explanation offered for the absence), proceed with the hearing or give such directions with a view to the further conduct of the review as that person may think appropriate.</p>
Adjournment of hearing	<p>The hearing may be adjourned by the person conducting it (on the application of the applicant or otherwise).</p> <p>Where the hearing is adjourned for more than one day, the person conducting it must specify a date on which the hearing is to be resumed by sending a notice in writing to that effect to the applicant and any other person whose attendance is required at the resumed hearing.</p>

ADDING OR REMOVING A JOINT TENANT / CHANGE OF NAME

- 2.22 The Council recognises that occasionally, tenants may wish to add or remove a spouse or partner as a joint tenant as a result of a change in relationship.

Adding a Joint Tenant (Sole to Joint)

- 2.23 Where both tenants agree, then officers should check whether it is lawfully possible for the joint tenancy to be assigned in accordance with s.91 Housing Act 1985. In this case the tenant should be referred to a solicitor or advice centre to complete a Deed of Assignment from sole to joint name. Where the tenant has a statutory right of assignment, then it is not necessary to sign a new joint tenancy agreement: the new tenant details should be updated on the Council's records.

- 2.24 Where assignment is not possible or practical in respect of a periodic tenancy, the Council will, if a request is made by the tenant, and subject to the conditions below, agree to grant a new replacement joint tenancy to the occupying tenant and their new spouse or partner with the same status and tenure as the tenant's previous sole tenancy. The conditions are:

- a) There are no outstanding breaches of covenant. In this regard, any rent arrears must be repaid in full prior to any agreement for the grant of a replacement joint tenancy or the grant of such replacement tenancy;
- b) The property is not under-occupied;
- c) The property has not been specially adapted for a person who is no longer occupying the property;
- d) The proposed new joint tenant has occupied the Property as his/her only or principal home for a continuous period of 12 months as the partner or spouse of the sole tenant in occupation.

- e) The proposed new joint tenant meets the eligibility criteria as well as the qualification criteria applicable to transferring tenants under the Council's Allocation Policy;
- f) The sole tenant has served a Notice to Quit to terminate the sole periodic tenancy.

- 2.25 Where such a request is made in respect of a flexible tenancy, then any change agreed will take effect subject to the tenancy review procedure on the grant of any new tenancy and not during the current tenancy. For flexible tenancies, the Council will consider granting a replacement tenancy in exceptional circumstances.
- 2.26 A new joint tenancy agreement should be signed upon the expiry of the tenant's Notice to Quit to terminate the old periodic tenancy.
- 2.27 The grant of a replacement tenancy will be treated as a succession to be consistent with the statutory right of assignment under s.91 Housing Act 1985 which also operates as a succession.
- 2.28 Officers should ensure therefore that reference to succession rights in the new tenancy agreement (if any) are deleted prior to signature.

Removing A Joint Tenant (Joint To Sole)

- 2.29 Where both tenants agree, then officers should check whether it is lawfully possible for the joint tenancy to be assigned in accordance with s.91 Housing Act 1985. In this case the joint tenants should be referred to a solicitor or advice centre to complete a Deed of Assignment from joint to sole name.
- 2.30 Where an assignment cannot be agreed between the joint tenants, then those tenants who are married or in a civil partnership have rights to apply to the Family Court to transfer the tenancy, and in these circumstances, tenants should be advised to seek legal advice as to their options to apply for a transfer of tenancy. Legal Aid may be available for this.
- 2.31 The following paragraphs apply where one of joint tenants has permanently ceased to occupy the property as their only or principal home and the two joint tenants are unable or unwilling to agree an assignment of the tenancy into the sole name of the tenant who remains in occupation. This may often be in circumstances of a relationship breakdown where the parties are no longer in communication or where the absent joint tenant's whereabouts are unknown.
- 2.32 The Council will, upon request from the remaining tenant in occupation, and subject to the conditions below, agree to grant a new replacement tenancy to the occupying tenant with the same status and tenure as their previous joint tenancy.
- 2.33 The conditions, in relation to a periodic tenancy, are that:
- a) It is not possible or reasonably pragmatic for the tenancy to be transferred by assignment or Court order; and
 - b) There are no outstanding breaches of covenant. In this regard, any rent arrears must be repaid in full prior to any agreement for the grant of a replacement sole tenancy or the grant of such replacement tenancy;
 - c) The tenant in occupation is not under-occupying the property;
 - d) The property has not been specially adapted for a person who is no longer occupying the property;

- e) The other joint tenant has been absent from the property for a **continuous period of 2 years** and there is no evidence that he or she intends to return to occupy the property as his/her only or main home within a reasonable time (unless the other joint tenant consents to the transfer of the tenancy).
- f) Prior to agreement to grant a new replacement tenancy, the Council has written to the non-occupying joint tenant at his/her last known address, advising of the occupying tenant's application, and no objection to the application has been received within 14 days of such notification or such objection fails to provide reasonable grounds for retaining their joint tenancy.
- g) The tenant has served a valid Notice to Quit upon the Council to terminate the joint periodic tenancy.

2.34 Where such a request is made in respect of a flexible tenancy, then any change agreed will take effect subject to the tenancy review procedure on the grant of any new tenancy and not during the current tenancy. For flexible tenancies, the Council will consider granting a replacement tenancy in exceptional circumstances.

2.35 The grant of a replacement tenancy will be treated as a succession to be consistent with the statutory right of assignment under s.91 Housing Act 1985 which also operates as a succession.

2.36 Officers should ensure therefore that reference to succession rights in the new tenancy agreement (if any) are deleted prior to signature.

Change of name of tenant

2.37 Tenants may wish to have their name amended on the tenancy agreement as a result of a change of name. Often this will be because of marriage, divorce or for religious or family reasons.

2.38 Officers should ensure that evidence of change of name is produced. This may include such documents as a new passport or driving licence in the new name, or a certificate of marriage, civil partnership or divorce/dissolution.

2.39 Where a tenant has changed their name by Deed Poll, then, in order to prevent fraud, evidence that the Deed has been enrolled in the High Court will need to be produced to enable the Council to change the tenancy name. This is a straightforward procedure subject to a prescribed fee (currently £36).

2.40 Upon approval to amendment of the tenancy into the new name, no new tenancy agreement should be signed and the tenancy term continues as before, with the Council's records updated.

TENANCY TERMS

Form of Tenancy Agreement

2.41 The Council has adopted a combined standard form of tenancy agreement suitable for all types of introductory and secure tenancy which may be varied from time to time as set out below.

Variations of tenancy terms and conditions

2.42 The terms and conditions of weekly periodic secure tenancies may be varied under the procedure set out in s.103 Housing Act 1985.

- 2.43 The terms and conditions of introductory tenancies and flexible tenancies may only be varied in accordance with the express tenancy terms.

Variation of rent or service charges

- 2.44 Rent or service charges may be varied in accordance with s.102 Housing Act 1985.

Variation in services provided

- 2.45 Services provided may be discontinued or changed upon 28 days' notice to tenants.

Consultation on matters of housing management

- 2.46 The Council is obliged to consult introductory tenants (s.137 Housing Act 1996) and secure tenants (s.105 Housing Act 1985) who are likely to be affected by a relevant housing management matter.

TERMINATION OF TENANCIES

Termination by the tenant

- 2.47 A tenant may end their tenancy at any time by giving the Council **at least four weeks written notice**. There is no particular form of notice required and notice may be given by letter, but it must be clear that the tenant's intention is to end the tenancy.
- 2.48 Failure to give proper notice will leave the tenant responsible for rent and other charges.
- 2.49 In the case of a joint periodic tenancy, either tenant can end the whole tenancy, without the consent of the other. The Council may, in its absolute discretion grant a replacement tenancy to the remaining sole tenant, taking into account all the circumstances of the case.
- 2.50 In respect of flexible tenancies, then 4 weeks' notice must be given in writing by both tenants and in accordance with any tenancy terms.
- 2.51 The Council may, in its discretion, accept a shorter period of notice than 4 weeks. In this case, to ensure certainty, the Council should write to the tenant accepting the short notice.
- 2.52 Tenants will be required to make good any damage and must allow the Council to inspect the property before they leave. In default, the Council will carry out any repairs and may re-charge these to the former tenant.
- 2.53 At the end of the four week notice period, tenants must vacate their home and hand all keys back in accordance with the tenancy agreement and handbook. All rent due must be paid. All family members, occupants and pets must also leave the property at this time. Where unauthorised occupants are left in occupation legal proceedings will commence for vacant possession of the property.

Termination by the Council

- 2.54 The Council may commence termination of secure tenancies at any time by seeking possession upon any of the statutory grounds set out in the Housing Act 1985 from time to time. This includes the mandatory ground for possession on the grounds of ASB in s.84A Housing Act 1985.

- 2.55 The Council may also terminate a tenancy by Notice to Quit upon the death of the tenant where there is no statutory or contractual successor.
- 2.56 The Council may also terminate a tenancy which ceases to be secure, for example by reason of the tenant condition not being satisfied (e.g. where the tenant has ceased to occupy the property as his only or principal home or has sub-let or parted with occupation of the property).
- 2.57 The Council may also commence the termination of tenancies for the purpose of demolition, redevelopment, repair or improvement or in accordance with the Council's policies and procedures from time to time.

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PART 3 - Monitoring and Review of Introductory Tenancies

Introductory Tenancies

- 3.1 All **new** Council tenancies are **automatically** introductory tenancies for the first 12 months of the tenancy (the introductory trial period). During this period, the tenancy does not have the protection as a secure tenancy, and can be terminated on the mandatory ground under s.127 Housing Act 1996 at any time, subject to service of notice, and the tenant's right to review.
- 3.2 Introductory tenancies enable the Council to monitor the introductory trial period of the tenancy to ascertain the suitability of a tenant to proceed to become a secure tenant.
- 3.3 If this introductory trial period is not satisfactorily completed, the Council:
- can extend the introductory trial period by up to 6 months (in extending the introductory period, the Council is not providing any security of tenure);
 - or seek possession upon the mandatory basis at any time before the end of the introductory trial period or extended introductory trial period.
- 3.4 If no action is taken to terminate the tenancy within the introductory trial period or extended introductory trial period, then the tenancy will automatically become a secure tenancy in accordance with the notice given with the offer as to the type of tenancy which would follow the introductory tenancy.

Information for Tenants

- 3.5 It is very important that new tenants are aware of the implications and responsibilities of having an introductory tenancy. The officer signing up the tenant should fully explain the implications to the new tenant and go through the tenancy agreement, to ensure that they fully understand the agreement. The officer should specifically explain the purpose of the introductory tenancy trial period and the details of type of tenancy that will arise if the tenant satisfactorily completes the introductory trial period.
- 3.6 Officers should also ensure that the procedure and criteria for assessment and extension of and termination of tenancies are also explained to tenants.
- 3.7 The terms and conditions of tenancy for Introductory Tenants are very substantially the same as for Secure Tenants, and tenants are expected to fully or substantially comply with the tenancy terms during the introductory trial period.

Assessing Suitability

- 3.8 The Council considers it important to carefully assess the suitability of introductory tenants during the introductory trial period. If successful, the tenant will become a secure flexible tenant. This supports **the Council's long-term objective to maintain and improve the quality of life for residents and ensure long-term sustainable and responsible communities.**
- 3.9 The Council therefore requires introductory tenants to **positively demonstrate by their conduct** during the introductory trial period that they should receive the scarce public social resource of a secure tenancy.

Standard of Conduct Required as Introductory Tenant

- 3.10 This means the Council expects Introductory Tenants to wholly comply with all of the tenancy terms during the introductory trial period.

- 3.11 Officers should bear in mind that a single or several minor breaches of tenancy may well indicate that the tenant is unsuitable to progress to a secure tenancy.
- 3.12 The Council adopts a **careful approach** to the allocation of **secure tenancies, which are a rare and valuable public resource which should be granted only where tenants positively demonstrate by their conduct their suitability as flexible secure tenants by successful completion of the introductory trial period, by meeting the test in clause 3.11 above.**

On-going Assessment

- 3.13 It is recommended that the allocated Officer keeps in touch with the Tenant(s) during the trial period. Officers should visit or speak to the Tenant(s) regularly during the first 6 months of the introductory trial period.
- 3.14 Any problems or potential problems with compliance with the tenancy terms and conditions must be investigated and brought to the Tenant(s) attention at the earliest opportunity, and should be regularly followed up.
- 3.15 At each stage, the Tenant(s) must be reminded of their obligations to strictly comply with their tenancy agreement and the potential consequences of not doing so.
- 3.16 Particular emphasis should be placed on compliance with the ASB provisions of the tenancy agreement and of the prompt payment of rent in advance.
- 3.17 In considering whether to extend the trial period or terminate the Introductory Tenancy, the Officer should consider the overall conduct of the Tenant and whether they have constructively engaged with the Council and other agencies in respect of their tenancy.
- 3.18 Officers should specifically consider the overall proportionality of the proposed decision, taking into account the principles set out in this Policy, and any Equality Impact Assessment, as well as the requirement to have regard to the need to safeguard and promote the welfare of children.

Review of Introductory trial period

- 3.19 At least 3 months prior to the end of the introductory trial period, a formal introductory tenancy review should be commenced, and the Tenant(s) offered an interview, if necessary, to review their progress during the introductory trial period to date.

Decision on Review

- 3.20 If, as a result of monitoring the introductory trial period, the Tenant(s) has failed to **wholly or substantially comply with all of the tenancy terms**, then the Council should either:
- (a) Extend the trial period by 6 months; **or**
 - (b) Terminate the tenancy.
- 3.21 Officers should specifically consider each of the following matters in deciding whether to extend the introductory trial period or to terminate the introductory tenancy:

REVIEW OF INTRODUCTORY TENANCIES

Event	Action
Rent Arrears	<p>Where a tenant has accrued more than 2 months' rent arrears, this will usually justify immediate termination of the tenancy.</p> <p>In other cases, the Officer should consider:</p> <ul style="list-style-type: none"> (a) Whether the default has been remedied and any arrears cleared; (b) If not, whether the default will be remedied and the arrears cleared before the end of the trial period; (c) Whether the failure to pay rent has occurred once, or on several occasions; (d) The reasons for non-payment; (e) Whether the tenant(s) have kept to past promises of payment; (f) Whether the Tenant(s) are realistically likely or to be able to pay the rent promptly in advance in the future. <p>Where the tenant(s) has agreed to a repayment plan and has kept to that plan for at least 3 months, then they should be allowed to proceed to a secure tenancy.</p>
Anti-social Behaviour	<p>If the breaches of tenancy relate to ASB, then the Officer should take into account the ASB Policy generally.</p> <p>Serious breaches of tenancy will normally justify immediate termination (see below).</p>
Other serious breach of tenancy	<p>Introductory Tenancies can be terminated at any time by Notice under s.127 Housing Act 1996 in the event of a serious breach of tenancy or repeated other breaches of tenancy.</p> <p>If the breach(es) of tenancy are serious or on-going, then the Council will usually seek to terminate the introductory tenancy prior to the formal review process.</p> <p>The Council will also usually seek to terminate the introductory tenancy where it considers that the tenant is objectively unlikely to be able or willing to comply substantially or fully with all of the terms of the tenancy agreement in future.</p> <p>In cases where the Council takes action to terminate an Introductory Tenancy then the tenant may be considered intentionally homeless in respect of any subsequent application for housing.</p>
Deterioration in condition of property	<p>Officers will carry out an inspection of the property prior to concluding the review to assess the condition of the property and the tenant's compliance with the terms as to keeping the interior of the property in a reasonable condition.</p>

	<p>Failure to provide access to carry out such an inspection for the purpose of review on more than 2 fixed appointments will be sufficient reason to terminate or extend the introductory tenancy.</p> <p>Where the tenant remedies the defects to a standard acceptable to the Council, or pays the Council's costs of doing so within a reasonable time, then they should be permitted to proceed to a secure tenancy.</p>
Minor breaches of tenancy	<p>Where there are several breaches of tenancy, all of which are minor, or have not been remedied, then the Council considers that this may justify a 6 month extension of an introductory tenancy to continue to monitor the tenant's conduct. A single breach of tenancy which is more than minor may also justify extension of the introductory trial period or termination of the tenancy.</p> <p>In such cases, where an extension to the introductory trial period is made, the tenant(s) should be warned at the earliest opportunity that further breaches of tenancy, however minor, may result in the termination of their tenancy during the extended trial period, before it becomes secure.</p>
Breaches of tenancy remedied	<p>Where the breach(es) of tenancy have been remedied, and the Council considers that the tenant is objectively able and willing to comply with the tenancy agreement in future, then it may be appropriate to allow the tenant to progress to a secure tenancy.</p>

Monitoring and Review of Extended Introductory Period – second review

- 3.22 Where the introductory trial period has been extended, the allocated officer should continue to monitor the Introductory Tenant(s) compliance with their tenancy agreement for the remainder of the extended introductory trial period.
- 3.23 At least 3 months prior to the end of the extended introductory trial period, a further review should be undertaken as to whether to allow the tenant to progress to a secure flexible tenancy or whether to terminate the tenancy. Officers will be required to consider whether there are **continuing or un-remedied breaches of tenancy**.
- 3.24 In these cases the Council considers that this indicates the tenant to be unsuitable to progress to a secure tenancy. Officers should usually treat this as a failed trial period resulting in termination of the Introductory Tenancy. The decision to terminate the tenancy must be proportionate to the circumstances of the case.

Notification of Review Decision

- 3.25 The Tenant(s) should then be notified in writing of the outcome of the decision on the review, and whether:
- (a) the tenancy will be terminated; **or**
 - (b) the tenancy will be extended for 6 months and reviewed again (a tenancy may **only** be extended once); **or**

(c) the tenancy will become a secure tenancy at the end of the introductory trial period.

3.26 If the decision is to terminate the tenancy, then Notice of Proceedings for Possession should be served under s.128 Housing Act 1996.

3.27 If the decision is to extend the trial period, then Notice of Extension should be served under s.125A Housing Act 1996, and a further review date fixed to review the tenant's compliance with the tenancy agreement during the extended trial period.

Notification of Rights of Review

3.28 Tenants must be notified of their right under s.125B Housing Act 1996 to seek a review of a decision to extend the trial period within 14 days of service of the Notice of Extension. This includes the right to request an oral hearing.

3.29 Tenants must be notified of their right under s.129 Housing Act 1996 to seek a review of a decision to terminate an Introductory Tenancy within 14 days of service of the Notice of Proceedings for Possession is served. This includes the right to request an oral hearing.

Successful completion of Introductory trial period

3.30 On the successful completion of the initial or extended trial period (that is, without a Notice of Proceedings for Possession having been served), the tenant will automatically become a secure tenant (see Part 2) according to the original offer of tenancy.

CONDUCTING THE REVIEW

CONDUCTING THE INTRODUCTORY TENANCY REVIEW	
Procedure	Description
Reviewable decisions	Either a decision to extend the introductory trial period, or a decision to terminate the Introductory Tenancy
Time to request Review	14 days of notification of service of the Notice to terminate or extend the tenancy and right to review and right to request an oral hearing
Timescale for completing the Review	The review shall be carried out and the tenant notified before the date specified in the notice of proceedings as the date after which proceedings for the possession may be commenced.
Review officer	<p>The review shall be carried out by a person who was not involved in the decision to apply for an order for possession.</p> <p>Where the review of a decision made by an officer is also to be made by an officer, that officer shall be someone who is senior to the officer who made the original decision.</p>

Notice of Hearing	The Council must give the tenant notice of the date, time and place of the hearing, at least five days after receipt of the request for a hearing. If the tenant has not been given such notice, the hearing may only proceed with the consent of the tenant or his representative.
No request for oral hearing	If the tenant has not requested an oral hearing the tenant may make representations in writing in connection with the review. The Council must inform the tenant of the date by which their representations must be received, which must be at least 5 days after that notification.
Procedure at oral hearing	The person hearing the review shall determine the procedure A tenant who has requested a hearing has the right to: (a) be heard and to be accompanied and may be represented by another person whether that person is professionally qualified or not (b) call persons to give evidence; (c) put questions to any person who gives evidence at the hearing; and (d) make representations in writing.
Failure to attend hearing	If any person fails to attend the hearing, having been given notice, the person conducting the review may, consider all the circumstances including any explanation offered for the absence. The officer conducting the review may, proceed with the hearing despite the absence of the tenant, or decide on an alternative course of action as appropriate.
Postponing or adjourning the hearing	A tenant may apply to the landlord requesting a postponement of the hearing and the Council may grant or refuse the application as they see fit. A hearing may be adjourned by the person hearing the review at any time during the hearing on the application of the tenant, his representative, or at the motion of the person hearing the review. If a hearing is adjourned part heard and after the adjournment the person or persons hearing the review differ from those at the first hearing, proceedings shall be by way of a complete rehearing of the case. Where more than one person is conducting the review, any hearing may only proceed with the consent of the tenant or his representative if one of the persons who is to determine the review is absent.

PART 4 - Monitoring & Review of Flexible Tenancies

- 4.1 Flexible secure tenancies may be terminated on mandatory grounds at the end of the tenancy term in accordance with prescribed review procedures. The Council may also offer the tenant a new tenancy either of the same or of a different property.
- 4.2 This section applies to the monitoring and review of flexible secure tenancies (including introductory tenancies which have become flexible secure tenancies) in order to decide whether the tenant should be offered a new flexible secure tenancy at the end of the current tenancy.

Tenancy Review Process

- 4.3 Prior to the end of a flexible tenancy, the Council **must** review the position and decide whether to offer the tenant a new tenancy. This will involve one or more of the following potential decisions:
- i. a decision to offer the tenant a new flexible or fixed term tenancy of the same property;
 - ii. a decision not to offer the tenant a new flexible or fixed term tenancy of the same property, but to offer the tenant a new flexible or fixed term tenancy of a different property (e.g. where the tenant's housing need has decreased to a smaller property);
 - iii. a decision not to offer a new flexible or fixed term tenancy of the same property, nor of any other property, and to serve Notices to end the tenancy (e.g. where the tenant no longer has a need for social housing or where the tenant has committed a serious breach of tenancy);
 - iv. if the tenant is to be offered a new flexible or fixed term tenancy, the length of tenancy to be offered.
- 4.4 It is essential the principles and procedures set out in this policy are applied properly and in good time. The Housing Act 1985 (as amended) sets out strict timetables for completion of a review and service of statutory notices to end the tenancy.
- 4.5 Although the Council reserves the right to carry out a review at any time prior to the end of a flexible tenancy, in order to be able to terminate the tenancy on the mandatory end-of-tenancy grounds, it must do so more than 6 months prior to the end of the existing tenancy. This is because the Notice of Review Decision must be served at least 6 months prior to the end of the tenancy.
- 4.6 The purpose of the review is to consider whether the Tenant(s) is eligible and suitable to be offered a further flexible secure tenancy or not, and if so, the length of the tenancy to be offered.
- 4.7 The review is also an opportunity for the tenant to discuss any difficulties they are experiencing in managing their tenancy or to report any nuisance or harassment that may have gone unreported.

Time for Review

- 4.8 A review of a flexible tenancy must be carried out not less than 6 months before the end of the tenancy. **Officers should start the review process 9 months prior to the end of the tenancy.**

Annual Tenancy Assessments

- 4.9 The Council operates a system of **annual tenancy assessments**, all of which will count towards the eventual decision whether to offer a new tenancy.
- 4.10 Annual assessments will be sent to tenants within 2 months of each anniversary of the start of the flexible tenancy (save for the final year which will form part of the formal tenancy review process).
- 4.11 Annual assessment letters will be sent in a standard form and tenants will be offered the opportunity to request an annual review meeting to discuss the assessment.
- 4.12 The assessment reports will include standard data as to the tenant's performance in complying with the key tenancy terms, and a summary indicator of their performance during that year.

Initiating the Review Process

- 4.13 The tenancy review process should commence as soon as the tenancy only has **9 months** left to run. The review process should **not** be commenced earlier than this.
- 4.14 The tenancy review process should be initiated by sending the tenant a Tenancy Review Letter and **Application for New Tenancy Form**. The Application for New Tenancy Form will invite the tenant to provide relevant supporting information relevant to the decision whether or not to grant a new tenancy, and whether this should be of the same or a different property.
- 4.15 Officers should follow up the Tenancy Review Letter, within 14 days, with a telephone call or personal visit to the tenant to offer guidance on completing the application and to explain the process.
- 4.16 Where the Application for New Tenancy has not been returned by a tenant within 28 days, then a reminder should be sent requiring the information within a further 7 days and offering an appointment or visit to assist them in completing the form.
- 4.17 If the tenant fails to return the Application for New Tenancy has been received, then the Officer should complete the application with as much information as possible from the tenancy file, and send a copy to the tenant with a final notification letter that the review will now proceed without their input, and giving a final 5 days in which to provide any additional information as their housing need.
- 4.18 The above time periods may be abridged where necessary in order to conclude the review process within the statutory period (6 months before the end of the tenancy).

Review Criteria

- 4.19 In all cases Officers should consider 5 key categories in deciding whether to grant a new tenancy:
 - a) Housing Need and Financial Circumstances;
 - b) Payment of Rent;
 - c) Conduct of tenancy;
 - d) Condition of Property;
 - e) Serious breach of tenancy and court orders.
- 4.20. Officers should consider the annual assessment reports as part of their review.

REVIEW CRITERIA	
Criteria	Description
Housing Need and Financial Circumstances	<p>Tenants must continue to have a genuine housing need. This means that tenants must meet the eligibility and qualification criteria in the Council's Allocation Policy.</p> <p>This includes (but is not limited to) capital and income limits and a prohibition on having another property.</p> <p>Tenants who fail to provide satisfactory evidence of their household means to assess their financial need will not be offered a new tenancy, albeit that the length of the tenancy may be shorter.</p>
Payment of Rent	<p>Where a tenant has accrued more than 2 months' rent arrears, this will usually justify not offering a new tenancy.</p> <p>In other cases, the Officer should consider:</p> <ul style="list-style-type: none"> (a) Whether the default has been remedied and any arrears cleared; (b) If not, whether the default will be remedied and the arrears cleared before the end of the trial period; (c) Whether the failure to pay rent has occurred once, or on several occasions; (d) The reasons for non-payment; (e) Whether the tenant(s) have kept to past promises of payment; (f) Whether the tenant(s) are realistically likely or to be able to pay the rent promptly in advance in the future. <p>Where the tenant(s) has agreed to a repayment plan and has kept to that plan for at least 3 months, then they should generally be offered a new tenancy.</p>
Conduct of Tenancy	<p>The Council places particular emphasis on tenants being good tenants and neighbours.</p> <p>In order to be eligible for an offer of a new tenancy, the tenant(s) should have fully or substantially complied with the tenancy obligations as to anti-social behaviour and other tenancy obligations (apart from rent).</p> <p>Guidance on the circumstances which would justify a refusal of a housing allocation are set out in the 'Unacceptable Behaviour/un-tenant like behaviour' criteria in the Council's Allocation Policy. If the tenant behaviour falls within this criterion, then a new tenancy should not be offered.</p> <p>Past conduct should generally be given more weight than promises as to future behaviour. Officers should take into account the annual assessment reports as to conduct as well as full details of any incidents from the tenancy file.</p> <p>Where the conduct issue concerns a member of the tenant's household, then the Council may consider an offer of a smaller</p>

	<p>property where the tenant agrees to remove that person from their home.</p> <p>Further guidance on dealing with ASB issues are set out in the Council's ASB Policy.</p>
Condition of Property	<p>Officers will carry out an inspection of the property prior to concluding the review to assess the condition of the property and the tenant's compliance with the tenancy terms as to keeping the interior of the property in good and tenantable condition.</p> <p>Failure to provide access to carry out such an inspection for the purpose of review on more than 2 fixed appointments will be sufficient reason not to offer the tenant a new tenancy.</p>
Serious breach of tenancy and Court Orders	<p>A serious breach of tenancy will usually be sufficient reason not to offer the tenant a new tenancy, unless that breach of tenancy has been remedied and not repeated, and the Officer is satisfied that the tenant is genuinely remorseful for the breach and that no further breaches of tenancy will occur if a new tenancy is granted.</p> <p>If the Council has issued proceedings against the tenant and the Court has made an order against the tenant, whether for possession, injunction or otherwise, this will usually be sufficient reason not to offer the tenant a new tenancy, unless the terms of the Court Order have been fully complied with for a continuous period of at least 12 months. Where the order has been of shorter duration, there should be compliance throughout its duration in order to consider the grant of a new tenancy.</p>

OFFERING A NEW TENANCY OF THE SAME, OR A DIFFERENT TENANCY

- 4.20 Where the tenant is to be offered a new tenancy, then officers should apply the following criteria in determining whether the tenant should be offered a new tenancy of the same property, or a different property.

NEW TENANCY OF SAME OR DIFFERENT PROPERTY	
Criteria	Description
Offer of new Tenancy of same property	<p>A new tenancy of the same property should generally be offered to the tenant in the following circumstances:</p> <ul style="list-style-type: none"> a) The tenant(s) still needs the size of home they occupy; or b) The size of the household has increased and while other circumstances remain unchanged, the household will be able to continue to live at the property for the time being or can apply for a transfer under the Council's Allocation Policy; c) The household includes a disabled person, and the property has been adapted for and still meets their needs.
Offer of a new Tenancy at a different property	<p>A new tenancy of a different property which meets the tenants' needs under the Council's Allocation Policy may be offered in cases where:</p> <ul style="list-style-type: none"> a) The tenant(s) are under-occupying or overcrowding the property; where the property is either too big or too small for their current need; b) Special features, such as adaptations for someone who no longer lives there are no longer needed by anyone living in the property; c) There is an age restriction governing who the property can be allocated to. A number of properties are designated for older people, including sheltered accommodation, there could be instances where the person with the age eligibility has moved away or died and the remaining occupants are too young to be eligible for this accommodation; d) The Council wishes to take possession back of the home in order to effectively manage its property stock, including housing and tenancy management reasons, asset management, to sell the property or carry out major works of repair or improvement, redevelopment or demolition.

LENGTH OF TERM OF NEW FLEXIBLE TENANCY

- 4.21 In deciding the length of the term of any new tenancy to be offered to the tenant, then Officers should follow the guidance in Part 2 of this policy, relating to the initial offer of a flexible tenancy.
- 4.22 The tenant will have the same rights of review as set out in Part 2 of this policy as to the length of the term. The tenant should be notified of the right of review. There is no right of review of the decision as to the type of tenancy (i.e. an offer a flexible tenancy).

Procedure for offering a new tenancy of a different property

- 4.23 The tenant must be served with Notice that the tenancy of their current property will not be renewed (see Procedure Table below for procedure on 'Ending the Flexible tenancy').
- 4.24 This will be accompanied by a letter confirming that the Council will be offering a new tenancy of an alternative property suitable to the tenant's needs, and advising that they have been allocated to Emergency Housing Band A in accordance with the Council's Allocation Policy. The tenant may receive a direct offer from the Housing Register/Allocations Team before the date upon which they are required to give up possession of their current home, which will be available to them when any possession order takes effect.
- 4.25 The tenant has a right of review and appeal in respect of the suitability of any offer of alternative accommodation in accordance with the Allocations Policy. The Council operates a one-offer only policy.

PROCEDURE TABLE

ENDING THE FLEXIBLE TENANCY		
A court must make an order for possession of the dwelling-house let on the tenancy if it is satisfied that the following conditions are met		
1.	Notice of decision not to grant another tenancy of the (same) property This Notice must be served at least 6 months before the end of the tenancy	The Council has given the tenant not less than six months' notice in writing— (a) stating that it does not propose to grant another tenancy on the expiry of the flexible tenancy, (b) setting out the Council's reasons for not proposing to grant another tenancy, and (c) informing the tenant of the tenant's right to request a review of the Council's proposal and of the time within which such a request must be made.
2.	Notice Seeking Possession This Notice must be served at least 2 months before the end of the tenancy.	The Council has given the tenant not less than two months' notice in writing stating that it requires possession of the property.
The Council uses a combined form of Notice		
3.	The tenancy has ended	A claim for possession can be commenced once the flexible tenancy has come to an end

REVIEW OF DECISION TO END THE FLEXIBLE TENANCY

- 4.26 The Tenant has a right to request a review of:
- (a) a 6 month Notice of a decision not to grant a new tenancy of the same property (whether or not an offer of an alternative property has been made); **and**
 - (b) a decision as to the length of tenancy to be offered (see 4.21-4.22 above).
- 4.27 Tenants have a right to request a review of a decision not to offer new flexible tenancy within 21 days of service of the 6 month Notice.
- 4.28 The procedure and rules for conducting a review are the same as for the review as to the length of term, set out in the Table above under paragraph 2.30.

Human Rights Act 1998, Children Act 2004 and Equality Act 2010

- 4.29 Officers must, in all decisions, but particularly decisions to terminate a tenancy, bear in mind a residential occupier's Article 8 ECHR right to respect for their home and private life, the requirement to have regard to the need to safeguard and promote the welfare of children, and the Council's Public Sector Equality Duty. Decisions must be proportionate to these rights.
- 4.30 In appropriate circumstances, an Equality Impact Assessment should be carried out before the service of Notice and/or commencement of court proceedings.

Exceptional Renewal of Tenancies

- 4.31 There may, on occasion, be exceptional circumstances when, although at least one of the above reasons for not offering a new tenancy applies, the Director of Housing, (or designated equivalent), may nevertheless decide that it is appropriate to offer the tenant a new tenancy either of the same or a different property.
- 4.32 The Director of Housing will take any such exceptional circumstances on a case-by-case basis. Examples of circumstances where this discretion **may** be exercised are set out below. This is not intended to be exhaustive, and the Council offers no guarantee that the discretion will be exercised in such cases:
- The household contains someone with a disability and although one of the reasons not to renew applies, there are no alternative properties available in the Borough which could feasibly and/or cost effectively be adapted for the disabled person's needs.
 - A person in the household is terminally ill;
 - Where there are continuing duties owed to a care-leaver;
 - Where a child in the household is in the year of taking GCSEs or A Levels and there are no alternative properties within one hour's commute to the school the child is currently attending;
 - Following consultation with the Head of Children's Services, it is agreed that a child's specific educational needs can only be met at one particular school and there are no alternative properties available within a feasible commuting distance;

- Having consulted with the Head of Adult Social Care, it is agreed there are no alternative properties available that would avoid severely compromising the welfare of a vulnerable person in the household;
- When all alternative properties would mean that a tenant's commuting time to work is extended beyond one hour each way.

Advice and assistance to find alternative housing where new tenancy refused

- 4.33 In cases where the applicant no longer has a housing need, the Council's Housing Advice team will offer advice on intermediate and market-rental options, and assistance to support the tenant and their household to find alternative accommodation in the private sector, in conjunction with other housing related services and agencies.
- 4.34 Advice may be given on a range of matters, including signposting to other Council services or money advice. Referrals may be made to other services such as Adult or Children's Services.

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PART 5 - Mutual Exchange

Scope

- 5.1 This section sets out the rules relating to mutual exchanges under Section 92 of the Housing Act 1985 (dealing with assignments), and requests for transfer under s.158 Localism Act 1996.

Homeswap Scheme / Mutual Exchanges

- 5.2 **Homeswap** enables existing social housing tenants (this means tenants of councils and housing associations) the opportunity to swap their home with another, often called 'mutual exchanges', once they have the permission of all landlords involved, whether Havering Council, a housing association or another council.
- 5.3 Given the demand for and the shortage of social housing in Havering, the waiting time for a transfer can be lengthy and, therefore, for many tenants a mutual exchange is their best prospect for moving.
- 5.4 Such schemes help tenants to be closer to new places of work and/or friends and family. The Council supports the Government's '**Homes Swap Direct**' initiative, bringing together the range of mutual exchange regimes that exist. The Council will make available facilities at its principal office to enable applicants wishing to review housing options using the **Homeswap** mechanism as well as promoting the initiative more widely.
- 5.5 Social housing tenants can also register for a mutual exchange, advertise their property, and search for prospective exchange partners, on **Homeswap** at: - <http://www.homeswapper.co.uk>;

Responding to a Mutual Exchange application

- 5.6 Officers must respond to mutual exchange applications **within 42 days** of the application or the Council cannot rely on the grounds for refusal set out in Schedule 3 of the Act.

Refusal of mutual exchange

- 5.7 The Council will only refuse a request to a mutual exchange for a limited number of reasons, which are defined by law (The Housing Act 1985 and the Housing Act 2004). These include, but are not limited to that:

GROUND FOR REFUSAL OF A MUTUAL EXCHANGE APPLICATION - SCH.3 HOUSING ACT 1985	
Ground 1	The tenant or the proposed assignee is subject to an order of the court for the possession of the dwelling-house of which he is the secure tenant.
Ground 2	Proceedings have been begun for possession of the dwelling-house of which the tenant or the proposed assignee is the secure tenant on one or more of grounds 1 to 6 in Part I of Schedule 2 (grounds on which possession may be ordered despite absence of suitable alternative accommodation), or there has been served on the tenant or the proposed assignee a notice under section 83 or 83ZA (notice of proceedings for possession) which specifies one or more of those grounds and is still in force.
Ground 2A	Either— (a) a relevant order, a suspended anti-social behavior possession order or a suspended riot-related possession order is in force, or

(b) an application is pending before any court for a relevant order, a demotion order, an anti-social behaviour possession order or a riot-related possession order to be made, in respect of the tenant or the proposed assignee or a person who is residing with either of them.

A “relevant order” means—
an injunction under section 152 of the Housing Act 1996 (injunctions against anti-social behaviour);

- an injunction to which a power of arrest is attached by virtue of section 153 of that Act (other injunctions against anti-social behaviour);
- an injunction under section 153A, 153B or 153D of that Act (injunctions against anti-social behaviour on application of certain social landlords);
- an anti-social behaviour order under section 1 of the Crime and Disorder Act 1998;
- an injunction to which a power of arrest is attached by virtue of section 91 of the Anti-social Behaviour Act 2003 or section 27 of the Police and Justice Act 2006.
- an injunction under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014;
- an order under section 22 of that Act.
- an “anti-social behaviour possession order” means an order for possession under Ground 2 in Schedule 2 to this Act or Ground 14 in Schedule 2 to the Housing Act 1988.
- a “demotion order” means a demotion order under section 82A of this Act or section 6A of the Housing Act 1988.
- a “riot-related possession order” means an order for possession under Ground 2ZA in Schedule 2 to this Act or Ground 14ZA in Schedule 2 to the Housing Act 1988.

Where the tenancy of the tenant or the proposed assignee is a joint tenancy, any reference to that person includes (where the context permits) a reference to any of the joint tenants.

Ground 2B

The dwelling-house is subject to a closure notice or closure order under Chapter 3 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.

Ground 3

The accommodation afforded by the dwelling-house is substantially more extensive than is reasonably required by the proposed assignee.

Ground 4

The extent of the accommodation afforded by the dwelling-house is not reasonably suitable to the needs of the proposed assignee and his family.

Ground 5

The dwelling-house:

(a) forms part of or is within the curtilage of a building which, or so much of it as is held by the landlord, is held mainly for purposes other than housing purposes and consists mainly of accommodation other than housing accommodation, or is situated in a cemetery, **and**

(b) was let to the tenant or a predecessor in title of his in consequence of the tenant or predecessor being in the employment of:

- the landlord,
- a local authority,
- a development corporation,
- a housing action trust
- a Mayoral development corporation,
- an urban development corporation, or
- the governors of an aided school.

Ground 6

The landlord is a charity and the proposed assignee’s occupation of the dwelling-house would conflict with the objects of the charity.

Ground 7

The dwelling-house has features which are substantially different from those of ordinary dwelling-houses and which are designed to make it suitable for occupation by a physically disabled person who requires accommodation of the kind provided by the dwelling-house and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground 8

The landlord is a housing association or housing trust which lets dwelling-houses only for occupation (alone or with others) by persons whose circumstances (other than merely financial circumstances) make it especially difficult for them to satisfy their need for housing and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground 9

The dwelling-house is one of a group of dwelling-houses which it is the practice of the landlord to let for occupation by persons with special needs and a social service or special facility is provided in close proximity to the group of dwelling-houses in order to assist persons with those special needs and if the assignment were made there would no longer be a person with those special needs residing in the dwelling-house.

Ground 10

The dwelling-house is the subject of a management agreement under which the manager is a housing association of which at least half the members are tenants of dwelling-houses subject to the agreement, at least half the tenants of the dwelling-houses are members of the association and the proposed assignee is not, and is not willing to become, a member of the association.

Reference to a management agreement includes a section 247 or 249 arrangement, as defined by section 250A (6) of the Housing and Regeneration Act 2008.

Right of Review

- 5.8 If the Council refuse consent for a mutual exchange, the Council will give the full reasons for this. There is a right of review against this decision, details of which are set out in Part 8 of the Council's Allocation Policy.

Under-occupation & down-sizing

- 5.9 Due to the shortage of social housing the Council is unable to allow exchanges that would result in under-occupation of accommodation. Please refer to the Council's Bedroom Standard in the Council's Allocation Policy. This will assist tenants in identifying their eligibility before they submit their request for an exchange.
- 5.10 However, where a Havering tenant has registered to downsize to smaller accommodation, they will be permitted to exchange to accommodation that has one room in excess of their requirements.

Rent arrears and other breaches of tenancy

- 5.11 The Council will not usually allow a mutual exchange to proceed where there are rent arrears or other breaches of tenancy (e.g. ASB).

Property condition

- 5.12 The Council expect tenants to keep their homes in a reasonable condition and officers should inspect the property before making a decision on a request to exchange to ensure that it meets the required standards.
- 5.13 Tenants will need to ensure the property matches the description and agree any fixtures and fittings which are to be left in the home with their mutual exchange partner. Tenants are responsible for any non-standard items.

- 5.14 However, once these matters have been sorted out, the tenant should be able to move, so long as the reasons for refusal listed above do not apply.

Grant of Tenancy on Mutual Exchange

- 5.15 A mutual exchange operates by assignment of the tenancy under s.92 Housing Act 1985. It is the tenancy to which secure status under Pt. 4 Housing Act 1985 attaches, although that status as a successor travels with the individual under s.88(3) Housing Act 1985.
- 5.16 Accordingly, in most cases, new tenants by way of mutual exchange do not need to sign a new tenancy agreement as they will automatically become tenants under the original tenancy (see Assignment below). The new tenant's full details should however be obtained for the Council's records.

Assignment

- 5.17 Most mutual exchanges are effected by a Deed of Assignment. However, special rules apply to where a flexible tenancy is swapped with a lifetime tenancy which commenced before 1st April 2012 (see below)

Flexible & Lifetime tenancy swap

- 5.18 Flexible tenants may swap their tenancies with weekly secure tenants.
- 5.19 However, where the weekly secure tenancy began prior to 1st April 2012, then the tenants will each have to surrender their tenancy and be granted a new tenancy with the same tenure as their original tenancy (s.158 Localism Act 2011).

PART 6 – Succession

- 6.1 This policy has been introduced as a result of changes to the statutory succession rights introduced by the Localism Act 2011, and in anticipation of the introduction of the Housing and Planning Act 2016.
- 6.2 This policy does not apply in respect of non-secure tenancies or licences of the Council. These tenancies or licences are not intended to be assignable or capable of giving rise to any succession, either statutory or discretionary. Members of the household of such tenants/licencees who are deceased are advised to apply to the Council for housing under the homelessness provisions of Part VII Housing Act 1996 and/or under the Council's Housing Allocations Scheme.
- 6.3 This policy has effect from [] and will apply to all applications to assign or to succeed to a tenancy to which the policy applies received by the Council on or after that date. Applications to assign or succeed to tenancies received prior to that date will be dealt with under the Council's policy in force at the relevant time.

Legislation

- 6.4 This policy takes account of the following legislative provisions (which is not intended to be exhaustive) and statutory guidance:
- Protection from Eviction Act 1977
 - Housing Act 1985
 - Housing Act 1986
 - Leasehold Reform, Housing and Urban Development Act 1993
 - Housing Act 1996
 - Localism Act 2011
 - Housing and Planning Act 2016

What is Succession?

- 6.5 Succession refers to the legal procedure where the remainder of the deceased's introductory or secure tenancy is transferred by operation of law to another person when the tenant dies. This is often called 'statutory succession'.
- 6.6 Where a person succeeds to the tenancy by a statutory right, this is effected automatically by law, and does not require any formal steps to transfer the legal tenancy. The successor will automatically become the tenant immediately upon the tenant's death. A new tenancy agreement should not be signed where there is a statutory succession.

Legal Succession Rights granted by law

Introductory Tenancies (s.131 Housing Act 1996)

- 6.10 A person is qualified to succeed the tenant under an introductory tenancy if he/she occupies the property as his/her only principal home at the time of the tenant's death and either:
- a) He/she is the tenant's spouse or civil partner, or
 - b) He/she is another member of the tenant's family and has resided with the tenant throughout the period of twelve months ending with the tenant's death;

unless in either case, the tenant had previously succeeded to the tenancy (only one succession is permitted by law).

- 6.11 Non-spouse/civil partner succession rights will be removed by the Housing and Planning Act 2016, if and when the relevant provisions are brought into force.

Secure Tenancies granted BEFORE 1st April 2012 (s.87 Housing Act 1985)

- 6.12 A person is qualified to succeed the tenant under a secure tenancy if/he/she occupies the dwelling-house as his/her principal home at the time of the tenant's death and either:
- a) He/she is the tenant's spouse or civil partner, or
 - b) He/she is another member of the tenant's family, (the parent, sister, brother, son or daughter, grandson or granddaughter of the deceased tenant - half-blood/step-relations are included in this definition); and
 - c) has resided with the tenant throughout the period of twelve months ending with the tenant's death;

unless, in either case, the tenant had previously succeeded to the tenancy (only one succession is permitted in law).

- 6.13. Non-spouse/civil partner succession rights will be removed by the Housing and Planning Act 2016, if and when the relevant provisions are brought into force.

Secure Tenancies granted on or AFTER 1st April 2012 (s.86A Housing Act 1985, s.160 Localism Act 2011)

- 6.14 The tenant's spouse or civil partner is entitled to succeed to a secure tenancy providing that they resided with the deceased tenant as their only or principal home at the date of the tenant's death.
- 6.15 The Act provides that other persons may be entitled to succeed to a tenancy but it would be for the Council's to determine what additional succession rights, if any, should be granted upon the death of a secure tenant.
- 6.16 ***Since the introduction of the Localism Act 2011, the Council has not amended the terms of its secure tenancy agreement which currently reflects the above pre-2012 succession rights afforded to other family members.***

All Introductory and Secure Tenancies (On commencement of the Housing and Planning Act 2016)

- 6.17 From the commencement date of the Housing and Planning Act 2016, non-spouse/civil partner statutory succession rights will be repealed for all secure tenancies, regardless of when the tenancy was granted, and it will be for Councils to determine additional succession rights, if any, should be granted upon the death of a secure tenant.
- 6.18 The Council's [proposed] form of secure tenancy terms and conditions (2019) includes spouse/civil partner succession rights in accordance with the Housing and Planning Act 2016 but does not include succession rights for other people, including family members.

Spouse or Civil Partner successions

- 6.19 A person is qualified to succeed the tenant under a secure tenancy if he/she occupies the dwelling-house as his/her only or principal home at the time of the tenant's death and he/she is the tenant's spouse or civil partner, unless the tenant had previously succeeded to the tenancy (only one succession is permitted by law).

- 6.20 It should be noted that a spouse or civil partner must be residing in the property as their only or principal home as at the date of the tenant's death (but not for 12 months). Accordingly, a spouse or civil partner who is **not** residing with the tenant at the date of their death will not succeed to the tenancy.
- 6.21 For this purpose, spouse/civil partner includes someone living with the tenant as husband or wife or as if they were civil partners. The Council may require evidence to demonstrate that the couple have been residing together for at least 12 months in a committed long term relationship. Such requests should be approached sensitively.

Under-occupation by legal successor

- 6.22 A succession will not be granted in respect of a property which is under-occupied as at the date of the tenant's death.

Sheltered, Extra Care or Age restricted properties

- 6.23 A succession will not be granted in respect of a property which is intended for use as sheltered or extra-care accommodation or where there is an age restriction (e.g. over 55s only) which is not met by the potential successor.

Specially adapted properties

- 6.24 A succession will not be granted in respect of a property which has been specially adapted for use by disabled or less-abled persons.

Under 18 years old

- 6.25 A person under the age of 18 years at the date of the tenant's death will **not** be entitled to a 'succession' as persons under the age of 18 cannot hold a legal tenancy.
- 6.26 Any children in occupation of the property will be referred to Children's Services for assistance and/or fostering, adoption or care services. Children who attain the age of 18 years shortly after the tenant's death will be referred to the Housing Solutions team.

Rent arrears on succession

- 6.27. A successor does not become liable for the rent arrears of the deceased tenant. An occupier may be liable for damages for use and occupation of the property equivalent to the amount of rent from the date of expiry of the Notice to Quit terminating the deceased tenant's contractual tenancy.
- 6.28 In the case of a statutory succession, then the successor tenant will become liable for the rent from the date of death of the tenant.

Outright and Suspended Possession Orders

- 6.29 Possession orders will not operate to prevent a statutory right of succession, unless the possession order has been enforced by Warrant or Writ of Possession.
- 6.30 If the Possession Order was granted in respect of the acts or omissions of the potential successor, then it would not be appropriate to grant a discretionary succession to them.

Non-qualifying family members and live-in carers

- 6.31 The Council recognises that some hardship may be suffered by non-qualifying family members and live-in carers, particularly where they have resided with the tenant for many years, or if they themselves are vulnerable by reason of physical or mental ill-health or are limited means.
- 6.32 In appropriate cases, the Council may defer the issue of Court proceedings for possession until up to 6 months' after the tenant's death, providing the occupiers of the property agree and regularly pay use and occupation charges in respect of the property (the acceptance of which is not intended to give rise to a new tenancy).
- 6.33 The Council will also assist such persons with advice and referrals to the Housing Solutions team and where appropriate, Social Services and any other appropriate partner agencies.

Notices and Court Proceedings for Possession following death of tenant

- 6.34 Unless the Council is satisfied that there has been a legal succession to the deceased tenant's spouse or civil partner, then a Notice to Quit (with statutory information) should be served in the second week after the tenant's death upon the property addressed to :
- "The Personal Representatives of **[NAME OF TENANT]** (deceased)
[TENANCY ADDRESS]
- 6.35 A copy of the Notice must also be sent with Form NL1 and prescribed fee to:
- The Public Trustee
PO Box 3010
London
WC2A 1AX
- 6.36 Copies of the Notice should also be sent to the deceased's next of kin, or any person dealing with their Estate.
- 6.37 Prompt service of the Notice to Quit is important since an occupier will only become liable for damages for use and occupation from the date of expiry of the Notice to Quit. Failure to serve the Notice to Quit timeously will result in a loss of rent to the Council.
- 6.38 Upon expiry of the Notice to Quit, then the case should be referred to OneSource Legal for possession proceedings to be commenced.
- 6.39 If there is a successor or potential successor in occupation of the property who is under-occupying the property, then a Notice Seeking Possession, marked 'without prejudice to Notice to Quit' should be served upon Ground 15A, Schedule 2 Housing Act 1985 (under-occupation following death), and any other relevant grounds for possession.
- 6.40 Proceedings for possession under Ground 15A, (as referenced above), must be commenced not less than 6 and not more than 12 months after the tenant's death.

TENANCY POLICY 2018

PART 7 – Assignment

- 7.1 Assignment refers to a transfer of a tenancy from one person to another.
- 7.2 Applications to transfer a sole tenancy into joint names or to transfer a joint tenancy to a sole tenancy are dealt with in accordance with this policy.
- 7.3 Assignments must be effected by a Deed of Assignment. Attempts to assign a tenancy by letter or a signed agreement which does not comply with the legal requirements of a Deed will not be recognised as valid.

Rights of assignment granted by law

- 7.4 Introductory and secure tenants have the rights set out below to assign their tenancy **without the consent of the Council**
- 7.5 Tenants have the right to assign the tenancy to a person who has a statutory or contractual right of succession to the tenancy. This does not apply to discretionary successions.
- 7.6 The Council must be satisfied that the assignee would be entitled to succeed to the tenancy upon the tenant's death (see Part 6 above). An assignment of a tenancy will count as succession to the tenancy and so no further succession rights will arise after the assignment of a tenancy.

Assignment Pursuant to Court Order

- 7.7 Tenants have the right to assign their tenancy where the assignment is in pursuance of an order made under –
- Section 24 of the Matrimonial Causes Act 1973 (property adjustment orders in connection with matrimonial proceedings), or
 - Section 17 (1) of the Matrimonial and Family Proceedings Act 1984 (property adjustment orders after overseas divorce), or
 - Paragraph 1 of Schedule 1 of the Children Act 1989 (orders for financial relief against parents), or
 - Part 2 of Schedule 5, or paragraph 9 (2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership).

Discretionary Assignments

- 7.8 It is the Council's policy not to allow tenants to assign or transfer their tenancies except as permitted by law.
- 7.9 Accordingly requests to assign tenancies will only be considered in the most exceptional of circumstances. In such exceptional cases, the proposed assignee must meet the eligibility and qualification criteria set out in the Council's Allocation Policy.

PART 8 – General information

Dissemination and communication

- 8.1 The Council will consult with tenants, leaseholders, relevant partners and all appropriate stakeholders to review this policy prior to publication. The policy will be available to view to the public on the internet and to Council Officers on the intranet.

Implementation

- 8.2 It is recommended that Tenancy and Customer Service staff are fully briefed on this policy and are aware on the processes and documentation required to administer this policy.

Monitoring and review

- 8.3 Havering Council will monitor and review its performance and track the impact of our approach to ensure continuous improvement. This policy will be reviewed in three years from the date it has been published and will be reviewed by the lead officer sponsoring this policy.

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Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	<i>Tenancy Policy</i>
Lead officer:	<i>Neehara Wijeyesekara, Tenancy Sustainment Manager,</i>
Approved by:	<i>Gerri Scott, Director of Housing (Interim),</i>
Date completed:	<i>September 2018</i>
Scheduled date for review:	<i>April 2022</i>

Please note that the Corporate Policy & Diversity and Public Health teams require at least **5 working days** to provide advice on EqHIAs.

Please note that EqHIAs are **public** documents and must be made available on the Council's [EqHIA webpage](#).

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	No
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

Please submit the completed form via e-mail to EqHIA@haverling.gov.uk thank you.

1. Equality & Health Impact Assessment Checklist

About your activity

1	Title of activity	Tenancy Policy		
2	Type of activity	Policy		
3	Scope of activity	<p><i>This EqHIA covers the Council's Tenancy Policy.</i></p> <p><i>The Tenancy policy has been revised to inform home seekers and council officers about the type of tenancies that will be on offer from the London Borough of Havering and sets out clearly the Councils' own position in terms of letting out its own properties.</i></p> <p><i>The length of tenancy and the type of tenancy which we issue to tenants is subject to statute with little scope for discretion for council officers to apply.</i></p> <p><i>This policy also sets out how the Council will monitor and review introductory and flexible tenancies. It also provides information on mutual exchanges.</i></p> <p><i>The policy also explains the legal assignment and succession rights afforded to Introductory and Secure tenants, and to provide guidance on the principles when officers consider applications to assign or succeed to introductory or secure tenancies.</i></p>		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	Yes		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	N/A		

Completed by:	<i>Una Bedford, Housing Strategy & Policy Officer, Housing Services, Neighbourhood Services</i>
Date:	<i>4th September 2018</i>

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:

This EqHIA has been written to consider the Council's revised Tenancy Policy.

The Council's Tenancy Policy sets out the Council's position in terms of letting out its own properties. The intention is to provide a balance between ensuring stability for households who are in need, in particular, for vulnerable households, against flexibility in the way that the Council manages its housing stock. The Council's aim is to ensure that we make the best and most suitable use of the limited lettings which become available each year. This EqHIA does not cover how registered providers will use flexible fixed term tenancies, as this will be covered by their individual Tenancy Policies and accompanying EqHIA's.

The Localism Act (2011) gave Local Authorities the discretion to offer new tenants fixed term tenancies of no more than 5 years in duration. Havering has been granting flexible fixed term tenancies to all new tenants since April 2012, with the following exceptions:

- where a secure lifetime tenant transfers to another home within our housing stock to downsize because they are under-occupying their home, or
- where a tenant moves to a property designated for tenants aged 60 or over. These are sheltered and extra care schemes and flats in general needs schemes designated for people aged 60 or over. (or where the resident is 55 or over and requires a medium or high level of support due to frailty, ill-health or restricted mobility), or
- where existing secure tenants (or assured tenants of a housing association) whose tenancy began before 1st April 2012 have their tenancy terms and conditions preserved by law. Therefore, if they transfer to a different home in either Council or housing association stock, they will automatically be offered another secure or assured tenancy.

The recent Secure Tenancies (Victims of Domestic Abuse) Act (2018) provides protection for social housing tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence. The new Act contains measures to ensure that lifetime tenants of social homes who are victims of domestic abuse are granted a further lifetime tenancy where either:

- a) they need to leave or have left their home to escape domestic abuse and are being re-housed by a local authority, or
- b) where they are a joint tenant and wish to remain a tenant of their social home after the perpetrator has left or been removed and the local authority decides to grant them a further sole tenancy in their current home.

The new policy recognises this new legislative provision.

It also continues with the general rule that 5 year terms should be granted and the circumstances in which shorter or longer terms should be considered which expands on the previous tenancy policy.

Further guidance is provided on the monitoring and review of introductory tenancies and the circumstances in which the introductory trial period should be extended or the introductory tenancy terminated for breach of tenancy. Tenants will be required to wholly or substantially comply with all the tenancy terms during the introductory trial period.

The policy also introduces ongoing tenancy reviews with annual tenancy assessments carried out with tenants. This ensures transparency and sets clear expectations throughout the tenancy term. Guidance is clearly set out within the policy on the five clear criteria for the grant of a renewed tenancy.

The rules concerning mutual exchange applications are also consolidated within this policy.

This policy recognises the current legislative provision in place which Housing Services will apply to the Succession of Council Tenancies through the Localism Act 2011. The policy also, in advance of the commencement of new provisions within the Housing and Planning Act 2016, details the Council's new policy around succession in keeping with the provisions of the Act.

On commencement of the provisions within the Housing and Planning Act 2016, all secure tenancies, (granted pre and post April 2012), will lose the right for family members to succeed a tenancy (the minimum statutory right of spouse or partner will be in place for all secure tenancies).. **This policy does not affect existing statutory rights of succession until these provisions are repealed by the Housing and Planning Act 2016.**

The Council will not grant a succession in respect of:

- a property which is under-occupied as at the date of a tenant's death.
- a property which is intended for use as sheltered or extra-care accommodation or where there is an age restriction (such as over 55's only) which is not met by the potential successor
- a property which has been specially adapted for use by disabled or less-abled persons
- a person under the age of 18 years at the date of the tenant's death

The Policy also provides for the Council to allow a 6 month period of grace for non-qualifying family members and live-in carers facing hardship, providing use and occupation charges are met.

The aim of our Succession policy is to create greater headroom within our stock, allowing the Council to free up property and to make better use of our scarce resource, ensuring a fairer distribution of social housing.

This EqHIA does not cover the allocation of social housing. This will be covered by in a separate EqHIA accompanying the Housing Allocations Scheme.

Social housing is generally let at a time when households, particularly homeless households are in the greatest need. However, need does not necessarily remain constant over a lifetime but varies according to a variety of circumstances such as the birth of a child, children leaving home, health, disability, employment and caring needs. The current use of social housing does not reflect this, contributing to an overall shortage of social housing and over and under-occupation as well as occupation of properties which are unsuitable, for example to meet the needs of a disabled household.

The Council's intention, through the use of flexible tenancies, is to bring more movement into the system, and offers the opportunity for the Council, together with the households concerned, to

consider and review housing needs and aspirations periodically. It should be stressed that the expectation is that the majority of flexible tenancies will be renewed particularly where the household's circumstances remain unchanged.

Who will be affected by the activity?

This policy will impact on council tenants who are granted a secure lifetime tenancy from the date that the new tenancy terms and conditions come into effect. Under the new tenancy terms and conditions, new secure lifetime tenants would be afforded the minimum statutory discretion rights under the Localism Act; allowing a partner or spouse to succeed a deceased tenant. In the main, secure lifetime tenancies will be offered mostly to residents in sheltered schemes and not to the mainstay residents in General Needs accommodation.

In the event that the provisions of the Housing and Planning Act 2016 ever come into play, all secure lifetime tenancies will lose their extended familial right of succession. As a legislatively driven provision, this is beyond the control of the Council and its officers.

Officers and Councillors also need to be aware of the new flexible tenancy review process and the potential impacts and benefits that this will bring to the management and use of Havering's Council stock.

Protected Characteristic - Age: Consider the full range of age groups		
Please tick (✓) the relevant box:		Overall impact:
Positive		<p>Tenants of all age groups who hold a secure life-time tenancy granted before April 2012, will remain unaffected, unless they choose to move (transfer or exchange their tenancy). The exception in this instance will be where they choose to down-size because they are under-occupying their home. The Council wants to reward those residents by offering them an alternative secure life-time tenancy. This is because tenants who chose to downsize are increasing social mobility and freeing up of Council stock, allowing those residents who need more bedrooms because of their household's size the opportunity to be more suitably accommodated. Tenants who downsize will not be adversely impacted.</p> <p>Existing secure life-time council tenant's of all ages will be given a further life-time tenancy if they are required to move by the Council – in the instance of a permanent move (for example, a move arising from a Regeneration Programme).</p> <p>Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).</p> <p>Older people who move to a property designated for tenants aged 60 or over (sheltered or extra-care schemes; or where the resident is aged 55 or over and requires a medium or high level of support due to frailty, ill-health or restricted mobility), will be granted a secure life-time tenancy.</p> <p>Secure lifetime tenancies which commenced prior to April 2012 and those that have commenced since by virtue of the circumstances prescribed above will not be subject to review unlike those who have flexible tenancies (post April 2012).</p> <p>Tenants of all ages may find the different tenancies on offer confusing – particularly those with a shorter length of tenancy. This will be negated at the point of sign-up to a tenancy, clearly outlined within the new Tenancy Agreement and the Council's new Tenancy handbook which will be provided to all council tenants on tenancy sign-up and available on our website.</p> <p>Families with flexible tenancies with children at local schools may be more worried about tenancies not being renewed where they have children attending local schools and support networks. There is provision within the new policy for the Director of Housing (or designated equivalent) to decide in exceptional circumstances to offer a new tenancy either at the current or an alternative property. This applies specifically where there is a dependent in the household of the tenant who in the year of taking GCSEs or A Levels and there are no alternative properties within one hour's commute to the school the child is currently attending.</p> <p>Similarly, where there is a child with specific educational needs which can only be met at one particular school and there are no alternative properties available within a feasible commuting distance, the Director of Housing (or equivalent) in consultation with the Head of Children's Services may agree to renewing the current tenancy.</p>
Neutral	✓	
Negative		

	<p>Households with introductory/flexible tenancies who on review, are found to be over-accommodated or who no longer need a house which had been adapted to meet their needs, will (provided there are no other circumstances which would make them ineligible for Social Housing - such as their income exceeds the threshold for eligibility to join the Housing Register as prescribed within our Allocations scheme), be given a new tenancy for another property through an assisted offer. Housing Services will take into account the downsizer's circumstances and any exceptional circumstances, for example the welfare and social needs of a vulnerable client and terminal illness when making a decision. This will free up family size homes for young families.</p> <p>As children in families become older, these families will need to move on to more suitable accommodation if their original accommodation becomes too large for these tenants and they become under-occupied. Where however, the household income remains below the threshold to be considered in housing need at the time that their tenancy is reviewed, we will offer assistance to these families to offer alternative accommodation in accordance with the bedroom standard.</p> <p>Over time, older households with a flexible tenancy are most likely to be under-occupying as a result of children leaving home and are therefore more likely to be impacted. Reviews of flexible tenancies will allow the Council to identify and support older tenants to move to more manageable sized accommodation.</p> <p>Greater headroom will as emerge as tenants who no longer need social housing move out following the review of their flexible tenancy and those who are under-occupying their homes are assisted to move into more appropriately sized accommodation. This will benefit overcrowded families with children</p> <p>Through the use of the powers granted to Local Housing Authorities through the Localism Act 2011, the Council will be amending its Tenancy terms and conditions with regard to the rights of succession for family members for new secure lifetime tenancies from []. From this date, succession in the event of a tenant's death will be limited to spouses or civil partners. Our flexible tenancies which we have been granting since April 2013 already reflect this statutory right of succession.</p> <p>This change in policy represents an alignment with statutory requirements, (new Section 86A of the Housing Act 1980 introduced by section 160 of the Localism Act 2011) and until this provision of the Housing and Planning Act 2016 (H&PA 2016) commences, the Council considers it unfair to retrospectively apply this to all secure lifetime tenancies.</p> <p>The Government have not confirmed when this (if at all), provision within the H&PA 2016, will commence. On commencement, all secure lifetime tenants pre and post April 2012 will lose the rights of succession for additional family members. Only spouses or civil partners will be able to succeed a tenancy.</p> <p>We recognise that only allowing the statutory right of succession will affect tenants who presumed that they or their relatives would be able to succeed a council tenancy and that that this represents a change of mindset. This change for tenants has necessitated a change in our tenancy terms and conditions and will be explained to all tenants when they sign up to a tenancy.</p> <p>The Council has consulted with both current tenants and prospective tenants</p>
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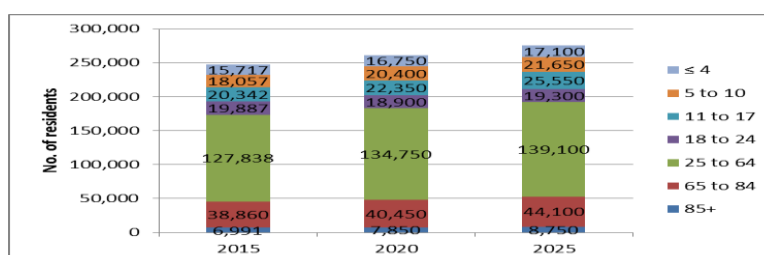
on the Housing Register to create an awareness of this change. When the provisions removing the rights for family members to succeed are removed on commencement of the H&PA, the Council will notify tenants in advance of the change through a deed of variation.

The Council acknowledges that moving home could have a detrimental affect on the health and well-being of a tenant. The impact may be greater on older people because they are more likely to need to move due to under-occupation of the home. The Council will provide help to move where it is needed and continue to promote our downsizing incentive scheme.

With regard to older people with disabilities, it is anticipated that these households will benefit from the increased availability of adapted properties made available from limits to succession.

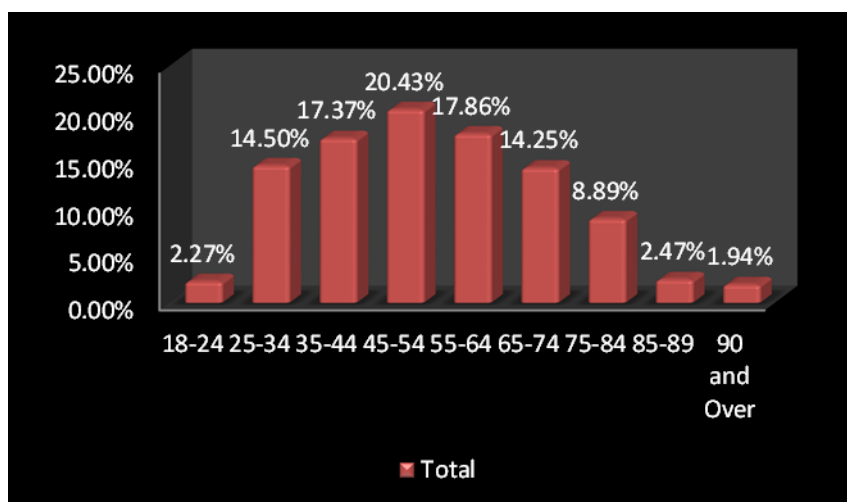
Evidence:

Table 1: Projected Population Growth by Age Group in Havering (across all tenure types)



The estimated population of the London Borough of Havering is 245,974. Havering has the oldest population in London, with a median age of approximately 40 year's old. Households are mainly composed of pensioners or married couples with dependents. It is projected that the largest increases in population will occur in children (0-17 years) and older people age groups (65 years and above), up to 2030.

Table 2: Age range of all current council tenants across all tenancy types



Data extracted from OHMS (May 2018) shows that the majority of council tenants in Havering (72 %) are working age (18-64 years of age). Typically those households are more likely to have families of school age. Where on review, their accommodation is no longer suitable, and where resources permit, provided the tenant remains eligible for social housing, the Council will seek to allocate the tenant more suitable accommodation which meets their housing needs.

In the instance where on review, the tenant and their household are found to be over-occupying their accommodation, again (dependent on resources), the Council will seek to re-house the tenant with the same security of tenure that they currently hold. In exceptional circumstances, where the household has a child at a critical school year (GCSE or A Level exam year) or where a child has special educational needs and alternative accommodation within an hours' commute from the school cannot be found, it is within the powers of the Director of Housing (or their delegate) to grant a further tenancy at the property.

This will benefit both existing and prospective tenants as this will free up much needed council stock for families.

Sources used:

Projected Population Growth by Age: 2014 Round Strategic Housing Land Availability Assessment (SHLAA) Based Projections (GLA)

Diversity Report from OHMS – May 2018

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions		
<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive		<p>When an introductory or flexible tenancy is reviewed, the needs of the tenant and their household members will be considered. In the instance where a tenant and their household occupy a property which has been adapted to accommodate the tenant or a member of their households' needs as necessitated by a disability, the Council will consider if the adaptations are no longer required, or possibly that the adaptations no longer meet the tenant/their households needs.</p> <p>The end of tenancy review will also ensure that the Council considers carefully tenants' continuing housing needs and can move them to more suitable accommodation where this is appropriate. This is likely to be particularly beneficial for those with access needs who might need to move to adapted accommodation.</p> <p>Provided the tenant remains eligible for social housing and is in housing need, the tenant may be offered a flexible tenancy at the property, or alternative accommodation at a more suitable property. Alternatively where tenant or their household no longer require a specially adapted property, it will enable the Council to allocate this property to another tenant who needs it, freeing up much sought after stock.</p> <p>If at the end of a flexible tenancy, there are definite reasons to terminate a tenancy, and where a property has been adapted but the adaptations are no longer required by the household (e.g. where a disabled child has moved on), the property could be returned to the Council and re-let. In effect, there may be a greater turnaround of adapted properties, meaning that more people on the housing register requiring adapted or wheelchair accessible homes could be helped.</p> <p>Disabled households are more likely to benefit from the review of flexible tenancies as it is anticipated that adapted properties will become more frequently available. Properties that would previously have been considered 'lost' from the Council's Housing stock as a result of the old rules on tenancy will be more easy to recover back where the household member who required the adapted property is no longer residing in the property.</p> <p>People with learning difficulties or mental health problems may find the different lengths of tenancy on offer particularly confusing. People with learning difficulties may find it harder to request reviews of decisions relating to flexible tenancies and to attend hearings. This may be negated by the need to encourage advocacy and representation for those less-abled tenants by informing advice agencies about flexible tenancies and how this may affect tenancies.</p> <p>To ensure that tenants who identify with this particular characteristic are not adversely impacted at the point of tenancy sign up, we will note any needs and provide support to explain to new tenants how flexible tenancies work and the review mechanism in place prior to their tenancy period ending.</p> <p>Limiting succession to the spouse or partner of a tenant for all new secure lifetime tenancies will allow the Council to prioritise and allocate a property by housing need. There are an increasing number of people with physical disabilities in the Borough, who need homes and facilities to meet their needs.</p>
Neutral	✓	
Negative		

	<p>The capacity of existing provision to meet those needs is limited by constraints on public spending, the suitability of existing homes, the affordability of suitable properties, and the increasing demand from an increasing number of disabled people for the limited resources available. It is increasingly difficult to persuade family members who under the current pre-HaPA rules are able to succeed a tenancy, to relinquish an unsuitable property. By keeping succession to the statutory minimum, on commencement of the new act, it is hoped that it will be easier to offer alternative suitable accommodation to a surviving partner or spouse. Where a property has previously been adapted, these adaptations may not necessarily be required by the successor and/or there be an age restriction which renders them ineligible to hold the tenancy of the property.</p> <p>The Council is committed to ensuring that adapted and wheelchair enabled homes are not let to those who do not need them; and that they are let to those who do. This will enable the Council to meet the increased demand for appropriate and suitable accommodation for disabled tenants, freeing up stock and matching tenants with accommodation which meets their needs.</p> <p>People with sensory impairments, learning difficulties and mental health problems may find it particularly hard to move (due to under occupation or if they did not qualify for a discretionary succession) as they may never have lived in another area or independently.</p> <p>Any negative impacts need to be balanced against those which are positive. Making better use of the housing stock is a key aim of our Tenancy policy and this will mostly benefit families, particularly larger ones as it will help address overcrowding and long waits in temporary accommodation, therefore, in circumstances where a property has been adapted but the adaptation is no longer required or the size of the adapted property for an existing disabled tenant is no longer appropriate, steps will be taken to offer a suitably sized property to make best use of the size of the property as well as the existing adaptations made to the property to the surviving spouse or partner. This will enable larger households or households with a disability to be offered a suitable property for their housing and medical needs.</p> <p>Where a household needs an adaptation made to their property but they are under-occupying their home, in the first instance the approach taken in the policy is to offer a suitable alternative – this could be a suitable smaller property already adapted or a smaller property that will be duly adapted before the household move in, if necessary.</p> <p>Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).</p> <p>We will also include information on Housing Services' pages on the Havering website, the tenant magazine 'At the Heart' and in any direct contact our officers have with tenants.</p> <p>On request, the Council can provide this information in an appropriate format according to the needs of the tenant.</p>
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Evidence:

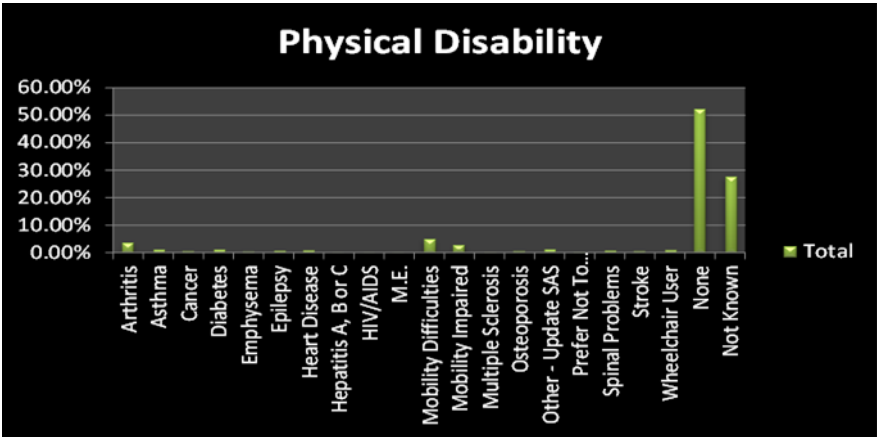
Census data details of the Borough as a whole (across all tenure types), indicates that 18% of working age residents have a long term illness, disability or fragility which affects daily activities. This is compared nationally to around 19% of all households in England who someone with a disability or serious medical condition compared

The estimated number of people in Havering aged 18-64 living with moderate physical disabilities was 11,592 in 2015 – a rate of 7,779 per 100,000 population aged 18-64 years. This rate is one of the highest among London local authorities. It is statistically similar to England but significantly higher than the London average.

Equalities data from the current Housing Register, (as at 17th August 2018), shows that 8% of applicants accepted on to the Housing Register have a sensory or physical disability which may necessitate the allocation of a property with a level of adaptation to meet their need. The review of flexible tenancies will serve to identify where a tenant or a member of their household no longer needs an adapted property. Where the tenant continues to have an ongoing housing need and continues to meet the eligibility criterion for social housing according to the Council's Allocation Scheme, the Council will offer the tenant a new tenancy in an appropriate property.

As of 3rd September, there are currently 1041 properties within the general needs and sheltered housing council stock which have disability adaptations.

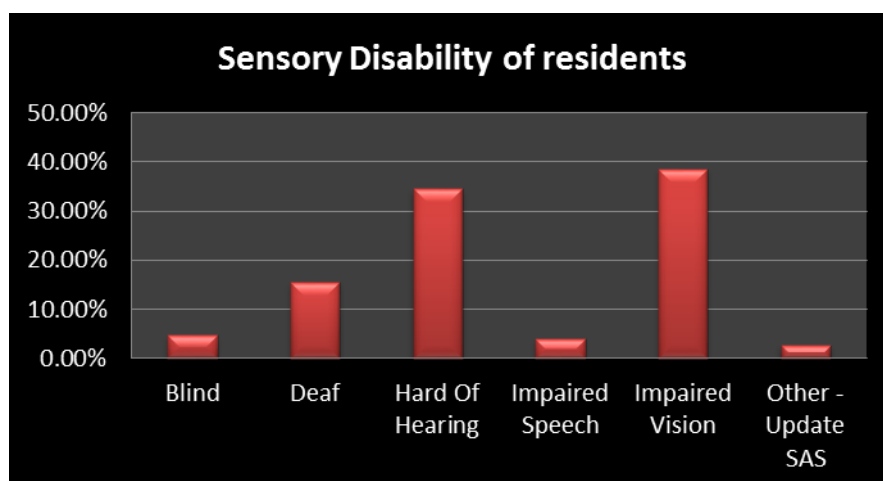
Table 3: Percentage of council tenants with a physical disability



Data extracted from OHMS has established that 20% of council tenants have identified themselves as having a physical disability. This is, however, a figure reliant on the self-reportage of tenants and does not necessarily mean that all instances of physical disability require an adaptation.

Reviews of flexible tenancies will assist officers in identifying where the tenant's current accommodation is no longer suitable for the tenant or a member of their household's housing needs. Where possible, and dependent on resources, it may indicate that a tenancy at a more suitable property may be required. Alternatively, where there is scope within the accommodation to adapt the property to meet the tenant's needs, our officers will assist the tenant in requesting assistance from the Disabled Facilities Grant fund, which may enable the tenant to remain in the property.

Table 4: Percentage of council tenants with a Sensory Disability



According to diversity data from Housing Services' most recent report May 2018, 2% of Council Tenants have declared that they have a sensory disability. It is worth noting that this like physical disability, this is a self-declaration of disability and not measured through any recognised receipt of disability related state benefits received or certification from a medical practitioner. It may be that the percentage of council tenants with a sensory disability is genuinely closer to that observed in the most recent census. Again reviews of flexible tenancies will assist the Service in identifying where a tenant needs an adaptation to their home or where a move to more suitable accommodation would benefit the tenant.

Sources used:

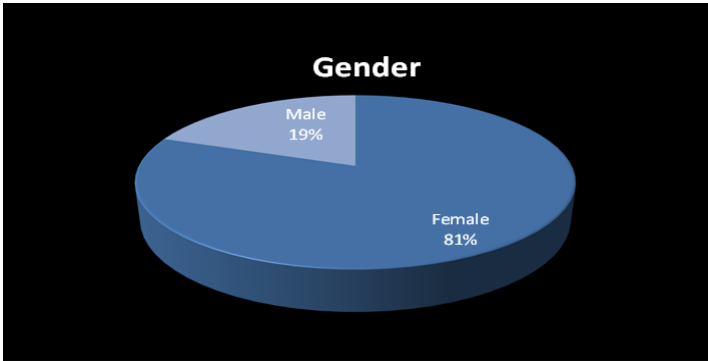
Census 2011; Office for National Statistics (ONS); Produced by Public Health Intelligence
Diversity Report from OHMS – May 2018
Housing Register Diversity Report – August 2018

Protected Characteristic - Sex/gender: Consider both men and women		
Please tick (✓) the relevant box:		Overall impact:
Positive		<p>As a group, women are more likely to seek social housing (81% of Housing Needs Register applicants are women, as the Housing Register demonstrates in August 2018), and are more likely to be affected by reviews of flexible tenancies. Women are also more likely than men to be lone parents and disproportionately more likely to be renting from social landlords.</p> <p>Women are more likely to be lone parents and they may be more concerned about tenancies not being renewed where they have children at local schools and will rely on support networks.</p> <p>Families with flexible tenancies with children at local schools may be more worried about tenancies not being renewed where they have children attending local schools and support networks. There is provision within the new policy for the Director of Housing (or designated equivalent) to decide in exceptional circumstances to offer a new tenancy either at the current or an alternative property. This applies specifically where there is a dependent in the household of the tenant who in the year of taking GCSEs or A Levels and there are no alternative properties within one hour's commute to the school the child is currently attending.</p> <p>Similarly, where there is a child with specific educational needs which can only be met at one particular school and there are no alternative properties available within a feasible commuting distance, the Director of Housing (or equivalent) in consultation with the Head of Children's Services may agree to renewing the current tenancy.</p> <p>Existing tenants with a secure life-time tenancy will remain unaffected and retain their security of tenure, unless they choose to leave the property on their own volition (excluding those fleeing domestic abuse or moved because of a regeneration or major repair scheme) for a mutual exchange or a transfer to another property.</p> <p>Tenants with dependents/caring responsibilities would be more likely to be eligible for renewal of their tenancy. They would be less likely to be under-occupying, and more likely to have exceptional circumstances to enable renewal.</p> <p>The process of reviewing flexible tenancies will allow the Council to identify households who are under-occupying their current properties so that other families who need these homes can live in these properties. This will be in keeping with our aim to provide for the best use of accommodation and allocating homes to those with the greatest need.</p> <p>Almost 2/3's of our tenants are women. Women live longer so may be more likely to be under-occupying their property on the death of their partner. (The life expectancy at birth for people living in Havering is 80.2 years for males and 84.1 years for females. The life expectancy at age 65 years in Havering is 18.9 years for males and 21.6 years for females. Data source: Life expectancy at birth, 2001-2003 to 2013-15; Public Health Outcomes Framework (PHOF); Produced by Public Health Intelligence).</p> <p>While they may be entitled to succeed their husband or partners' tenancy, it may be that they are under-occupying their current property. Alternatively, the</p>
Neutral	✓	
Negative		

	<p>property may be unsuitable for the successor’s housing needs.</p> <p>Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).</p> <p>Any negative impacts need to be balanced against those which are positive. Making better use of the housing stock is a key aim of the Tenancy strategy and this will most benefit families, particularly larger ones as it will help address overcrowding and long waits in temporary accommodation</p> <p>The demographic profile of Havering council tenants indicates that there are more women on our housing register. Many of these prospective tenants will be the heads of single parent families who may require a two or three bedroom property. Making the best use of housing stock is beneficial to overcrowded families and those waiting for housing, as they will be able to move more quickly.</p> <p>To this end, as part of ‘business as usual’, details of the changes in our policy will be publicised to all tenants. We will also include information on Housing Services’ pages on the Havering website, the tenant magazine ‘At the Heart’ and in any direct contact our officers have with tenants.</p>
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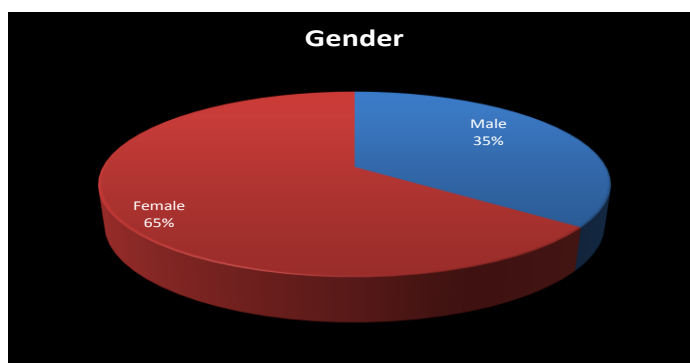
Evidence:

Table 5: Percentage of women and men on the Housing Register (August 2018)



Data from the current Housing Register shows that there are more female applicants on the Housing Register compared to male applicants at present, (81% female to 19%). This is a significant increase compared to the current percentage of female to male council tenants within the current council stock.

Table 6: Percentage of women to men with current council tenancies



Current demand on the Housing Register shows that this trend is likely to remain with more female to male applicants seeking social housing. It therefore stands that if there were any adverse effect it would more likely impact on women.

Sources used:

Life expectancy at birth, 2001-2003 to 2013-15; Public Health Outcomes Framework (PHOF); Produced by Public Health Intelligence).

Diversity Report from OHMS – May 2018

Housing Register Diversity Report – August 2018

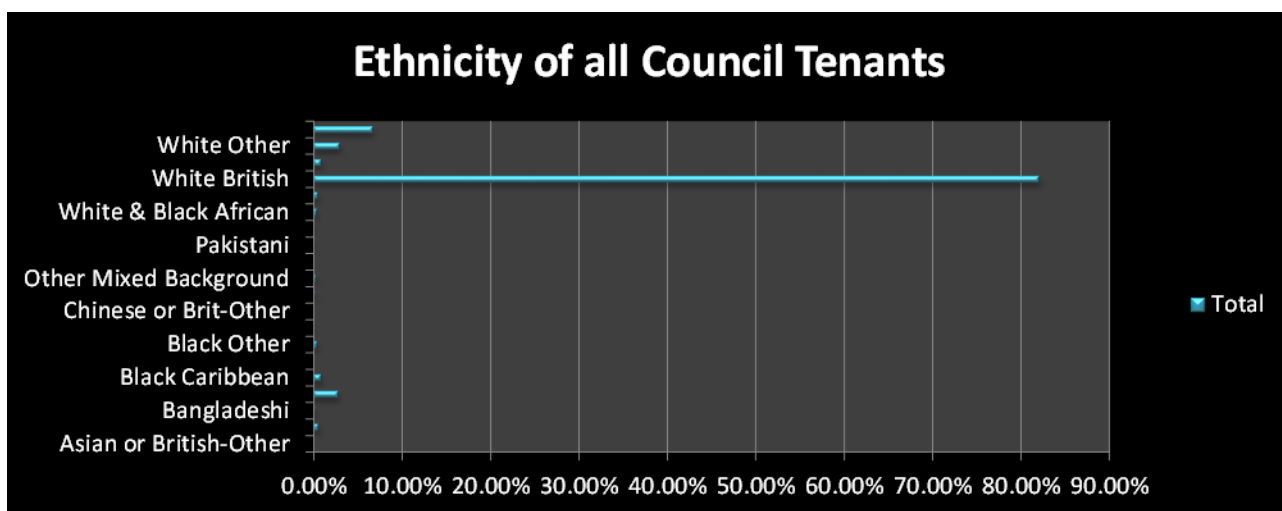
Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities

Please tick (✓) the relevant box:		Overall impact: Introductory and Flexible tenancies are issued to all new tenants regardless of race, according to the terms set out in the tenancy policy. The issue here is more about ensuring that all groups are able to understand the implications and review process of these tenancies. There may be an adverse communication impact where a persons' first language is not English. This can however be negated by residents using the translation services available within the Borough and through voluntary and third sector support providers. Council officers can work with the relevant advice agencies and partnerships, to keep them informed fully about flexible tenancies and changes to succession - and ultimately how the changes impact on the communities which they serve. Tenants across all ethnic groups will benefit from the new rules on succession, particularly those who occupy a home which is over-crowded, allowing the Council to manage this resource in a more cost-effective way. Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).
Positive		
Neutral	✓	
Negative		

Evidence:

Havering is one of the most ethnically homogenous places in London, with 83% of its residents recorded as White British, higher than both London and England. About 90% of the Borough population were born in the United Kingdom.

Table 7: Ethnicity of all council tenants



82% of current council tenants are of White British Origin, with White other (3%) and Black African (3%) making the largest cohort groups of other ethnicities among current tenants.

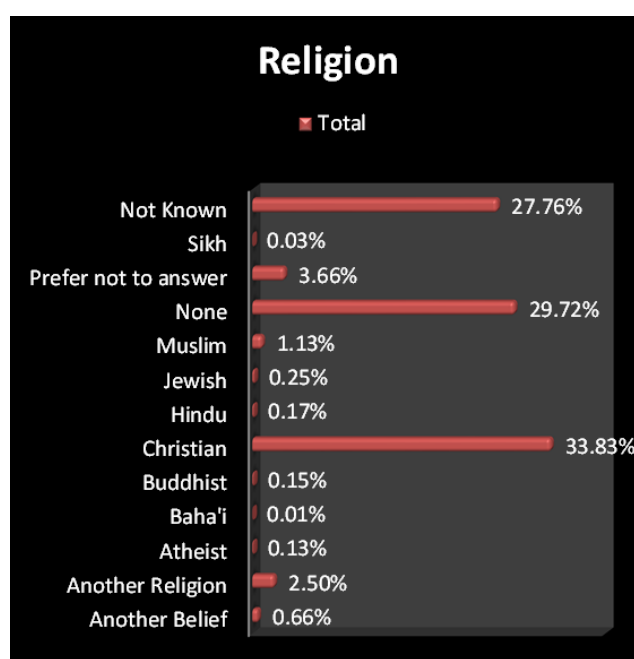
Sources used:

Census 2011; Office for National Statistics (ONS); Produced by Public Health Intelligence
Diversity Report from OHMS – May 2018

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief		
<i>Please tick (✓) the relevant box:</i>		Overall impact: Introductory and Flexible tenancies will be issued to all new council tenancies irrespective of religion or belief, according to the terms set out in the tenancy policy. All tenants regardless of their religion or faith will have these tenancies reviewed considering the five clear criteria set out in the policy for the grant of a renewed tenancy. Religious belief may impact on a household's re-housing options re: mortgage and loan take up, where a household's financial circumstances may improve requiring them to purchase a home, where issues of affordability may arise. Any adverse effect would be negated by housing advice and support in the instance where a tenant no longer was eligible for social housing. Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).
Positive		
Neutral	✓	
Negative		

Evidence:

Table 8: Religious Beliefs of all council tenants



The majority of current council tenants who provided this information have indicated that they follow the Christian faith, 31% have not provided this information while 30% have indicated that they do not have a particular religious or faith belief.

However, the Council recognises that as the demographics of the Borough and London are changing, the variety of religious beliefs and faiths among our tenants will widen.

Sources used:

Diversity Report from OHMS – May 2018

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual

<i>Please tick (✓) the relevant box:</i>		Overall impact:
Positive		Introductory and Flexible tenancies will be offered to all new general needs council tenants irrespective of their sexual orientation. All tenants will have these tenancies reviewed considering the five clear criteria set out in the policy for the grant of a renewed tenancy.
Neutral	✓	
Negative		<p>Succession rights can be granted to the deceased tenant's partner including the same sex partner if they were living together just before the tenant's death, a qualifying member of the deceased tenant's immediate family, a joint tenant of the deceased tenant or to someone who inherited the tenancy. The provisions within the H&PA to grant a statutory right to succession for spouses and partners (including same sex and non-married couples).</p> <p>Paragraph 20 of Schedule 8 to the Civil Partnership Act 2004 amended section 87 of the Housing Act 1985 to ensure that a civil partner has the same rights to succeed to a secure tenancy as a spouse.</p> <p>Paragraph 27 of Schedule 8 amended the definition of 'member of a person's family' in Parts 3 and 4 of the 1985 Act to include references to a civil partner or civil partnership alongside references to spouse or marriage. The amendment also extends the definition to couples who are living together as civil partners as well as people who are living together as if they were civil partners as well as people living together as husband and wife. Similar amendments were made to the Housing Act 1988.</p> <p>Tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence will be offered alternative accommodation on the same life-time security of tenure (this follows from the Secure Tenancies (Victims of Domestic Abuse) Act 2018).</p> <p>Although the Council has very limited data available, we have been unable to identify where the Tenancy policy has a disproportionate impact on this protected characteristic.</p>

Evidence:

There is a deficit in the data held on the sexual orientation of residents within the Borough and tenants are often reluctant to disclose this information. Any issues brought to our attention will be dealt with sensitively on a case by case basis. The Council will encourage tenants to declare any issues in terms of harassment, hate crime or domestic abuse which could impact on where we place a tenant in the event that a tenant is no longer eligible for social housing on review of their flexible tenancy or where we gauge that the accommodation that they have been occupying is no longer suitable for their housing needs.

We recognise that this is an elective process on the part of the tenant and the Council will respect the confidence given to our officers when a tenant discloses this information to use.

Sources used:

There is insufficient data available on this protected characteristic.

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

*Please tick (✓)
the relevant box:*

Positive

Neutral

Negative

Overall impact:

There is no qualitative or quantitative data to suggest that the policy would have a greater or lesser effect on people on account of their Gender Reassignment

Gender reassignment is not relevant to the majority of housing services, with the exception of tackling harassment, hate crime or domestic abuse.

Evidence:

There is a deficit in the data held on residents who have undergone or are undergoing gender reassignment. In a similar vein to the protected characteristic of sexual orientation, there is a reticence among residents and tenants to disclose this information.

The Council will encourage tenants to declare any issues in terms of harassment, hate crime or domestic abuse which could impact on where we place a tenant if on review of their flexible tenancy they are no longer eligible for social housing or where the accommodation no longer meets their housing needs.

We recognise that this is an elective process on the part of the tenant and the Council will respect the confidence given to our officers when a tenant discloses this information to us.

Sources used:

There is insufficient data on this protected characteristic

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership		
Please tick (✓) the relevant box:		Overall impact: We do not collate data on the marital status of council tenants only at the point of entry on the Housing Register and can be unreliable over time. There is no evidence that this policy or associated procedure will have a negative or disproportionate impact on persons as a result of their marital or civil partnership status. There is no qualitative or quantitative data to suggest that the new policy on succession would have a lesser effect on people on account of their marital status. A spouse or partner of a deceased tenant would be able for one time only to succeed a tenancy.
Positive		
Neutral	✓	
Negative		
Evidence: Marital/civil partnership status is obtained at the point of entry to the Housing Register and when a tenant signs up to a tenancy agreement. Over time, the circumstances of a tenant may change and the Council are not always informed about a tenant's change in circumstances. Over the course of the Tenancy Reviews which officers will undertake, this data will become more reliable and when the Tenancy Policy is next reviewed, any impact arising from the policy will be considered and mitigated.		
Sources used: The data that the Council holds on this protected characteristic is not reliable and cannot inform this EqHIA.		

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
Please tick (✓) the relevant box:		Overall impact: Housing Services holds information on pregnancy and maternity on its administrative systems where it is the primary reason for the households housing need or when an applicant chooses to disclose this. It is a transitory situation and is difficult to accurately assess any equality impacts. This protected characteristic may benefit from the limitation on the rules of succession as there are more likely to be residents within this group on the Housing Register looking for suitable family sized accommodation.
Positive		
Neutral	✓	
Negative		
Evidence: The data that we initially hold at the point of entry to the Housing Register changes over time. Increased reviews of tenancies will however establish where a tenant and their household are over/under-accommodated and the Council will endeavor, dependent on the accommodation available to the Service, to ensure that the housing needs of the tenant and their household are met.		
Sources used: No up to date and reliable data is currently available concerning this protected characteristic.		

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:

Positive

Neutral

Negative

Overall impact:

Regular reviews of flexible tenancies will have a positive effect on those most in priority need at a time when they need social or affordable housing.

The review regime for flexible tenancies will ensure that those people in the most economic need can remain in social housing and those who are financially able to find their own accommodation will be encouraged to do so.

Tenants, who are able to afford to move on to alternative housing following the review of their tenancy, will be asked to do so. This means that housing vacancies will become available more frequently for those who are unable to afford alternatives. However, overall, numbers are likely to be low.

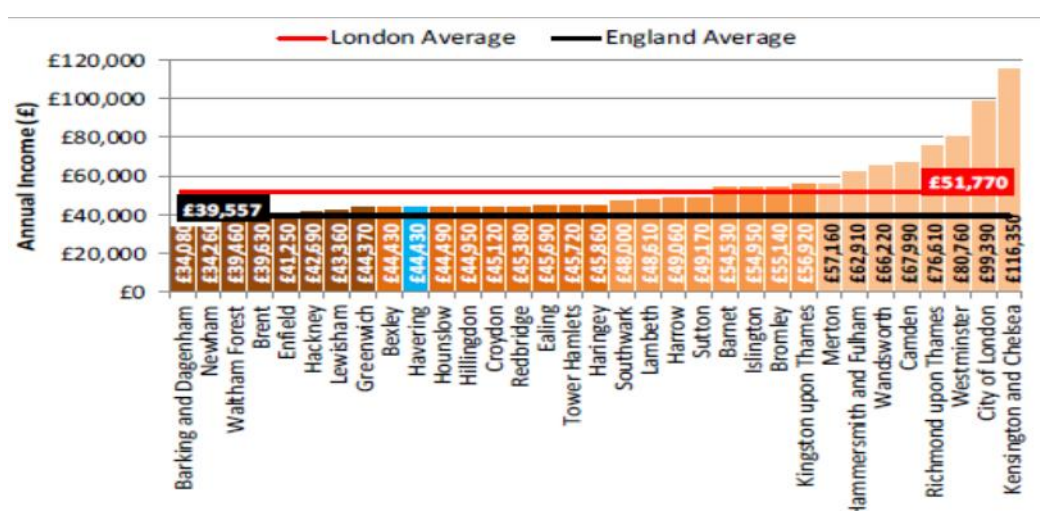
Households with more than one adult may benefit from dual incomes but may find themselves at risk of losing their tenancy on review, if their combined income exceeds the threshold as per the Council's Housing Allocation policy.

Limiting Havering's policy on succession to the previous tenant's spouse or partner will free up social housing. A number of residents on the Housing Register are looking to move from the Private Rent Sector into more affordable housing. Privately renting accommodation can be a considerable expense to young families. The policy will free up our Council stock and ensure that it goes to those who need it the most.

Evidence:

Despite low deprivation scores and high employment rates, the average gross household income in Havering, (£44,430), as measured in 2012/13, is low in comparison to the London average of £51,770 and slightly higher than the England average of £39,557. It is in the lowest third of all London Boroughs.

Table 9: Total Average Annual Household Income in London Boroughs 2012/13

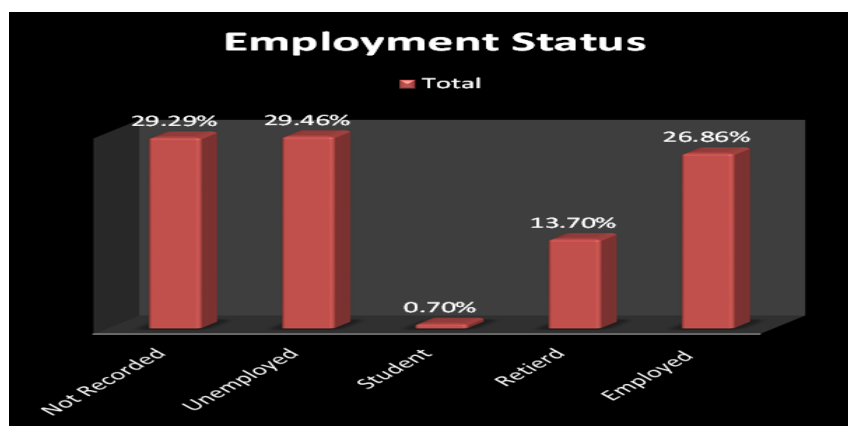


Havering is classified as a relatively affluent borough based on the Index of Multiple Deprivation 2015, ranked 166th overall out of 326 Local Authorities in England (the first being the most deprived).

The employment rate within the Borough is higher than the London and England averages. About 79.8% of working age residents in Havering were employed between October 2016 and September 2017, compared to 73.7% and 73.6% in London and England respectively.

The proportion of working age residents in the Borough claiming out of work benefits (7.0%) is significantly lower than England (8.4%)

Table 10: Employment Status of all Council Tenants



Data held on current Council Tenants demonstrates that 27% of all Council Tenants are employed on a full-time or part-time basis, while just fewer than 30% are unemployed. The number of tenant's whose employment status remains unrecorded will change as the process of reviews takes place over time. This data is not reliable in that this data is only picked up at the point where a tenant accepts an offer of council home, and individual circumstances can change over time.

Sources used:

English Indices of Multiple Deprivation 2015, the Department for Communities and Local Government.
Diversity Report from OHMS – May 2018

Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.	
Please tick (✓) all the relevant boxes that apply:	
Positive	<input type="checkbox"/>
Neutral	<input checked="" type="checkbox"/>
Negative	<input type="checkbox"/>

Overall impact:

Do you consider that a more in-depth HIA is required as a result of this brief assessment? No ✓

The process of reviewing introductory and flexible tenancies will assist the Council in ensuring that accommodation occupied by the tenants meets their housing needs. Housing plays a key role in the health and well-being of residents. Overcrowding of accommodation can lead to health issues and family disputes. Evidence detailed below demonstrates that this is a real problem in Havering. The review process will identify and enable the Council to allocate social housing to those in the greatest need.

Where resources permit, and eligibility for social housing remains, the Council will look to housing tenants in accommodation that meets the tenants needs, either in council stock or through the use of reciprocal and nomination agreements with registered providers with whom the Council works in partnership.

Similarly, reviews of tenancies will also indicate in terms of disability where the tenant's current home is no longer suitable – either where the tenant or a member of their household no longer has a need for a specifically adapted property or where the review identifies that the tenant has a need for an adaptation to their home.

Again, where resources permit, the Council will seek to allocate more suitable accommodation for the tenant or will assist the tenant to obtain a disabled facilities grant to adapt the home.

The review of an introductory or flexible tenancy may bring to light that a property is no longer suitable for a tenant, particularly as tenant's age and their family grow up. The Council will assist the tenant in finding more suitable accommodation particularly where a tenant is under-occupying the property. This will free up much needed family homes.

Reviews of introductory or flexible tenancies may also inform the Council about other needs which a tenant may have; this may include mental health support. Officers will work with Adult Social Care, Mental Health teams and other partner agencies to assist tenants sustain their tenancies.

The protections afforded by the new Secure Tenancies (Victims of Domestic Abuse) Act 2018 provides increased protection for social housing tenants across all the protected characteristics with a secure life-time tenancy who are fleeing domestic abuse or violence. The new Act contains measures to ensure that lifetime tenants of social homes who are victims of domestic abuse are granted a further lifetime tenancy where either:

- they need to leave or have left their home to escape domestic abuse and are being re-housed by a local authority, or
- where they are a joint tenant and wish to remain a tenant of their social home after the perpetrator has left or been removed and the local authority decides to grant them a further sole tenancy in their current home.

Evidence:

The table below shows the identified size mix for affordable housing in Havering using both the 2014 and 2015 round GLA long-term trend migration figures for comparison purposes. (*Affordable housing is considered to be housing of any tenure which is judged to be affordable to a particular group or household by analysis of housing costs, income levels and other factors*).

This takes account of both overcrowded households who require a move to a larger dwelling and also under-occupying households who require downsizing.

Table 11: Fully objectively assessed housing need for Havering for affordable homes 2011 -2033

Affordable Housing in Havering		
	GLA 2014	GLA 2015
1 bedroom	900	640
2 bedrooms	2,400	2,850
3 bedrooms	4,100	5,400
4 bedrooms	700	1,610
5 bedrooms	100	20
Total affordable housing	8,200	10,520
TOTAL	25,200	30,050

For both the 2014 and 2015 round data, the evidence points to a high need for 3 bedroom properties in the affordable housing sector. The main driver of this need in the affordable sector is the need to address overcrowded households in Havering who require larger affordable housing.

The review of flexible tenancies will assist the Council in identifying where down-sizing may be appropriate to certain households and these properties can be placed back in to the churn of much needed council stock.

Sources used:

Outer North East London Strategic Housing Market Assessment for Havering – November 2016, by Opinion Research Services

3. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

4. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

This policy will be reviewed three years from the date that the policy is approved by Cabinet or in the instance where legislative drivers change the framework for the granting and management of Council Tenancies.

Scheduled date of review: September 2021

Lead Officer conducting the review: Tenancy Sustainment Manager

Please submit the completed form via e-mail to EqHIA@havering.gov.uk thank you.

Appendix 2. Health & Wellbeing Impact Tool

Will the activity/service/policy/procedure affect any of the following characteristics? Please tick/check the boxes below

The following are a range of considerations that might help you to complete the assessment.

Lifestyle YES <input type="checkbox"/> NO <input type="checkbox"/>	Personal circumstances YES <input type="checkbox"/> NO <input type="checkbox"/>	Access to services/facilities/amenities YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care	<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy	<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities
Social Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Economic Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Environmental Factors YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures	<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion	<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure

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CABINET

Subject Heading:

Draft All Age Autism Strategy

Cabinet Member:

Councillor Jason Frost

Councillor Robert Benham

SLT Lead:

Barbara Nicholls/Tim Aldridge

Report Author and contact details:

Gerry Flanagan

Interim Commissioning Programme Manager

gerry.flanagan@havering.gov.uk

Policy context:

The Strategy is in line with Council Objectives relating to Communities.

Financial summary:

There are no financial implications

Is this a Key Decision?

Yes because

- Significant effect on two or more Wards

When should this matter be reviewed?

Autumn 2021

Reviewing OSC:

Individuals and Children & Learning

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[x]
[x]
[x]
[x]

SUMMARY

This report summarises the draft All Age Autism Strategy. It sets out the background to the Strategy, both locally and nationally; the Strategy contains a high level action plan which has been developed in conjunction with some stakeholders and makes recommendations for the next steps.

RECOMMENDATIONS

Cabinet is recommended to:

- 1) Authorise the commencement of a consultation process on the content of the draft All Age Autism Strategy set out at Appendix 1.
- 2) Note that the results of the consultation will be referred back to Cabinet for determination of the final version of the Strategy in the Autumn 2019

REPORT DETAIL

Background

- 1) Autism is a disorder which affects how a person makes sense of the world, processes information and relates to other people. It is known as a spectrum disorder or spectrum condition because the difficulties it causes can range from mild to severe, and these affect people both to different degrees and in different ways. Nonetheless, all people with autism share three areas of difficulty:
 - Social communication - difficulty using and understanding verbal and non-verbal communication, such as gestures, facial expressions and tone of voice
 - Social interaction - problems in recognising and understanding other people's feelings and managing their own; and
 - Social imagination - problems in understanding and predicting other people's intentions and behaviour and imagining situations beyond their own experiences.
- 2) People with autism may experience over or under-sensitivity to sound, touch, taste, smell, light or colour. Many, but not all, people with autism may also have other conditions such as attention deficit hyperactivity disorder (ADHD), a learning disability or dyspraxia.

- 3) Although the exact number of people with autism is not known, it is thought that approximately 1% of the population of the UK has some form of autism. In Havering this means that approximately 2,560 people are likely to have autism, although the real numbers may well exceed this.
- 4) The Joint Strategic Needs Assessment (JSNA) (2018) indicated that:
 - a. There is an increasing demand for specialist help and schooling for children with Autism
 - b. Increases of 40% were seen in children with Autism between 2012 and 2015, numbers of children diagnosed with autism spectrum disorder (ASD) in the primary school population are expected to double over a 5 year period (from 2015 to 2020)
- 5) An Autism Strategy was produced in Havering in 2017, and was based on priorities outlined in national policy and statutory guidelines together with local needs. The local strategy focused on adults with High Functioning Autism who have average or above average intelligence (i.e. not those people who have both learning disability and autism) including those with Asperger's Syndrome. This was because there are already services in Havering for people who have autism and a learning disability.
- 6) National and statutory policy and guidelines (i.e. The Autism Act 2009, National Autism Strategy for Adults, Fulfilling and Rewarding Lives, and its update Think Autism 2014) concentrated predominantly on the needs of adults. Whilst the local 2017 strategy acknowledges the need for adult services to work in partnership with children's services (to learn from the work they have already done and to smooth the path of people in transition from children's to adult's services) it was influenced in the main by the national and statutory guidelines emphasis on adult services.
- 7) Since completion of the local strategy in 2017, there has been recognition that the needs of children and young people with Autism should be prioritised alongside those of adults and work began to develop an all age strategy for Havering.

National Position

- 8) Havering's position mirrors that of other areas and also national policy. Late in December 2018, as part of the Government's review of the National Autism Strategy, plans were announced to introduce an updated national autism strategy, which will cover people of all ages in England. Ministers acknowledged that far too many children on the autism spectrum are currently held back from achieving their potential. They have accepted that a national approach is needed to improve the support that is offered to children and their families.
- 9) A national consultation has just been launched in order to gather evidence to inform a new national strategy; it is currently expected that the new national strategy will be published late in 2019; ideally to coincide with the

10th anniversary of the passing of the original Autism Act. A further national consultation has just closed relating to training for staff working in health and social care and how to ensure that they understand the needs of people with a learning disability and/or autism and have appropriate skills to provide the most effective care and support.

10) Early indications of the Government's review and intentions for a new revised national strategy are that it will be looking at the following areas:

- joining up health, care and education services to address autistic children's needs holistically
- developing diagnostic services to diagnose autism earlier, in line with clinical guidance and reduce waiting times
- improving the transition between children and adult services so that young people with Autism are supported to reach their full potential as young adults, and , in some cases, ending inappropriate reliance on in-patient hospital care
- improving understanding of autism and all its profiles, including recently identified forms such as pathological demand avoidance (PDA)
- encouraging public sector bodies to make more effective use of their equality duties in order to improve access to services for people with autism
- continued emphasis on employment and developing pathways into employment for people with autism

11) The NHS has, in recent months, published its 10 year plan. Supporting people on the autism spectrum or with learning disabilities is one of the 4 clinical priority areas identified in the NHS long-term plan. Other specific issues in the 10 year plan relating to autism are:

- Renewed focus on reducing waiting times for diagnostic and specialist services for children and young people
- By 2023/2024 a 'digital flag' will exist in the NHS patient record for all people with a known learning disability or autism
- Learning disability and autism awareness training will be mandatory for all NHS staff

Local Context

12) A self-assessment (SAF) on Havering's progress in respect of the National Autism Strategy was completed in late in 2018; this concentrated mainly on adults and services for them, with some limited reference to carers and young people (mainly transition). This identified some positive areas in Havering:

- Havering's Autism Partnership Board and involvement of adults with autism (but need to appoint a person with autism as co-chair)

- Post diagnostic support for people with learning disabilities (but not for adults more generally)
- Some data is kept and used for planning
- Some good preventative and low level support for people who don't meet eligibility under the Care Act 2014
- Good examples of work done within acute hospitals
- Some positive local innovations;
 - Development of shared lives model of support
 - Development of a framework to ensure sufficient supported housing for vulnerable young people and adults. Some emerging evidence of cross borough work (with Barking & Dagenham and Redbridge)
 - The Havering Autism Hub
 - Funding for NELFT linked to Transforming Care Programme (TCP) work to avoid unnecessary admission of people with autism to hospital
 - The education service has a dedicated team of advisory teachers and assistants who work with schools advising and supporting children with autism in their education placements

13) The Havering High Needs Review and Strategy (2017) identified children with autism as a priority area and a new Primary Additional Resourced Provision for ASD is opening in 2019 with a further 2 in primary and 1 in secondary schools planned for 2020. There is also a new Special Free school being planned for 2021.

14) A joint OFSTED/Care Quality Commission inspection of SEND provision in Havering in 2018 highlighted the issues which the borough does well in respect of children and young people with disabilities as well as areas for improvement:

Things Havering does well:

- Arrangements to identify the needs of children and young people who have SEN and/or disabilities have improved and services are having a substantial impact on the outcomes for children and young people.
- There is a broad range of training for staff that is matched to the needs of children and young people identified in school. This includes for example training in autism spectrum disorder – as a result skills and expertise of practitioners is improving.
- Havering has established a Young Advisers Group, to find out what young people who have disabilities think about their lives. This helps Havering to better understand what is important to young people who have disabilities in Havering.

Areas for improvement:

- Co-production is not strong enough. As a result, parents feel they have little input into the support provided for their children. They lack

confidence in decisions about the commissioning of new services. Some parent groups view consultation meetings with the local area as 'tick-box' exercises. As a result, parents are losing confidence in the process.

- The contribution that social care professionals make to EHC plans is limited.
- The local offer is not used effectively enough; typically parents and young people were not aware of its existence.
- Some parents and carers of children and young people who have autistic spectrum disorder have articulated their concerns about a lack of post-diagnosis support. This is not compliant with guidelines and results in children and young people having identified needs which remain unmet.
- Havering is not aspirational enough about the future outcomes of children and young people. For example, there is no strategy to support young adults into employment.

15) The work in producing the SAF also identified a number of areas which required further attention and improvement:

- A need for more consistent recording of data in Havering.
- The need for more consideration in public services to be made regarding reasonable adjustments.
- Transition processes and clearer pathways for young people moving into adulthood.
- Planning for specific populations in Havering.
- Better recording of hate crime.
- Lack of an overall Havering wide partnership training plan, uptake of training by certain groups and awareness of autism.
- Pathways for diagnosis not widely known and in some cases there are long waits for diagnosis.
- Post diagnostic support for people / signposting for those not meeting eligibility under the Care Act 2014.
- Carers' needs and accessible information.
- Difficulty to engage all stakeholders in Havering – autism still seen as an issue for social care, education and specialist health.
- Some employment initiatives were evident but at a very early stage.
- Inconsistent reference to employment in EHCP plans.
- Families feeling excluded from planning.
- Access to housing and housing advice.

16) Whilst not specific areas picked up by the SAF, other issues felt locally by people and families that need further attention are:

- Community safety, anti-bullying work and teaching people life skills to avoid being intimidated and becoming victims of coercion and control.

- Transport issues – partially linked to safety but also linked to life skills and increased independence.

Key Themes of the Strategy

17) The draft strategy indicates a number of priority areas for action, together with a high level action plan. The key areas are:

- Planning
- Involvement, information and access
- Health care
- Employment
- Training and awareness
- Housing
- Improved pathways
- Transport, keeping safe and life skills

Next Steps

18) It is acknowledged there has thus far been limited involvement from stakeholders in identifying the priority themes, however the draft strategy has been developed with input from:

- Members of the Autism Partnership Board
- Feedback from the High Needs Review
- Feedback to complete the Self Assessment

19) As there has not yet been a full consultation with all stakeholders regarding the strategy, then families, children and young people and adults with autism (as well as other stakeholders) need to have a full opportunity to have their say on both the areas of priority identified and the key actions to achieve those aims.

20) The draft strategy indicates that consultation should take place over a 3 month period starting in May 2019. The consultation will make use of meetings/forums with groups of interested parties (families and people with autism), questionnaires and surveys, and discussions with key partners.

21) There are a number of other considerations that are key to fully implementing the strategy and require both further discussion and work in moving forward to develop a new all age autism strategy:

- a) Development and implementation of an all age strategy may be led by social care but will require sign up across the Council and other public sector bodies in order for the strategy to be implemented.
- b) Some national initiatives are linking Autism and Learning Disability. Whilst the reasons for this are understandable, people with autism are anxious that the work done in recent years to separate the two may be in danger of being eroded.

- c) The work on the Transforming Care Programme (TCP) has led to better links between commissioners across the 3 boroughs and CCG; this potentially could provide a good foundation for developing the autism agenda across the wider footprint, not just of Havering but the 3 boroughs of Havering, Redbridge and Barking and Dagenham
- 22) The areas identified for local improvement are not at odds with either the issues identified by Government as part of its review and those picked up by the SAF and other work undertaken in Havering; these are themes that will form part of the revised all age strategy. Once consultation (including an equalities impact assessment) is complete, it is intended that the revised all age strategy is signed up to by key statutory partners including the Council's Cabinet, by autumn 2019.

REASONS AND OPTIONS

Reasons for the decision:

- 23) Autism is a condition which affects both adults and children and can lead to individuals feeling they are unable to fully meet their potential. Autism is sometimes referred to as the unseen disability – it can be, and often is as disabling to people as any other form of visible disability but because people may not appear to have a disability, their condition and its impact upon their lives can be easily overlooked and – worse – ignored.
- 24) Local authorities are required to produce a strategy for people with disabilities and to work with partners to support people to lead fulfilling lives, additionally all public bodies have a statutory duty to ensure, through use of their powers and responsibilities under Equality Legislation, to make reasonable adjustments to their services in order to improve access.
- 25) In order to ensure that children, young people and adults with autism in Havering have the best chance of leading full and fulfilling lives the Council has strategically taken the view that the development and implementation of an all age strategy is the most effective way to do so and that full Council support and that of its key strategic partners is key to ensuring this.

Other options considered:

- 26) **Do nothing** – There is already in existence an adult autism strategy and other strategies e.g. the High Needs Strategy to address some of the issues relating to children and young people. This option is not recommended because:
- a) There is not sign up to the adult strategy across all stakeholders,

- b) There have been difficulties in engaging with some key stakeholders both within and beyond the Council, and the High Needs Strategy only addresses issues relating to education,
- c) Havering may be required to produce an all age strategy at some stage in the coming years as work relating to the emerging new national strategy indicates that that will be an all age strategy and will presumably include some indication of the direction of travel local areas should take.

27) Only produce a new Children and Young Persons Autism Strategy –

This option is not recommended:

- a) As above, Havering may be required to produce an all age strategy at some stage in the coming years as work relating to the emerging new national strategy indicates that that will be an all age strategy and will presumably include some indication of the direction of travel local areas should take.

28) Only produce a strategy relating to what the Council's role is relating to people with autism – This option is not recommended:

- a) National guidance currently suggests developing strategies relating to local areas, not just local Councils,
- b) People rely on other public sector services in addition to those provided and accessed via the Council.

IMPLICATIONS AND RISKS

Financial implications and risks:

- 29) None

Legal implications and risks:

30) There is no duty to prepare an Autism Strategy, although central Government is required to do so by virtue of section 1, Autism Act 2009. The Department of Health has issued statutory guidance to Local Authorities in March 2015, "Statutory guidance for Local Authorities and NHS organisations to support implementation of the Adult Autism Strategy" which sets out guidance amongst other things:

- On local planning and leadership in relation to the provision of services for adults with autism,
- Preventative support and safeguarding in line with the Care Act 2014,
- Employment for adults with autism.

31) The draft Strategy appears consistent with this Guidance.

- 32) Whenever a public body commences consultation then it must do so meaningfully. It must provide sufficient time and information for consultees to respond intelligently. Then the final decision can only be taken after conscientious consideration of the responses to the consultation.

Human Resources implications and risks:

- 33) Training and raising awareness in Children and Adult Social has been identified in the report. If additional resources are required to manage the outcomes in the strategy, the service will review and manage capacity issues and expectations.

Equalities implications and risks:

- 34) The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

- 35) Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

- 36) The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

- 37) Autism is a form of disability that is not limited to any one particular section of Havering's population. It impacts on people with all of the identified protected characteristics. However an Equality and Health Impact Assessment (EqHIA) is not being completed at this stage. This is for the following reasons:

- a) Cabinet are only being asked to approve that the draft strategy is the subject of a full and wide consultation
- b) As part of the consultation it will become clear how specifically the publication of an all age strategy will impact on people who share protected characteristics
- c) A full EqHIA will be completed as part of the submission of the complete strategy in the autumn of this year

Appendix 1 - The Draft Autism Strategy

BACKGROUND PAPERS

None

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All Age Autism Strategy (Draft) 2019 -2022

March 2019

CONTENTS

- 1. Key Principles**
- 2. An Autism Strategy**
- 3. What is Autism**
- 4. Numbers/Demographics**
- 5. National Policy/Context**
- 6. Local Context**
- 7. CURRENT PROVISION AND SUPPORT**
- 8. Priorities**
- 9. Key Questions for Consultation**

Appendix 1. Action plan

1. KEY PRINCIPLES

- 1.1 This is the first draft of an all age autism strategy for people with autism and their families. Although previous strategies relating to autism have been written and previous pieces of work have been undertaken regarding areas that impact on some people with autism, there has not been an overarching strategy that relates to people across all ages with autism.
- 1.2 A key part of the strategy and its overall vision is to seek to ensure that Havering becomes an autism inclusive borough where people with autism have the same opportunities as everyone else.
- 1.3 In order to enable this there are a number of key principles which are central to the strategy and will help to make the strategy real:
- People with autism and their families and carers are at the centre of everything we do.
 - Focus on people's strengths to overcome barriers
 - Guidance, information and support is easily available
 - The right support at the right time
 - Increased awareness of autism across Havering
 - Living in your community and being included
 - Delivering the actions outlined in the strategy will require action and leadership from all stakeholders
- 1.4 This strategy sets out our plan to achieve our vision for Havering and takes a life-course approach, encompassing children, young people and adults with autism, and taking into consideration the needs of families and carers. It recognises autism affects people in different ways and touches many aspects of their lives. As such, we have taken a holistic view; our ambition is to work in partnership to address the wide range of areas in which residents with autism might be supported, including in health services, education, preparing for adulthood, employment, independent living and the criminal justice system.
- 1.5 This strategy is being developed in parallel to a number of other strategies that impact upon the lives of children, young people and adults with autism and their families. The main strategies are:
- High Needs Strategy 2017- 2022.
 - Carers Strategy
 - Emerging Supported Housing Strategy
 - The Emerging all age Learning Disability Strategy
 - Havering's Draft Joint Commissioning Strategy
- 1.6 Havering's Joint Commissioning Strategy sets out the key principles for commissioning of social care within Havering but its principles equally apply to this strategy also. It is based on 3 strategic goals:
- Prevention
 - Personalisation

- Integration and Partnerships

1.7 The goals are underpinned by a number of key principles

- Outcome based commissioning – ensuring that there are very clear and measurable outcomes for people, even if they are as ‘simple’ as a person having real friends
- Financial management – commissioned services need to ensure that they provide best value for the Council and that good partnerships are developed with providers to ensure this
- Co-design and coproduction – actively listening to, engaging with, people with disabilities and their families and ensuring they are central to designing a strategy and implementing it
- Innovation, improvement and change (Transformation) – demographics and the financial pressures faced by Havering are such that there is a stark choice to make. Continuing doing the same with less money and increased pressure or seeking to do things differently, actively learning from other authorities and utilising principles of positive risk taking.

1.8 Havering has just published its Corporate Plan for 2019/20. It sets out Havering’s plans for the next twelve months on how Havering can be an even better borough that is: **Cleaner, Safer, Prouder Together**. The plan is based on 4 themes:

- Opportunities
- Communities
- Places
- Connections

1.9 Key to the plan is the vision of ‘*Helping young and old fulfil their potential through high-achieving schools and by supporting people to live safe, healthy and independent lives*’. The plan sets out 4 outcomes:

- Giving children the best start in life and helping them achieve at school
- The needs of our most vulnerable residents are identified and met
- Havering residents are healthy and active
- Families and communities look after themselves and each other

1.10 This strategy sets out a number of key themes together with a high level action plan which Havering wishes to prioritise over the next 3 years:

- Planning
- Involvement, information and access
- Health Care
- Employment
- Training and Awareness
- Housing
- Improved Pathways
- Transport, keeping safe and life skills

NEXT STEPS

- 1.11 This is a draft strategy and has had some input from people with autism and their families. However in line with the key principles outlined above, it will require further and more detailed consultation with a range of people, stakeholders, partners and most importantly adults, children and young people with autism and their families
- 1.12 For the strategy to be delivered effectively, it requires ownership and involvement at senior levels within a range of partner organisations – e.g. the Council, the CCG, NELFT. Many of the priorities are not within the gift of any one organisation (or even part of) to deliver and require joint ownership and leadership. How best to achieve this will form part of the consultation
- 1.13 The following timetable is anticipated:

April to July – Consultation
July to September – Rewrite
October – Sign off by relevant partners
November - Launch

2. Why An Autism Strategy

- 2.1 Autism is a condition that affects approximately 1% of the population; the numbers of people affected by it are not dissimilar to the numbers of people with dementia (*Think Autism 2014*). The Department of Health in 2010 (*Fulfilling and Rewarding Lives; the strategy for adults with autism in England*) indicated that it is a source of social, economic and health inequality in England.
- 2.2 Havering's recently launched Draft Corporate Plan setting out its plans for the next twelve months on how Havering can be made an even better borough for people to live in makes specific reference to people with autism and Havering's desire to improve the lives of people with autism.
- 2.3 The recently published NHS 10 year plan, setting out its plans for the next 10 years indicated that supporting people on the autism spectrum or with learning disabilities is one of the 4 clinical priority areas it needs to concentrate on and to deliver better clinical services and support.
- 2.4 Nationally the Government published a National Strategy for Autism in 2010, albeit exclusively for adults, although late in 2018, it announced its intentions to launch a National all age Strategy in Autumn 2019. Havering produced an adults strategy in 2018, and a High Needs Strategy for children in 2017
- 2.5 A strategy sets out an organisation's vision for specific groups of people, how it intends to achieve that vision and who has a part in achieving that vision. A Strategy is also a live piece of work and requires ownership from all the relevant stakeholders.
- 2.6 Echoing the voice of many parents and people with autism, and themes which Government have acknowledged, autism is a condition for life, children become adults. A key challenge which disparate strategies face is that they may not always support people's seamless pathway through life and their need for support at various stages in their lives.
- 2.7 Havering has taken the view that it needs to develop an all age strategy for people with autism. Its reasons for doing so are in line with the Government's thinking, there is a need to:
- join up health, care and education services to address autistic children's needs holistically
 - develop diagnostic services to diagnose autism earlier, in line with clinical guidance
 - improve the transition between children and adult services so that no young people miss out, and ending inappropriate reliance on inpatient hospital care
 - improve understanding of autism and all its profiles, including recently identified forms such as pathological demand avoidance (PDA)
- 2.8 Additionally people with autism make it very clear that although on occasions they need additional support and access to people (staff) that are aware of their condition, they also wish to lead lives that are the same as the rest of the population.
- 2.9 Traditionally autism both within adults and children has been seen as being a specialist area requiring input from (often) specialist health, education and social care provision. The reality is very different, in respect of both NHS and Local Authority provision, a person with autism is as likely (or more likely) to require support from and come into contact with day to day

services e.g. Library staff, front line staff in housing, Town Hall receptionists, receptionists in health centres, GPs, staff in A&E than with specialist staff within social and health care. Whilst this strategy looks at some of the areas that relate to the need for specialist input and provision, it also highlights the fact that this is not a strategy relating solely to social care or specific areas of health care, but it is a Havering wide strategy that needs to be supported by all public services in Havering.

3. What is autism

- 3.1 Autism is known as a spectrum condition, both because of the range of difficulties that affect adults with autism, and the way that these present in different people.
- 3.2 Autism occurs early in a person's development, it is neither a learning disability nor a mental health problem although mental health problems are more common among people with autism and it is estimated that one in three of adults with a learning disability also have autism.
- 3.3 Autism is a relatively 'modern' diagnosis; the term 'autism' only came into common clinical use in the 1960s and whilst most diagnosis now occurs in childhood many adults remain undiagnosed. Getting a diagnosis can be a crucial milestone for people with autism; many have felt different and unable to "fit in" for all of their lives.
- 3.4 Autism is a disorder which affects how a person makes sense of the world, processes information and relates to other people. It is known as a spectrum disorder or spectrum condition because the difficulties it causes can range from mild to severe, and these affect people both to different degrees and in different ways. Nonetheless, all people with autism share three areas of difficulty; often referred to as "the triad of impairments", (Wing and Gould, 1979):
- Social communication - difficulty using and understanding verbal and non-verbal communication, such as gestures, facial expressions and tone of voice
 - Social interaction - problems in recognising and understanding other people's feelings and managing their own; and
 - Social imagination - problems in understanding and predicting other people's intentions and behaviour and imagining situations beyond their own experiences.
- 3.5 People with autism may experience over or under-sensitivity to sounds, touch, tastes, smells, light or colours. Many people with autism may also have other conditions such as attention deficit hyperactivity disorder, a learning disability or dyspraxia.
- 3.6 As a result of interaction between the three main areas of difficulty, sensory issues and the environment, people with autism may experience:
- increased anxiety levels
 - a need for routines, sometimes having a compulsive nature
 - difficulties in transitioning to a new activity
 - difficulties generalising skills learnt in one situation to another
 - focussed and/or committed interests
 - the ability to be highly focussed when on a specific task
 - difficulties with self-awareness, understanding and expressing their own needs
- 3.7 Autism affects people in different ways; some can live independently without any additional support, while others require a lifetime of specialist care. The needs of adults with autism thus vary widely. A significant proportion of adults with autism across the whole autistic spectrum experience social and economic exclusion. Improving access to local support and services is important to develop the skills and independence of adults with autism in Havering.

- 3.8 Their condition can be overlooked or missed by healthcare, education, and social care professionals, which create barriers to accessing the support and services they need to live independently. In addition, people with autism are more likely to have coexisting mental and physical disorders, and other developmental disorders. Some may have contact with the criminal justice system, as either victims of crime or offenders and it is important that their needs are recognised
- 3.9 Autism is a lifelong condition and people may need support and to use services at any time in their life. Those with an ASC who have associated learning disabilities or additional mental ill-health will usually be eligible for formal Social Care support.
- 3.10 Asperger Syndrome (AS) or High Functioning Autism¹ (HFA) is a condition within the autism spectrum and is the term commonly used to describe people with autism who have no additional learning disability. It is often difficult to tell if someone has the condition as their level of intellectual ability can often disguise the level of their disability. People with AS/HFA are potentially amongst the most vulnerable and socially excluded in society and are likely to experience difficulties with obtaining and sustaining employment, completing further education, living independently, forming relationships, securing and keeping accommodation or making friends. They are also more vulnerable to exploitation due to their lack of social insight and mental health problems, particularly anxiety, depression and higher suicide rates.

¹ HFA – Higher Functioning Autism will be used to describe people with an IQ of 70 or above. This will include those with Asperger's Syndrome (AS) although in the literature this is sometimes a separate category.

4. Numbers of people

4.1 There are no definitive numbers regarding the numbers of people with autism, either adults or children. Any information about the possible number of autistic people in the community is based on epidemiological surveys (i.e. studies of distinct and identifiable populations). It is normally reckoned that approximately 1% of the population of the UK has some form of autism; figures that are specific to Havering are indicated below. (But studies in other parts of the world may give different percentages – this is likely due to a range of factors, different diagnostic criteria, diagnostic switching, service availability and awareness of autism among professionals and the public

4.2 The National Autistic Society's web site (<https://www.autism.org.uk/about/what-is/myths-facts-stats.aspx>) offers some interesting data and facts about autism

- 34% of children on the autism spectrum say that the worst thing about being at school is being picked on
- 63% of children on the autism spectrum are not in the kind of school their parents believe would best support them
- 17% of autistic children have been suspended from school; 48% of these had been suspended three or more times; 4% had been expelled from one or more schools
- Seventy per cent of autistic adults say that they are not getting the help they need from social services. Seventy per cent of autistic adults also told us that with more support they would feel less isolated
- At least one in three autistic adults are experiencing severe mental health difficulties due to a lack of support.
- Only 16% of autistic adults in the UK are in full-time paid employment, and only 32% are in some kind of paid work.
- only 10% of autistic adults receive employment support but 53% say they want it
- Around a third of people with a learning disability may also be autistic
- Between 44% - 52% of autistic people may have a learning disability
- Between 48% - 56% of autistic people do not have a learning disability
- Five times as many males as females are diagnosed with autism

However there is also increasing and emerging evidence that there is a significant under diagnosis of autism in females so the reality may be that the gender difference (if any may be closer)

4.3 The numbers of people in Havering with autism is derived from a number of sources:

- Havering's Joint Strategic Needs Assessment (JSNA)
- National prevalence figures
- Data from adult and children's social care
- The Schools Census
- Data submitted to Public Health England as part of the 2018 Autism Self-Assessment

PREVALENCE

- 4.4 The following table, from the Projecting Adult Needs and Service Information System (PANSI) indicates the predicted numbers of adults aged 18+ who have autism in Havering and indicates an expected increase in numbers in coming years;(this table includes people with learning disability)

People aged 18-64 predicted to have autistic spectrum disorders, by age projected to 2035					
	2017	2020	2025	2030	2035
People aged 18-24 predicted to have autistic spectrum disorders	205	195	198	231	251
People aged 25-34 predicted to have autistic spectrum disorders	335	347	346	334	350
People aged 35-44 predicted to have autistic spectrum disorders	309	330	366	386	385
People aged 45-54 predicted to have autistic spectrum disorders	335	327	325	354	390
People aged 55-64 predicted to have autistic spectrum disorders	296	315	327	323	325
People aged 65-74 predicted to have autistic spectrum disorders	229	235	246	277	294
People aged 75 and over predicted to have autistic spectrum disorders	190	202	243	269	307
Total population aged 18 +	1,899	1,951	2,051	2,174	2,302

- 4.5 Whilst the equivalent of PANSI does not exist for Children and Young People, using figures from the most up to date version of the JSNA (January 2019) predicting Havering's growth in population and the 1% prevalence figure the predictive numbers of young people with autism in Havering is shown below:

Children and Young People aged 0-17 predicted to have autism spectrum disorders				
	2018	2023	2028	2033
CYP aged 0-4 predicted to have ASD	1,760	1870	1910	1850
CYP aged 5-10 predicted to have ASD	2,030	2280	2430	2410
CYP aged 11-17 predicted to have ASD	2,060	2490	2820	2950
Total	5,850	6640	7160	7210

ADULT FIGURES

- 4.6 The table below shows (for 2017/18 and most recent figures for 2018/19) the numbers of adults who were in contact with Adult Social Care

	2017/18		2018/19	
	18-64	65+	18-64	65+
Known to LD Team	828	97	810	87
LD In Receipt of Services	528	68	539	63
Recorded Health Condition of Autism	48	0	49	0
Autism in Receipt of Services	41	0	39	0
Autism not LD	11	0	18	0
Autism not LD in Receipt of Services	11	0	11	0

4.7 Data from the Sycamore Trust, who are the main provider of low level support and advice for adults with autism in Havering suggests the following numbers:

Adults referred to Sycamore Trust who were not previously known	
April to June 2018	96
July to September 2018	81
October to December 2018	36

4.8 Figures from NELFT for 2018/19 (up to 13.3.19) regarding the diagnostic pathway for adults, indicate the following:

Referrals received during 1 st April to 13/3/19	61
Clients who were screened at second level screening for not meeting the assessment criteria:	5
Clients Signposted for other assessments due to mental health issues	6
Clients who are on the current waiting list:	26
Clients who have received a diagnosis of ASD	17 (4 of them from previous year's caseload)
Clients who did not receive a positive diagnosis of ASD:	3
Clients who are ongoing assessment:	10

4.9 In 2017/18, the average waiting time between referral and assessment was 28 weeks. However the wait from referral to initial diagnosis is largely within the NICE Guidelines of less than 3 months, but it can vary due to the return of screening questionnaires from people.

The average waiting time between referral and return of second stage screening assessment is around 7 weeks

CHILDREN AND YOUNG PEOPLE

4.10 There is broader range of data in respect of children and young people and a better understanding of it:

4.11 The JSNA (2018) indicates the following:

- There is increasing demand for specialist help and schooling for children with autism (ASD)
- Increases of 40% were seen in children with autism between 2012 and 2015, numbers for ASD in the primary school population are expected to double over a 5-year period (from 2015 to 2020)

4.12 The School Census data for 2018 indicates a total of 456 children from nursery age to 18+ with a diagnosis of autism. However this number may be higher as the High Needs Review highlighted that some schools record pupils with autism as SEMH (social, emotional and mental health). This is due to some overlap in behaviours between the two categories. Current data also suggests that there are 217 children and young people aged 0-18 who are known to have autism and have an Education Health & Care Plan (EHCP).

4.13 Current data from Children's Social Care indicates the following numbers currently known to social care

CYP aged 5-10	38
CYP aged 11-15	45
CYP aged 16+	36
Total	119

4.14 Work was undertaken over the summer of 2018, to develop a Housing Strategy as part of the TCP work. This looked at a limited cohort of adults and young people i.e. those who may be at risk of being admitted to hospital. Whilst therefore the data was not reflective of the overall picture and some assumptions were made i.e. it only included those children who attracts significant additional costs within the schools system (above £16,000 per annum) or attend specialist schools in and out of the borough. This analysis indicated:

- 6 x 19 year olds in specialist schools 5 of whom have an autism as part of their diagnosis.
- 11 x 18 year olds in specialist schools 2 of whom have an autism as part of their diagnosis.
- 7 x 17 year olds in specialist schools 4 of whom have an autism as part of their diagnosis.
- 13 x 16 year olds in specialist schools 7 of whom have an autism as part of their diagnosis.
- 13 x 15 year olds in specialist schools 7 of whom have an autism as part of their diagnosis.
- 17 x 14 year olds in specialist schools 11 of whom have an autism as part of their diagnosis.

- 13 x 13 year olds in specialist schools 10 of whom have an autism as part of their diagnosis.
- 17 x 12 year olds in specialist schools 16 of whom have an autism as part of their diagnosis

ANALYSIS

- 4.15 Although the prevalence figures appear high, other work suggests that if anything the reality suggests they should be higher – this is due to a number of factors, including probable under reporting in females.
- 4.16 It would be unrealistic to expect that any borough knew everyone with autism so to expect there to be a 100% relationship between people known and prevalence figures is unlikely. Some people on the autism spectrum may not wish it to be known that they have autism; others may not consider that it impacts on them enough to seek out any specialist help or support; others may have just developed their own coping mechanisms to get through life.
- 4.17 There appears to be more people presenting themselves to Sycamore Trust than to adult social care; also there also appears to be more Children and Young People known to schools than there is to children's social care. This is not surprising given that adults and children and young people may not always meet the eligibility criteria for social care; people may find it easier to contact a non-statutory agency, especially if they have (as Sycamore Trust do) a presence in Romford's largest shopping mall; or that they may not know how to navigate their way into social care
- 4.18 However the data in respect of learning disabilities is of concern and suggests a recording issue. The National Autistic Society suggests that between 44% - 52% of autistic people may have a learning disability. The data above suggests that just approximately 8% of people are receiving a service from the Community Learning Disability Team and just over 5.4% who are known to them are recorded to have autism. This clearly suggests a recording issue in some way shape or form. Whilst it is reasonable to expect that staff within the CLDT should be more aware of autism than staff elsewhere in social care, the need for improve recording equally applies to all social care staff.
- 4.19 Children's services have recently introduced guidance for schools regarding completion of data sets for the School Census, in order to ensure that they complete the data sets appropriately and that they provide the most accurate data. This is due to some children and young people with autism being wrongly recorded as SEMH.
- 4.20 Within both adult and children's services it appears evident that there is room for improvement of how autism is reported and recorded.

5. National Policy

NATIONAL AUTISM STRATEGY

5.1 A National Autism Strategy for Adults Fulfilling and Rewarding Lives was published in (2010) This had five main areas for development:

- Increasing awareness and understanding of autism
- Developing pathways for diagnosis and personalised needs assessment
- Improving access to support services in the local community
- Helping people with autism into work
- Enabling local partners to plan and develop appropriate services

5.2 Following a review of the strategy in 2014, the Government published an update 'Think Autism' and statutory guidance in 2015; this added 3 new initiatives

- Autism Aware Communities - Think Autism community awareness projects to be established in local communities with pledges/awards for local organisations to work towards
- The establishment of an Autism Innovation Fund which will provide funding to promote innovative local services and projects, particularly for lower-level preventative support;
- Better data collection and more joined up advice and information services - including social care staff recording someone's condition as autism, and a commitment to make it easier for people with ASC to find information online about how their local authorities are performing.

5.3 As part of its ongoing review of the strategy and its implementation, Government decided at the end of 2018, that as part of the current review it would also look at the needs of Children and Young People leading to a new all age strategy to be published in late 2019. The reasons it has given for this are:

- A desire to see young people on the autism spectrum given the same start in life as any other child. Acknowledging that outcomes simply aren't good enough, with too many autistic children falling through the cracks and not getting the care and support they need
- Acknowledgment that with the right support, they can live happy, healthy and independent lives within their own communities, so it's vital we have a national autism strategy that works for both children and adults
- The Government's ambitions for children with autism are exactly the same as for all other children – to do well in school and college, find sustained employment and live happy and fulfilled lives

5.4 The key areas relating to children and young people that the government wishes to consider, and presumably will be key to the new strategy are:

- joining up health, care and education services to address autistic children's needs holistically
- developing diagnostic services to diagnose autism earlier, in line with clinical guidance

- improving the transition between children and adult services so that no young people miss out, and ending inappropriate reliance on inpatient hospital care
- improving understanding of autism and all its profiles, including recently identified forms such as pathological demand avoidance (PDA)

No further information has been published, but it is likely if the timetable is to be met that there will at least a consultation document published in Spring 2019. Whilst the timetable for the refresh of the national strategy is unclear, we do not propose waiting to develop our local strategy. As is indicated in Section 8 the 4 areas that Government has highlighted are areas that locally it has been acknowledged there being a need for improvement

THE TRANSFORMING CARE PROGRAMME (TCP)

- 5.5 The Transforming Care Programme (TCP) is a national programme which is focussed on improving health and care services for those people with a learning disability and/or autism who display behaviours that challenge and as a consequence may be at risk of being admitted to a specialist hospital.
- 5.6 The Transforming Care Programme aims to prevent unnecessary admissions to hospital by working together to find solutions that will enable people to remain in the community. Where a person with a learning disability and/or autism is admitted to a specialist hospital the admission will be kept under close scrutiny by way of Care and Treatment Reviews (CTR) or in the case of a child or young person with Care Education and Treatment Reviews (CETR). Agencies will work together to ensure any admission to specialist hospital to manage challenging behaviours will be kept as short as possible.
- 5.7 Locally, the work of the TCP is led by CCG and its work is supervised by a local implementation board that consists of representatives from the CCG, NELFT, NHS England, The 3 Boroughs (Barking and Dagenham, Redbridge and Havering) and a patient by experience. At the time of writing the TCP Board is considering its remit moving forward, but has identified that it sees autism as one of its priorities. In addition, although still at an early stage, the board has served as an opportunity for the 3 lead commissioners from the 3 boroughs and their CCG colleagues to begin to share data and intelligence across the boroughs and to consider the opportunities for cross borough work.

NHS PLAN

- 5.8 The NHS published its 10 year plan earlier this year. Supporting people with autism or learning disabilities is one of the clinical priorities identified within the plan. The plan makes particular reference to a number of initiatives regarding people with autism. There has been some media coverage recently about the numbers of young people who have been detained in specialist hospitals and indications from the TCP programme suggest that there are increasing numbers of young people who are being detained in hospital when they should not be; this is clearly reflected in some of the contents of the NHS plan. The key issues relating to autism within the plan are:
- Renewed focus on reducing waiting times for diagnostic and specialist services for CYP
 - By 2023/2024 a 'digital flag' will exist in the NHS patient record for all people with a known LD or autism
 - LD and autism awareness training will be mandatory for all NHS staff

SEND AND CHILDREN AND FAMILIES ACT 2014

5.9 Part 3 of the Act concentrates on how the Act helps children and young people with special educational needs or a disability. The aim is to give good support to children and young people with special educational needs or a disability, and their families. The Act helps children with disabilities even if they don't have special educational needs. Under the Act, councils have to find out which children and young people in their area might have special educational needs, and which have a disability. The SEND Code of Practice provides statutory guidance relating to this part of the Act. It specifically requires:

- A clearer focus on the participation of children and young people and parents in decision-making at individual and strategic levels.
- A stronger focus on high aspirations and on improving outcomes for children and young people.
- For children and young people with more complex needs, a co-ordinated assessment process and the new 0-25 Education, Health and Care plan (EHC plan) which replace statements and Learning Difficulty Assessments (LDAs).
- A greater focus on support that enables those with SEN to succeed in their education and make a successful transition to adulthood
- That Local Authorities publish a Local Offer, setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN [Special Educational Needs] or are disabled, including those who do not have an Education, Health and Care (EHC) Plan

NATIONAL INSTITUTE OF HEALTH & CARE EXCELLENCE (NICE) GUIDELINES

5.10 The National Institute of Health and Care Excellence (NICE) provides national guidance on health and care, including advice, information, and quality standards to guide the development of best practice in service delivery.

5.11 The NICE autism pathway brings together all NICE evidence, guidance, quality statements, and other information relating to health and care support for children, young people and adults with autism. It recommends the following:

- service organisation and delivery of care should be led by a multi-agency strategy group;
- assessment and support should be delivered by specialised children and young people and adult autism teams, which consist of professionals from a range of disciplines;
- partnership working for delivering high-quality and comprehensive local services and support.

5.12 The NICE guidance contains general principles of care for children and young people and adults including: access for all; fully informed decisions made jointly between professionals, patients, and their families and carers; care delivered by skilled and trained staff; and physical environments designed or adapted to minimise their negative impact. It highlights how smooth transition from young people's to adult services requires advanced planning and a coordinated approach between the two services.

5.13 NICE quality statements are concise, prioritised statements designed to drive measurable improvements. The NICE autism quality standard comprises eight quality statements relevant to the care of CYP and adults with autism. The quality statements are not mandatory (required by law), but are designed to form the basis of local audit criteria to support continuous quality improvement, and should be measured using locally collected data. The key issues within the quality statements are:

- Diagnostic assessments should be commenced within 3 months of a referral
- As well as a diagnostic assessment. People should be assessed for any coexisting physical health and mental health problems
- A personalised plan should be developed and implemented in partnership between themselves, their family and the autism team
- People with autism are offered a named key worker to co-ordinate the care and support detailed in their personalised plan
- People with autism have a documented discussion with a member of the autism team about opportunities to take part in age-appropriate psychosocial interventions to help address the core features of autism
- People with autism are not prescribed medication to address the core features of autism.
- People with autism who develop behaviour that challenges are assessed for possible triggers, including physical health conditions, mental health problems and environmental factors.
- People with autism and behaviour that challenges are not offered antipsychotic medication for the behaviour unless it is considered because psychosocial or other interventions are insufficient or cannot be delivered because of the severity of the behaviour

6. Local Issues

6.1 This strategy has been developed as a result of ongoing work including inspections that have taken place over the past couple of years. There has been involvement of people with autism and their families through:

- **The CQC/Ofsted inspection**
- **High Needs Review**
- **The Autism Partnership board**
- **Preparation for the Autism Self Assessment in 2018**

Additionally in depth consultation is currently taking place with young people through the support of Young Advisers Havering; this is for both this strategy and the emerging all age learning disability strategy. This should be completed late spring. It will be necessary to ensure that a more comprehensive consultation takes place between April of this year and July (this is both to ensure the timescales for publication of the strategy are met and in acknowledgement that it is difficult, especially for families to meaningfully participate in any consultation during the school holidays)

6.2 The themes identified in this strategy have emerged from the work undertaken in Havering in recent years and are in line with the priorities identified both within the NHS 10 year plan and the priorities for Government's review of the National Autism Strategy. Some key actions will be influenced by the emerging national picture and will include the plans of NHS partners for implementing work relating autism as identified within the NHS 10 year plan.

OFSTED/CQC INSPECTION

6.3 Ofsted and the Care Quality Commission conducted a joint inspection of SEND provision in Havering early in 2018 to judge its effectiveness in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014. The inspection made some reference to autism but some of the wider issues highlighted have been echoed elsewhere in discussions relating to autism:

Things Havering does well:

- Arrangements to identify the needs of children and young people who have SEN and/or disabilities have improved and services are having a substantial impact on the outcomes for children and young people
- There is a broad range of training for staff that is matched to the needs of children and young people identified in school. This includes , for example training in autism spectrum disorder – as a result skills and expertise of practitioners is improving
- Havering has established a young advisers group, to find out what young people who have disabilities think about their lives. This helps Havering to better understand what is important to young people who have disabilities in Havering

However the inspection also identified a number of areas which require development/improvement

- Co-production is not strong enough. As a result, parents feel they have little input into the support provided for their children. They lack confidence in decisions about the commissioning of new services. Some parent groups view consultation meetings

with the local area as 'tick-box' exercises. As a result, parents are losing confidence in the process.

- The contribution that social care professionals make to EHC plans is limited. This means that EHC plans provide only a partial picture of children's and young people's needs. However, the process for producing EHC plans has improved. Outcomes are more incisive and the plans identify more clearly what support is to be put in place.
- The local offer is not used effectively enough. This is because typically parents and young people are not aware of its existence, despite consultation. As leaders recognise, the extent of the consultation needs to be broadened considerably.
- Some parents and carers of children and young people who have autistic spectrum disorder have articulated their concerns about a lack of post-diagnosis support. This is not compliant with guidelines and results in children and young people having identified needs which remain unmet.
- Havering is not aspirational enough about the future outcomes of children and young people. For example, there is no strategy to support young adults into employment

HIGH NEEDS REVIEW AND STRATEGY

6.4 Havering launched its Strategy for Children and Young People with Special Educational Needs and Disabilities in December 2015, following the introduction of the Children and Families Act 2014. The strategy recognised that Havering is experiencing increasing demand on its SEND services due to rising numbers of children and young people in the borough with SEND, as well as a rise in the complexity of needs amongst those with SEND. The strategy was reviewed in 2017. The review highlighted areas of good practice and area that may require improvement/further development:

6.5 Things Havering does well:

- Most early years' settings are managing to support young children effectively, despite the pressures on staffing and funding and early years practitioners are committed to ongoing development of their skills and knowledge to support the needs of children with SEND
- Havering College are already offering a range of supported internships and new post-16 and post-19 provisions have been established which are supporting young people to prepare for and move into their adult lives
- There are some areas of excellent practice in supporting pupils with SEND, across all our provision – mainstream, ARPs and special Schools, on the whole, are managing to support pupils effectively, despite the pressures on budgets
- The education service has a dedicated team of advisory teachers and assistants who work with schools advising and supporting children with autism in their education placements
- There are a number of mental health initiatives underway across all age groups, but particularly focussed on early years.
- A number of new ARPs are being developed in primary and secondary school for pupils with ASD and a new free special school is expected to open in 2020/21 which will be for pupils with complex ASD and/or SEMH.

6.6 The Review also identified areas for improvement and development

- Havering's data collection is not as robust as it could be and we are putting in place a number of measures to ensure we record data more accurately. We want to be able to predict needs and levels of need; e.g. at the moment we may be able to predict numbers of children with ASD but not the complexity of their ASD.
- Additional resources are required to better support early identification and intervention for under-5s with a diagnosis of ASD. We have already increased the funding to early years' settings for children with additional needs which will help in ensuring appropriate support is in place. .
- Primary school ARPs specifically for pupils with ASD are a priority. Since the publication of the High Needs Strategy, we have been able to develop two new primary school ARPs for children with ASD, providing a total of 24 additional places. Further ARPs are currently in discussion.
- In post-16 provision we need to develop a wider offer, particularly at lower academic levels, with more opportunities for work-based learning leading to (ideally paid) employment.

AUTISM SELF ASSESSMENT (SAF) 2018 - Adults

6.7 There is a national review every 2 years of local areas implementation of the national autism strategy. The most recent SAF was submitted in December 2018. Members of the Autism Partnership Board, colleagues in the NHS, the Autism Steering Group (a group of adults with autism supported by Sycamore Trust) were actively involved in preparing material for the submission. Discussions were also had with some carers and families; although the SAF did not specifically concentrate either carers issues or issues relating to children and young people some wider views were shared. The process did provide the opportunity to consider what works well and what areas need further development/improvement:

What works well:

- Havering's Partnership Board and involvement of adults with autism (but need to appoint a person with autism as co-chair)
- Post diagnostic support for people with learning disabilities (but not for adults more generally)
- Some data is kept and used for planning
- Some good preventative and low level support for people who don't meet eligibility under the Care Act 2014
- Good examples of work done within acute hospitals
- Some positive local innovations
 - Development of shared lives model of support
 - Development of a framework to ensure sufficient Supported Housing for vulnerable young people and adults. Some emerging evidence of cross borough work
 - The Havering Autism Hub
 - Funding for NELFT linked to Transforming Care Programme (TCP) work to avoid admission of people to hospital with autism

The following areas were identified as requiring improvement and/or further development:

- A need for more consistent recording of data in Havering
- The need for more consideration in public services to be made regarding reasonable adjustments

- Transition processes and clearer pathways for young people moving into adulthood
- Planning for specific populations in Havering
- Better recording of hate crime
- Lack of an overall Havering wide training plan, uptake of training by certain groups and awareness of autism
- Pathways for diagnosis not widely known and in some cases long waits for diagnosis
- Post diagnostic support for people/signposting for those not meeting eligibility under the Care Act 2014
- Consideration of and support for Carers needs and accessible information
- Difficulty to engage all stakeholders in Havering – autism still seen as an issue for social care and education and specialist health services
- Some employment initiatives evident but at a very early stage
- Inconsistent reference to employment in EHCP plans
- Families feeling excluded from planning
- Access to housing and housing advice

Whilst not specific areas picked up by the SAF, other issues felt locally by people and families to need further attention are:

- Community Safety, anti -bullying work and teaching people life skills to avoid being intimidated and becoming victims of coercion and control
- Transport issues – partially linked to safety but also linked to life skills and increased independence

6.8 Not only do the local issues, from a number of sources, indicate some common themes emerging locally, they are very much in line with the national themes as indicated both in the NHS 10 year plan and the Government's review of the National Autism Strategy e.g.:

- Need for better information and signposting
- Smoother and clearer pathways for people
- Improved waiting times for diagnosis and support
- Better and more effective recording

6.9 Section 8 indicates the key priority areas which this strategy seeks to address and contains a very high level action plan. A more detailed action plan will be developed during and as a result of the wider consultation recommended by this initial draft strategy.

7. CURRENT PROVISION AND SUPPORT

ADULTS

- 7.1 Social care support for adults is determined by whether or not they meet eligibility criteria in respect of the Care Act, a key determinant is not the condition a person has, but how that condition impacts and affects them. With this in mind, Havering does not provide dedicated social work support in respect of autism per se.
- 7.2 Not all adults with autism will necessarily meet eligibility criteria for under the Care Act, nor be assessed as requiring specialist support. But people with autism do need to feel assured that they know where and how to get advice should they need it and that they are dealt with, in whatever part of the Council and Public Sector, by people who have an awareness of autism and its possible implications for them in their day to day lives
- 7.3 The needs of people with both learning disability and autism who meet Care Act eligibility criteria are met via the learning disability team. For other adults with autism, if they meet the current eligibility criteria for social care their needs may be met through one of the locality teams, the mental health teams or hospital based services.
- 7.4 In terms of preventative and community based support, there are 3 areas of investment, The Sycamore Trust, The Carers Hub and Peabody Here to Help scheme.
- 7.5 In respect of the Sycamore Trust, Havering currently funds £40k p.a. for peer support and £40k for social inclusion, a key element of this investment is demonstrated through the work of the Autism Hub in Liberty Mall. This funds the following activities:
- Autism ambassadors – people with autism who seek to provide awareness training to businesses and community bodies within Havering
 - Peer support – through the Hub, people with autism are able to provide peer support to people with autism, a female group has been established and an online forum virtual group has been established
 - The Autism Hub is the focus for a number of activities and initiatives within Havering, e.g. access to information technology and internet, sign posting, a quiet space, general awareness, base for peer and support groups, family and parent support
- 7.6 Havering currently funds the Carers Hub. The Carers Hub receives £180.4k per annum; a specific amount (£36.9k) is allocated to specific user groups, mental health, dementia etc. Learning Disability and Autism are considered as one within this. The Hub provides support to carers in respect of a range of issues e.g. advocacy, emotional and telephone support, general advice, training activities and social activities.
- 7.7 The Peabody provision is a generic service which offers free, short term support to people aged over 16 who need help to develop their independent living skills. They provide general information, advice and guidance and in some cases ongoing support for either 3 or 6 months.

CHILDREN AND YOUNG PEOPLE

- 7.8 A range of support and provision is available to children and young people and their families, through education, social care, and commissioned services, although much of it is within the overarching support provided to children and young people with disabilities.
- 7.9 Short breaks, which both allow children and young people to have fun and develop independent skills and their parents to have a break from caring responsibilities, are provided through the local offer. This is not specific for children and young people with autism and is part of the overall offer for children and young people with disabilities; however the use of Direct Payments does allow families to purchase their support directly.
- 7.10 Families of children and young people with autism are able to access the core offer of support. This is for children and young people with SEND assessed as having needs that cannot be met through universal services/activities. The core offer consists of 100 hours per year and can be used to access a range of commissioned provision e.g. weekday/evening clubs, holiday clubs and weekend clubs or Direct Payments, which can also be spent on non-commissioned services and therefore widens the choice for families and allows more flexibility than commissioned services.
- 7.11 Alternatively, families can opt for the enhanced short breaks offer. This is for children, young people and their families or carers who feel they need a higher level of short breaks with extra specialist care. A short breaks assessment is required to access this level of support. This offer may include personal care support, overnight stays, increased specialist short breaks in term-time and the school holidays pending the recommendations of the short breaks assessment
- 7.12 Havering commissions such provision from a range of providers (both via a framework and some spot purchasing). The Local Offer is available on Havering's web site, which sets out the process for applying for short breaks and who the short breaks providers are. There are no dedicated autism providers from whom Havering currently commissions provision
- 7.13 In addition to provision available through the local offer, support is available to parents through Positive Parents, who are able to provide information to families, provide a forum where families concerns and views are listened to and who are involved in strategic planning of resources and services – but this is across all disabilities. RAGS (Romford Autistic Group Support) are also a parent led group who provide a support network for families with a family member who is either diagnosed with autism or are awaiting a diagnosis.
- 7.14 Additional support for families is made available through either the Children and Disabilities (CAD) 0-5, and 5-19 teams which are multi-disciplinary teams consisting of social workers, psychologists and specialist educational staff who can and do provide a range of specialist support to children with autism and to their families.
- 7.15 Within education and early years, there is dedicated nursery provision for young children who are on the pathway to diagnosis, specialist and dedicated provision is available within a range of schools. A dedicated free school for pupils with autism is due to open in 2021/22.

LOCAL DEVELOPMENTS

7.16 A review of 2 of the diagnostic pathways for children and young people (5-11, and 11-18 the 0-5 pathway is well established and is well defined) is due to start. At the time of writing, the terms of reference and the extent of this review are being finalised, but it is anticipated that this will result in a far more integrated offer for children young people and their families. A pre-diagnostic group has been established to prepare families and young people for the diagnosis and some of the processes involved. This review by NELFT ties in with the issues identified within this strategy. It is anticipated that by the time the final strategy is complete, there will be both further clarity on the outcome of that review and also there may be further more detailed indications from NHS England regarding the diagnostic issue identified in the 10 year plan

7.17 As part of the TCP work, an analysis of the future housing requirements for people identified as part of the TCP cohort was completed which provided some useful data relating to young people and adults both within (and potentially within) the TCP cohort. This identified some of the numbers of young people with autism who may require housing.

7.18 Further work has been done to develop housing locally. Through a Supported Housing Programme the Council is developing of a number of buildings and associated care and support services across children's and adult social care. By developing services in borough this will allow the Council greater control over costs and quality and increase the ability to place vulnerable children and adults closer to family and community networks. Four projects are being developed as follows:

- A residential care unit for 6 children with disabilities (with potential for short breaks facilities) – new build scheme
- Supported housing scheme for 6 young adults with disabilities and additional complex needs – new build scheme
- Utilising 2 existing Council properties to create 2x semi-independent accommodation schemes for 12 young people leaving care
- Semi-independent accommodation scheme for 12 young people leaving care – new build scheme

Further work coming out of the Supported Housing Programme has identified the future accommodation needs for the next 5 years for looked after children, care leavers, and children and adults with disabilities. This will enable further work across social care and housing to maximise opportunities within the extensive regeneration programme underway in Havering.

7.19 As a result of the TCP programme, both locally and nationally, Havering has developed a partnership with LUMOS. LUMOS is an international organisation established by JK Rowling with a mission to end the institutionalisation of children globally by 2050. LUMOS is currently working in collaboration with local government agencies in East London to achieve better outcomes for a small group of children with learning disabilities and/or autism who display behaviour that could be considered as challenging and are living in residential hospital or residential school placements, but for whom with the right support could be living in family-based care or community-based care within their own communities. The work in Havering is still at an early stage of development but it will support maintaining identified children and young people within their own communities and their families.

7.20 Although the education service has a dedicated team of advisory teachers and assistants who work with schools advising and supporting children with autism in their education placements the High Needs Review identified that Havering needs to develop more provision for children and young people with Autistic Spectrum Disorder (ASD) and Social, Emotional and Mental Health Needs (SEMH); from early years, through school and into adulthood. There are currently Additional Resourced Provision (ARPs) in six schools, supporting pupils with autistic spectrum disorder (ASD) and communication needs, complex needs and hearing impairment. We know, from feedback from schools and from parents, as well as from our own data, there are not enough of these. These six schools are keen to support other schools to develop ARPs across the borough in both primary and secondary phases. A new Primary Additional Resourced Provision for ASD is opening in 2019 with a further 2 more in primary and 1 in secondary planned for 2020. There is also a new Special Free school being planned for 2021.

8. KEY PRIORITIES

8.1 This section sets out, at a high level, the key priorities which this strategy will address. The priorities are based on what is known locally about how people with autism and families of children and young people would like their lives to be improved. As indicated previously, although more definite information is awaited regarding the all age National Strategy, there is a synergy between the local priorities identified and those which Government has indicated may well be picked up in the new strategy and the NHS 10 year plan.

The priorities are set out below under key themes:

- Planning
- Involvement, information and access
- Health Care
- Employment
- Training and Awareness
- Housing
- Improved Pathways
- Transport, keeping safe and life skills

Under each of the priorities are some initial key actions and areas for improvement/development. The attached action plan contains more detail but is at this stage a high level action plan.

PLANNING

8.2 Planning includes not just issues relating to how Havering plans services, but also issues relating to improved recording of data so that we can improve what we do and better understand the needs of people in Havering with autism. It also includes governance for the oversight of the implementation of the strategy.

- Better and more consistent recording of autism within adult and children's social care
- More effective use of data to inform planning
- To better plan for key identified populations e.g. women, over 65s
- Ensure there are effective governance arrangements for overseeing implementation of the strategy
- Ensuring effective partnerships are in place
- Building on current work other partners are or will be doing e.g. review of diagnostic pathways, roll out of mandatory training within the NHS

INVOLVEMENT, INFORMATION and ACCESS

8.3 Families and people have indicated they want and need better and clearer information, e.g. some families have indicated they need to know more about the Local Offer, or diagnostic pathways. Other people have also indicated that they find it difficult to know who to go to for advice and find it difficult to navigate their way around the Council's telephone system

- Ensure people and families are fully involved at all levels in both individual planning and planning for wider service developments

- Better access to information about services and support networks (relating to social and health care, education, low level support/advisory services and autism friendly facilities in the community e.g. autism shopping events etc
- More effective use of social media to keep people informed
- Ensuring all public bodies to consider how people with autism may better access their service

HEALTH CARE

8.4 Feedback from people locally is that they wait a long time for diagnosis and that they don't always find it easy to find out about how to get diagnosed; these are issues which are highlighted within the NHS Plan. Other people indicate that there doesn't seem to be a comprehensive approach taken to follow up post diagnosis. Many people acknowledge that there has been some good work in Havering resulting in people with autism getting a better service in some parts of mainstream health care, but people also feel there are other areas where things could improve.

- Improved diagnostic pathways
- Pre and post diagnostic support
- Information and accessibility
- Waiting times
- Access to health care

EMPLOYMENT

8.5 Many adults have indicated the challenges they face in getting into the job market and the lack of advice and information; families have spoken about the challenges their children face in sometimes getting professionals properly consider employment. People have also spoken about there needing to be improved pathways that may support young adults who wish to consider employment.

- Improved pathways and support around employment for young adults and young people
- More consistent reference to employment in EHCPs
- Better advice and support available to adults who want to access employment
- Using Havering Works to develop more effective advice and support systems and to engage with employers across Havering
- Development of the number of supported internships in place – work underway with Havering College and Corbets Tey @ The Avelon/ Routes 4 Life

STAFF TRAINING AND AWARENESS

8.6 Evidence used in the 2018 SAF indicates that there is an inconsistent approach to training and awareness across the public sector in Havering. In some sectors, it is felt that having staff who have at least awareness training would make it easier for people to access services as they feel they would be talking to people who understood some of the challenges they face around communication. Additionally the NHS plan indicates that awareness training will be mandatory for all NHS staff.

- Ensuring staff are appropriately trained and/or have awareness training
- Ensuring awareness training is available to staff across the public sector

- Working with Havering Social Care Academy to ensure appropriate training is targeted at social care staff, and the wider Council

HOUSING/ACCOMMODATION

8.7 Most children and young people live with families; those who do not, live in provision that is commissioned either as a result of their specialist educational needs or their social care needs; it is important for those children and young people that such accommodation and its staffing is able to support children and young people with autism and have received appropriate training around both autism and ways to best support people with autism e.g. Positive Behavioural Support (PBS).

8.8 Some younger vulnerable adults and other vulnerable adults may require more specialist housing where they can receive support in relation to life skills as a result of their needs as assessed by under the Care Act. Other adults may merely require to be better supported through the process of successfully applying for public sector or private housing

- Ensuring staff in housing agencies have autism awareness training
- Development of supported housing strategies
- Ensuring staff in 'specialist provision are suitably trained and providers use PBS techniques

IMPROVED PATHWAYS

8.9 Preparation for adulthood is key to enabling young adults and their families to adjust to their moving into new forms of education and training and into possibly a different approach to social care than they may have been used to as children and young people. In order to facilitate this, it is important that there are good and clear pathways for young people. This also applies to ensuring that young people moving into post 16 provision and education receive appropriate and timely information.

8.10 It is acknowledged that a number of young people may not receive the amount of support (or indeed any formal support) upon their reaching the age of 18; although they may have met the criteria for care from Children's social care, they will not meet the criteria for adult social care. For some young people and their families this can come as a surprise and they may not know where to go for support; it is important that for such young people and their families they are clear as to where they may be able to receive appropriate support and advice

- Improved pathways for young people moving into adult services who meet social care eligibility criteria
- Improved/better signposting and information for families and young people in children's services who will not meet eligibility criteria for adult social care
- Clearer pathways and advice for young people moving into post 16 provision and education
- Preparation for adulthood

TRANSPORT AND KEEPING SAFE

8.11 Being able to travel independently is a very important life skill, that encourages people to be independent and supports them in accessing community facilities and making and maintaining friendships. But this does not merely mean people being taught skills about knowing which e.g. bus or train to get, but is as much about people feeling safe going about their daily business and not being susceptible to bullying and other forms of coercion .

- Extend membership of partnership board to community safety and Metropolitan Police
- Raise awareness of transport providers
- Evaluate work of Routes 4 life
- Travel training

9. Key Questions for Consultation

9.1 A consultation period of 3 months is recommended. Although there has been some engagement with people in drawing up this draft strategy, it has been limited and has in the main only included people who attend current forums e.g. the Autism Partnership Board. Wider consultation is needed in order to ensure that some of the key issues highlighted are indeed those that are important to people.

9.2 During consultation, the following questions should be asked:

- Are the priorities identified in the strategy relevant and if not what should be added/amended?
- Are the actions set out in the action plan appropriate and if not what additions /amendments
- Are there any additional areas that should be included within the Strategy and if so what?
- Is having an all age strategy the most effective way to achieve the vision set out in this strategy? Please provide any alternative suggestions.
- Should this strategy apply to everyone with autism, including people with learning disability? If not what alternative suggestions do you have?
- What is the best way to make sure that the strategy is implemented? Do you think that the Partnership Board can do this effectively?
- Are there any other comments that you would wish to make on the Draft Strategy not covered by your responses above?

ACTION PLAN

1.Planning - ensuring more effective planning for people with autism and clear leadership for implementation of strategy					
Action no	Objective	Action	Organisation responsible	Timescale	Benefits
1.1	To produce final strategy by autumn 2019	a) To hold series of consultation events between late April and July 2019	LBH	July 2019	Publication of an agreed strategy to improve lives of people with autism
		b) Ensure materials and consultation are as accessible as possible	LBH	July 2019	
1.2	To determine most effective governance arrangements for implementing the strategy	LBH and CCG to consider if current governance arrangements i.e. HWB Board and Autism Partnership Board are robust enough to lead and ensure implementation of strategy	LBH/CCG	July 2019	Appropriate leadership and ownership of the Strategy and its implementation
1.3	To strengthen Partnership Board	a)review terms of reference of Autism Partnership Board	LBH	July 2019	Membership of the Partnership Board reflects all the stakeholders
		b)extend membership of the board in line with the aims of this strategy	LBH		
		c) Appoint a person with autism as deputy chair	LBH		
1.4	Ensure more effective recording of autism within Children's Services and	a) To consider making the recording of a	LBH	Ongoing	More accurate data will enable more effective

	Adult's Social Care	secondary health condition e.g. a compulsory recording field in social care			planning of services
		b) Guidance has been disseminated to schools to improve the accuracy of school census data.	LBH	Ongoing	
		c) New EHCPs will now record the child's sub-category of need as well as the broad category to improve data accuracy	LBH	Ongoing	
1.5	To better record hate crime and other incidences of criminal activity affecting people with autism				To enable strategies to be developed to ensure safety of people with autism
2. Involvement, Information and Access – ensuring people and families are appropriately involved at all levels in planning and service design					
Action no	Objective	Action	Organisation responsible	Timescale	Benefits
2.1	People and families are fully involved at all levels in both individual planning and planning for wider service developments		LBH/CCG		
2.2	Better access to information about services and support networks (relating to social and health care, education, low level support/advisory services)	a) Enable improved access to the Local Offer	LBH/CCG		Families and people will have appropriate information about services and support available to them
		b) Ensure leaflets etc are up to date about the range of support and services available			

		c) Ensure leaflet racks in all public buildings are properly stocked with up to date material			
		d) explore more effective use of social media to communicate with people			
2.3	Improved information about local services (e.g. sports leisure, cultural, community)	a) Ensure information material provided by public sector bodies is accessible and up to date	LBH/CCG		People will be able to better access community based facilities
		b)Explore use of social media to communicate information to people			
2.4	Ensuring all public bodies consider how people with autism may better access their service	a)work with autism ambassadors to assess access to services	LBH/CCG		People with autism and their families will be able to use public services more effectively
3. Health Care					
3.1	Improved diagnostic pathways	a)undertake review of current diagnostic pathways	CCG		Improved diagnostic service
		b)improve information about availability of diagnostic pathways	CCG/NELFT/CAMHS		
		c)reduce waiting times	CCG/NELFT/CAMHS		
		d)consider commissioning pre and post diagnostic support services	CCG/NELFT/CAMHS		

		e)ensure more effective links between diagnostic pathway and Adult Social Care	LBH (ASC)		
3.2	Access to health care	a)Implementation of digital flag as per NHS Plan	CCG		Equity of access in relation to health care
		b)Implementation of mandatory awareness training for all NHS staff as per NHS Plan	CCG		
4. Employment					
4.1	Better access to employment opportunities	a)Havering works to develop links with local employers	LBH		Increased opportunities for employment for people with autism
		b)Havering works to link with specialist services to ensure increased awareness of their support	LBH		
		c)Explore use of social value clause in contracts to encourage the Council's providers to create employment opportunities	LBH		
		d)Explore opportunities presented in Joint Venture Schemes for supported employment/internships			
		e) EHCPs from Year 9 onwards should focus on Preparing for Adulthood outcomes across the 4 pathways	LBH		

		f) development of a wider offer of work opportunities including work experience and supported internships to be developed across the borough	LBH		
		g) more effective and targeted use of modern apprenticeships and intern schemes for young adults with autism	LBH Other partners also		
		h) schools to be supported to do more work with young people around the 4 pathways to adulthood in both pre- and post-16 provision	LBH Other partners also		
5. Training					
5.1	Ensure properly trained staff and increased awareness	a)Implementation of mandatory awareness training for all NHS staff as per NHS Plan	CCG		People with autism will feel confident that staff they are speaking to have appropriate understanding of their condition and how it may affect them
		b)contribute to national consultation regarding training	LBH	ongoing	
		c)work with Havering Social Care Academy to ensure appropriate training is targeted at social care staff	LBH		

		d) making autism awareness training mandatory for all new LBH staff	LBH		
		e)to roll out the range of training on offer to support staff, in the local authority and schools and colleges, in understanding, developing and promoting supported employment			
6. Housing					
6.1	Ensure People with autism have access to appropriate help and support whilst applying for public sector housing	a)to work with LBH Housing to ensure an agreed number of front line staff have autism awareness training	LBH		People with autism will have better access to public sector housing
		b)encourage all RSL's operating in Havering to ensure that agreed number of front line staff have awareness training	LBH		
6.2	Ensure appropriate young people are identified for the supported housing schemes currently in developmental stage	a)consider young people with autism in the cohort for the supported housing schemes under development (taking into account relevant eligibility criteria)	LBH	ongoing	Young adults with autism will benefit from living in supported housing and developing appropriate life skills with
		b)Use the data from the needs analysis undertaken regarding			

		housing to inform more effective planning of housing for people with autism			
7. Improved Pathways					
7.1	Improved pathways for young people moving into adult services who meet social care eligibility criteria	a)Ensure young people are identified in a timely manner to ensure good assessments are made	LBH (CAD)		Families and young people are identified soon enough to ensure a care assessment is made in a timely and effective manner
		b)development of a robust transition strategy in partnership with parents and young people	LBH (CAD/ASC)	Dec 2019	
		c)Information is provided to families and young people at an early stage	LBH (CAD)		
		d)work with schools to develop their understanding of employment pathways	LBH (CAD)		
7.2	To work with children and young people and their families	a)work closely with LUMOS to ensure work to maintain children and young people in their communities			Young people are kept out of residential and/or institutional care
7.3	Improved/better signposting and information for families and young people in children's services who will not meet eligibility criteria for adult social care	a)Ensure such young people(and their families) are identified and advised at an early stage	LBH (CAD)		Young people and families have sufficient information to enable them to make informed choices as to where and how to access low level support

		b)Develop information material for young people and their families	LBH(CAD)		
7.4	Improve Local Offer	a)Include clear information on what is available for all four pathways to adulthood	LBH (CAD)		Providing more effective information to families and young adults
		b) Communicate better with young people, and their parents, about what is possible for their future and how each young person may get there	LBH (CAD)		
		c)Provide clear communication about available options for young people at age 20/21 years+, including support and services which are not education-based	LBH (CAD)		
7.5	Preparation for adulthood	a)work with post16/19 providers to support the development of their offer	LBH		Young adults and their families will be prepared for adulthood
		b)Develop health pathways and processes for young people aged18-25 with healthcare needs	LBH		
		c)develop a SEND	LBH		

		moving on event for young people			
8. Transport, Keeping Safe and Life Skills					
8.1	People with autism can use public transport safely	a)work with TfL and local bus providers to raise awareness of autism	Autism Ambassadors/LBH		A increased number of people with autism are able to travel independently and safely
8.2		b) promote and develop the travel training programme	LBH		
		c) work with specialist transport providers e.g DABD	LBH		
8.3	People with autism feel safe in their community	a)invite Community Safety Manager to join Partnership Board	LBH	May 2019	People with autism feel their concerns about being safe will be heard and suitable advice given
		b)Invite Metropolitan Police to join Partnership Board	LBH	May 2019	
8.4	Young people with autism have appropriate life skills	a)to seek to continue and extend the Routes 4 Life provision			

CABINET

Subject Heading:	A Business Case setting out an improvement plan and resource proposal for Children's Social Care.
Cabinet Member:	Cllr Benham
SLT Lead:	Tim Aldridge
Report Author and contact details:	Ali Omar Ali.omar@havering.gov.uk 01708 431671
Policy context:	This report proposes a robust plan to drive children's social care improvement and the resources needed to achieve this.
Financial summary:	This report recommends an investment of £0.75m for one year, starting from April 2019.
Is this a Key Decision?	YES
When should this matter be reviewed?	Quarterly, with a full annual review.
Reviewing OSC:	Children and Learning Overview and Scrutiny Sub-Committee

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

This report sets out an improvement plan for Children's Social Care Services in Havering, following an OFSTED ILACS inspection in June 2018. A corresponding business case describes a proposal to invest £0.75m for 19/20 to resource this improvement plan. Although the OFSTED framework is subject to review, and there are no set formulae or methods to guarantee the outcome of future inspections, the proposed investment would enable the service to develop the capacity and capability to respond comprehensively to the recommendations of the last ILACS inspection.

RECOMMENDATIONS

Cabinet is recommended to approve the approach outlined below and agree the financial request for additional resources to be allocated to Children's Social Care for 19/20. This will provide an opportunity consolidate improvements delivered over the last two years, and achieve greater consistency across all service areas.

REPORT DETAIL

1. Background

1.1 In June 2018 Havering children's social care, were inspected by Ofsted under the new ILACS framework. The outcome of this was an overall '**Good**' rating and this comprised of three category judgements;

- The impact of leaders on social work practice with children and families - **Good**
- The experiences and progress of children who need help and protection - **Requires improvement**
- The experiences and progress of children in care and care leavers - **Good**

1.2 The inspection report highlighted several areas for improvement in order to raise standards further, with a key factor being to ensure greater consistency and quality assurance across the service, and compliance with case recording.

1.3 The Children's Senior Management team have analysed the findings, and identified seven key themes within this programme of work. Senior managers are being allocated as Project Leads and each theme will form a team including practitioners, managers and partner representatives from across all social care services.

1.4 These themes are deliberately crosscutting, and designed to drive improvement across Children's Services, rather than in specific service areas. Each of the

project areas will have a finalised project initiation document, setting out clear aims, how we will measure success and the timelines the project will deliver in.

1.5 Progress against each project will be overseen by the Children's Services Improvement Board, with a rota focusing on two themes per meeting. Progress updates will be provided to the LSCB and SLT, the Children and Learning Overview and Scrutiny Committee, and also the Executive.

1.6 The programme consists of an evaluation framework, to establish what is working and how we are progressing on our improvement. This includes;

- a. Practice week and special Quality Assurance audits on key themes.
- b. Feedback from staff.
- c. Feedback from service users.
- d. Peer Reviews (involving other Local Authorities).
- e. Challenge from an experienced independent auditor.
- f. A focused visit from Ofsted (prior to the next OFSTED inspection).

2. Themes and objectives

2.1 Pathway Planning and Transitions to Adulthood. This theme builds on progress made across the Leaving Care and Intervention and Support service. The aim is to further improve the quality of care planning. This includes the development of a Health Passport and the integration of Personal Education Plans into the care plan. This will involve partners across health and education. The work will further develop the co-production approach and include digital approaches such as Leaving Well and Digital Life Story Work. There is also a focus on how we manage and make decisions around key transitions phases for children who are in care or care experienced.

2.2 SMART Planning (Including risk assessments and support for children returning home from care). This theme relates to the approach to planning and recording across Children in Need, Child Protection, Strategy Discussions and risk assessments. The aim is to set out a consistent approach to ensuring plans are SMART and recorded in a clear, concise and consistent manner. The aim is to develop guidance and exemplars, deliver a range of training, and ensure effective quality assurance.

2.3 Supervision The aim is to clarify what 'good' supervision looks like, and set out clear guidance and principles. This also involves looking at new ways of delivering case supervision including group and peer supervision models. A menu or 'offer' of supervision will be developed and different methods piloted and tested. An approach to recording and quality assurance will also be developed.

2.4 Case recording and data quality Alongside the implementation of the new case management system, clear expectations of how practice should be recorded will be developed, and a rigorous quality assurance framework for data quality will be put in place. The aim is to ensure a more consistent

approach to record keeping, whilst ensuring this is efficient and enables practitioners to spend significant time engaged in direct work with families.

2.5 Adolescent Safeguarding. The aim of this theme is to ensure there is a coherent approach to the range of risk issues that affect young people, including Serious Youth Violence, Child Sexual Exploitation, Missing, Criminal Exploitation, County Lines, and Radicalisation. A review of the governance structure, new strategy, model of practice, partnership working and intelligence will be developed as part of this work. The aim is to ensure we consider all contextual safeguarding issues together when reviewing risks and safety plans for young people.

2.6 Quality Assurance. This theme will consider the auditing and other quality assurance activities across the services to ensure there is a robust framework to which supports us to achieve a more consistent quality of practice. The current auditing activity will be reviewed to respond to feedback from OFSTED. Specific attention will be given to the areas of activity covered by these improvement projects.

2.7 Workforce and Practice development. This theme will progress the work of the Social Care Academy and set out a route of professional development for all practitioners and managers within the service. This will include a review of career progression and fast-track options. The theme will consider the preparation of social workers for the national accreditation system, and link the professional development plan with the PDR process. The theme will also consider recruitment, retention, induction and recognition.

2.8 All project initiation documents are available.

3. Resources

3.1 In order to strengthen the improvement programme and achieve the objectives across all the themed project areas, it is recommended that key roles and resources are put in place.

3.2 Funding over 19/20 would be for £0.75m, covering an array of roles and areas. After the first year the programme will be reviewed, evaluated and certain roles funded by the service.

Total Cost					
	Yr2 19/20	Yr3 20/21	Yr4 21/22	Yr5 22/23	Total
One off Revenue costs					
Ofsted Improvement	£0.75m				£0.75m
Total:	£0.75m				

3.3 These roles will not only provide support to the improvement programme, to help achieve its goals, but also ensure that current 'good' standards are maintained, sustaining a solid foundation to build upon.

Item	Budget cost (with oncosts)	Implementation	Themes supported
Head of Service Quality Assurance (additional role)	£15k	The opportunity for an existing Group Manager to take on a Service Manager role, leading on Quality Assurance across the service.	<ul style="list-style-type: none">> Quality Assurance> SMART Planning> Supervision> Case Recording and Data Quality> Pathway Planning and Transitions to Adulthood
Group Manager (backfill).	£80k	Backfill capacity for existing Group Manager.	<ul style="list-style-type: none">> Quality Assurance> SMART Planning> Supervision> Case Recording and Data Quality> Pathway Planning and Transitions to Adulthood
QA Support Officer	£39k	Officer to strengthen and support QA delivery and broader functions.	<ul style="list-style-type: none">> SMART Planning> Supervision> Quality Assurance> Pathway Planning and Transitions to Adulthood
Family Therapists (and training)	£420k	5 Family Therapists roles to provide systemic and clinical support to social workers and contribute to the new model of practice. Training to include new modules around systemic practice, including in-house developments.	<ul style="list-style-type: none">> Supervision> Workforce and Practice Development> Case Recording and Data Quality
Havering Social Care Academy (HSCA) Co-ordinator	£51k	Develop the HSCA and deliver against the vision for learning and development aimed at our workforce.	<ul style="list-style-type: none">> Supervision> Workforce and practice development> SMART Planning> Supervision

Practice Development Practitioner - AP	£74k	Role to help develop a new Practice Model – providing the ability to develop content, track progress, able to QA around the model, working across all delivery services.	<ul style="list-style-type: none"> > Workforce and Practice Development > Supervision > Case recording and Data Quality
Project Manager	£51k	Focused to support all seven themes areas, to ensure all projects meet their aims, risks are mitigated and issues managed. Provide dedicated support in writing reports and evaluating what works. Work with other LAs and focus on national practice developments and writing bids to receive investment.	<ul style="list-style-type: none"> > Pathway Planning and Transitions to Adulthood > SMART Planning > Supervision > Case recording and data quality > Adolescent Safeguarding > Quality Assurance > Workforce and practice development
Research in Practice Membership	£15k	Share and learn from best practice. Understand how we can research what works and best evaluate what we do. All recently inspected LA's with Outstanding features have a membership and used this to drive their improvement strategy.	<ul style="list-style-type: none"> > Pathway Planning and Transitions to Adulthood > SMART Planning > Supervision > Case recording and data quality > Adolescent Safeguarding > Quality Assurance > Workforce and Practice Development
Resources	£5k	Funding to procure a new social care website displaying our best practice to the national and local social care community. Video editing software licenses to develop content.	<ul style="list-style-type: none"> > Workforce and practice development
TOTAL	£750k		

REASONS AND OPTIONS

Reasons for the decision:

3.4 The proposed investment will enable the Children's Services to fully implement the improvement plan and achieve the best possible position in preparation for the next Ofsted ILACS inspection.

3.5 Since the publication of the June 2018 Ofsted report, the Service has been able to analyse the key areas for improvement. Through our participation in Regional Sector-led improvement, benchmarking the service against other Local Authorities, and engaging with those rated 'Outstanding', there is a high level of confidence in the improvement plan. There is a commitment to sustaining a robust level of external scrutiny throughout this improvement process.

Other options considered:

3.6 Other options have been explored, including alternative resource plans, but through the clarity attained during the scoping and analysis phase, it is considered that the right areas of focus have been identified and responded to. The recommended resource plan will enable the improvement plan to be delivered comprehensively, and at pace.

IMPLICATIONS AND RISKS

4 Financial Implications and Risks

4.1 Approval of the plan should not result in additional pressure for the children Directorate's budget in 2019/20 because the proposals will be funded from corporate budgets, for which a request has already been made. The expectation is for the plan to be delivered within the allocated funding however, any material underspends will be returned to the corporate budgets, ensuring the Authority is able plan and allocate resources to other key priorities.

4.2 The Financial management framework will ensure progress of the plans (including the spending profile) continue to be monitored as part of the ongoing budget monitoring arrangements. Although there is some risk of slippage due to having to recruit external resource for aspects of the initiative, any opportunity to mitigate the impact on successful delivery should be considered as long as it does not result in additional pressures and considers the value for money implications.

5 Human Resources implications and risks

5.1 New roles will need to be created, evaluated, advertised and recruited to in line with the Councils Recruitment policy and HR procedures.

6 Legal implications and risks

6.1 The Council is under a duty pursuant to the Children's Act 1989 (including 2004 amendments) and through reforms in the Children and Social Work Act 2017 to safeguard and protect looked after children, and children in need in its area.

7 Equalities implications and risks

7.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

BACKGROUND PAPERS

Children's Social Care Improvement Programme Plan.



Havering
L O N D O N B O R O U G H

Programme Initiation Document

Social Work Improvement Programme

18/03/2019

Ali Omar

Head of Innovation and Improvement

Approvals

Name	Signature	Role	Date
Tim Aldridge		Sponsor	
Robert South		SRO	

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1 Purpose of document

The purpose of this Programme Initiation Document is to define the programme and outline the projects, to give all interested parties a clear understanding of what the programme will deliver, when and how. It defines the programme, forming a basis for its management and measurement of its success.

2 Background

In June 2018 Havering children's social care, were inspected by Ofsted under the new ILACS framework. The outcome of this was an overall '**Good**' rating and this comprised of three category judgements;

- The impact of leaders on social work practice with children and families - **Good**
- The experiences and progress of children who need help and protection - **Requires improvement**
- The experiences and progress of children in care and care leavers - **Good**

The inspection report highlighted several areas for improvement in order to raise standards further, with a key factor being to ensure greater consistency and quality assurance across the service, and compliance with case recording.

The Children's Senior Management team have analysed the findings, and identified seven key themes within this programme of work. Senior managers are being allocated as Project Leads and each theme will form a team including practitioners, managers and partner representatives from across all social care services.

3 Programme Objectives

The programme will deliver a wide range of key outcomes, the achievement of which will determine the success of the objectives;

- Young people benefit from a more robust care planning process and engage with pathway planning, and also ensuring that Health Passport and Personal Education Plans becoming more integrated.
- Strategy meetings are more effective, allowing decisions concerning safety and risk to be made quickly and with greater context.
- All staff receive effective personal and practice supervisions, as part of a robust supervision model.
- All data and case recording are of the highest quality, enabling monitoring and quality assurance to be carried out effectively.

- Young people at the risk of Serious Youth Violence, exploitation and criminal activity, receive support to better life chances and be positively engaged in the community.
- An agreed framework for Quality Assurance is in place that ensures scrutiny and encourages practice development.
- The workforce are retained for longer periods, ensuring stability, through a strong Social Work Academy delivering a range of learning and development opportunities.
- A robust and effective model of practice is in place, so that there are better and more sustained outcomes for children and young people.
- Thorough evaluation of the programme, with learning, outcomes and financial sustainability considered and applied.
- Provision of a communications plan, so that all partners and stakeholders understand their role in the Programme and fully understand the scope, objectives, implementation and development of the programme.
- Interfaces with business-as-usual are made, where appropriate, in order to complement service delivery.
- Other social work projects form part of the programme, when fully scoped and agreed by the SRO and Board members.

4 Scope

In scope

- All social work services
- All Ofsted recommendations
- Model of Practice
- Performance indicators and outcomes

Out of scope

- Service design and delivery models
- Education Services
- Universal Plus
- Financial sustainability – although this is a linked area of activity

5 Approach

The programme will be delivered across 2 years and these are broken down into 7 distinct areas;

5.1 Pathway Planning and Transitions to Adulthood. This theme builds on progress made across the Leaving Care and Intervention and Support service. The aim is to further improve the quality of care planning. This includes the development of a Health Passport and the integration of Personal Education Plans into the care plan. This will involve partners across health and education. The work will further develop the co-production approach and include digital approaches such as Leaving Well and Digital Life Story Work. There is also a focus on how we manage and make decisions around key transitions phases for children who are in care or care experienced.

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It is anticipated there will be a range of partners and stakeholders involved in order to meet the objectives. A stakeholder analysis exercise will determine who, why, how, priority and impact of all engagement.

6 Governance Model

The governance structure for the programme will consist of two layers;

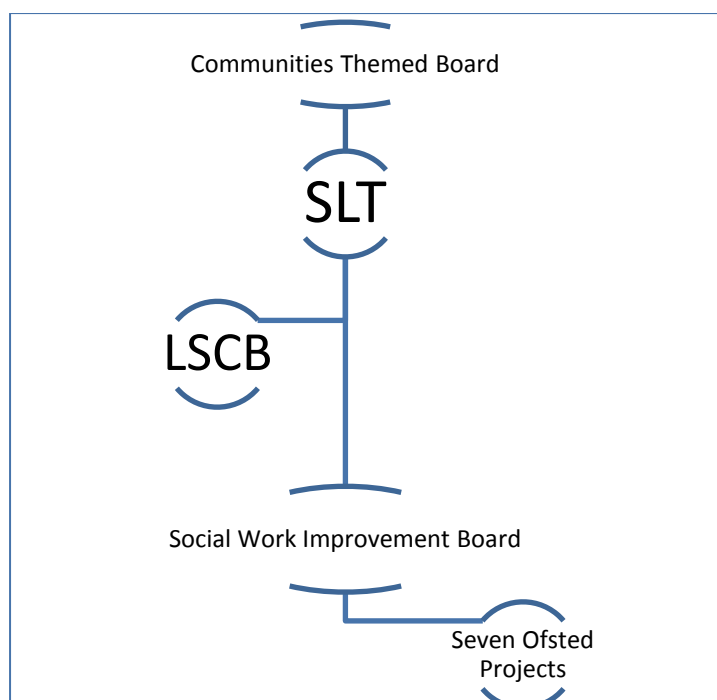
Social Work Improvement Board – This layer will decide on executive decisions, escalated risks and issues, including all, mitigated and/or resolved.

Project Boards – These boards will have a focus on operational activity and will be directly connected to the Improvement Board. This will involve staff being involved in decision-making and having the ability to drive forward the design and implementation of the programme.

All projects will have their own forums to manage the day-to-day activity. Each project will have a 'deep-dive' periodically through the year, which will allow the Improvement Board the opportunity to scrutinise progress, risks and issues.

The programme as a whole will report through to SLT and the Communities Themed Board.

Governance Model



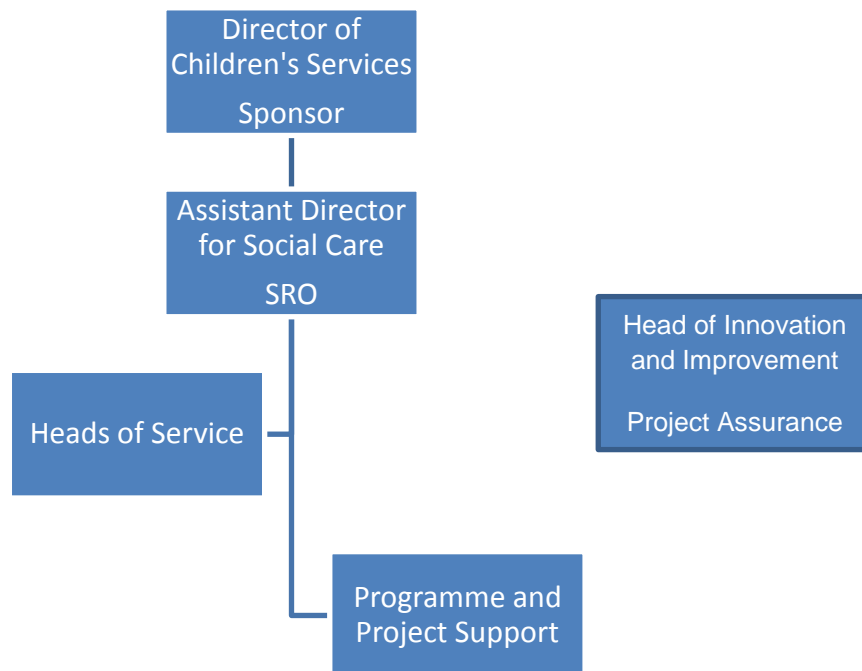
7 Deliverables/Dependencies

The programme has key milestones that need to be met, with a range of commitments, which need to be delivered, during the mobilisation period and throughout the programme.

Deliverable/ Product	Description	Owner	Date	Depends on
<i>Ofsted self-evaluation</i>	<i>Report on progress made against previous Ofsted inspection.</i>	<i>Sophie Ambler</i>	<i>30/04/2019</i>	<i>Contributions from all senior stakeholders</i>
<i>Deep dive reports</i>	<i>All providers to understand brief, discuss and establish their role</i>	<i>Sophie Ambler</i>	<i>24/04/2019 (and six weekly – 2 rolling per board)</i>	<i>Project groups</i>
<i>Training packages</i>	<i>There will be training needs and options per project, which will need to developed and delivered for all themes.</i>	<i>Project leads</i>	<i>As defined by projects</i>	<i>Workshop with partners and service users.</i>
<i>Supervision</i>	<i>Model of</i>	<i>Dave Tapsell</i>	<i>01/09/2019</i>	<i>Agreement from SMT</i>

Deliverable/ Product	Description	Owner	Date	Depends on
<i>Model</i>	<i>delivery for supervision across social care services.</i>	<i>and Jane Carroll (Robert South)</i>		
<i>Workforce development strategy</i>	<i>Approach to workforce development</i>	<i>Kate Dempsey</i>	<i>01/06/2019</i>	<i>Getting required approvals.</i>
<i>Social Care Academy public website</i>	<i>Public facing website for the offer from the Social Care Academy</i>	<i>Ali Omar and Kate Dempsey.</i>	<i>01/09/2019</i>	<i>Business case.</i>
<i>Corporate Parenting Strategy</i>	<i>Our approach and offer to supporting children in care and those leaving care.</i>	<i>Tendai Dooley and Ali Omar</i>	<i>30/04/2019</i>	<i>Getting required approvals.</i>
<i>Programme and Project resources</i>	<i>Roles, governance framework and setup of meetings and boards</i>	<i>Ali Omar and Sophie Ambler</i>	<i>Ongoing</i>	<i>Job descriptions</i>
<i>Project Initiation Documents</i>	<i>All projects require specifications and plans in place in order to meet objectives</i>	<i>Project Leads</i>	<i>31/01/2019</i>	<i>Having workforce in place</i>
<i>Benefits Realisation Plan</i>	<i>Document specifying how we will track key benefits and improvements across the programme.</i>	<i>Sophie Ambler and Ali Omar</i>	<i>01/06/2019</i>	<i>Project initiation documents and KPI document.</i>

8 Roles & Responsibilities



9 Constraints

- Impact on budgets of rising costs and demand.
- Unknown date of next Ofsted inspection.
- Senior Management changes.
- Evaluation capacity – currently unknown and support could need resourcing.
- Service capacity.
- Recruitment of key personnel to deliver objectives.

10 Assumptions

- The set budget is sufficient to deliver.
- There are no additional resources to invest.
- No further changes to legislation
- Whilst there could be a limited availability of people or skills, expected to have people in post by May 2019.
- Any wider activity that has an impact on the programme will be addressed at Improvement Board.
- Additional resources from the wider services and programme support unit will be available through the life of the programme.

11 Risks

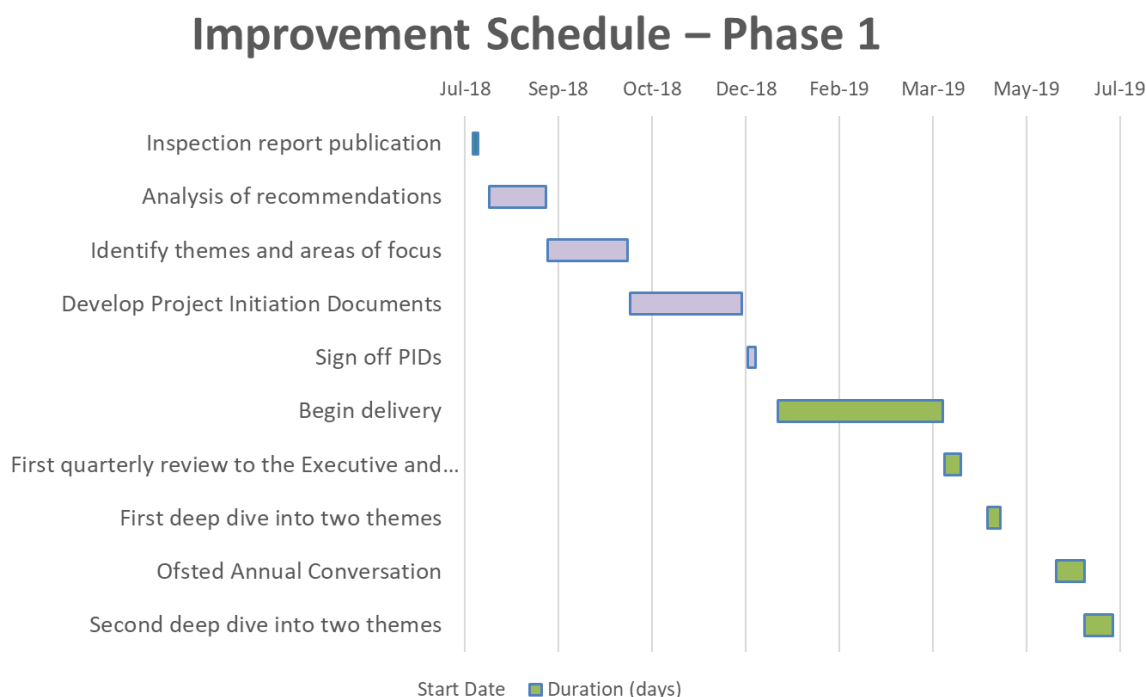
Risk Description	Likelihood H/M/L	Impact H/M/L	Owner	Mitigating Action (if known)
Recruitment of staff delays progress	L	H	Ali Omar	Develop robust comms plan and link with Recruitment Campaigns currently ongoing.
Resources are insufficient	L	H	Robert South (Tim Aldridge)	Manage budget effectively and report into Period financial cycle.
Staff cannot contribute due to competing demands with caseloads.	M	H	Robert South (Heads of Service)	Ensure there is sufficient time allocated to engage in service developments.
Demand of services increases, putting pressure on delivery	M	M	Robert South	Review capacity in service and raise exception to handle situation collaboratively.
Not showing enough progress	L	H	ALL	Ensure programme is governed in accordance with expectations and raise exceptions and issues as quickly as possible.
Practice developments are taking longer to implements	L	H	Robert South/Kate Dempsey	Test hypothesis through quality assurance framework and evaluation.

12 Issues

Issue Description	Severity H/M/L	Owner	Actions to Resolve (if known)
Programme and project resources are not in place	M	Kate Dempsey Ali Omar	Develop JDs, have roles evaluated and recruit.
Communications plan is not in place	H	Ali Omar	Develop, plan and arrange events and Board structure. Board sign-off required.
Stakeholder Map is not complete	H	Sophie Ambler	Conduct stakeholder analysis.
Benefits Realisation Plan (BRP) is not complete	H	Sophie Ambler	Complete BRP and have Board sign-off.

13 Project plan

The plan below shows the timeline to the Ofsted Annual Conversation. This will be updated monthly with new updates from the project boards.



14 Quality

Objectives

- To systematically reflect and evaluate the programme and its projects during their different phases.
- To identify strengths and potential for improvement.
- To determine priority areas where improvement in the project is necessary.
- To set goals for quality and to define measures for improvement.

The Quality Assurance of the programme will take place through three specific areas;

- The Service Improvement Project Manager will track the deliverables and outcomes, against the requirements and ascertain if they satisfy expectations. Quality criteria will be agreed and overseen by the Programme and Project Managers.
- The Improvement Board will monitor and review the deliverables and outcomes.

Appendix 1 Version History

Revision date	Revision by	Summary of Changes
10/03/2019	Ali Omar	Draft 1
18/03/2019	Ali Omar	Draft 2
10/04/2019	Ali Omar	FINAL

CABINET

Review of Private Sector Leased Accommodation

Subject Heading:

Review of Private Sector Leased Accommodation

Cabinet Member:

Councillor Joshua Chapman – Lead Member of Housing

SLT Lead:

Gerri Scott – Interim Director of Housing

Report Author and contact details:

Gerri Scott, Interim Director of Housing
01708 431991
Gerri.Scott@haverling.gov.uk

Policy context:

The policy context is associated with the Council's homelessness statutory duties.

Financial summary:

The likely financial impact of the Private Sector Leased Accommodation review and the funding options available.

Is this a Key Decision?

Yes, it has a significant effect on two or more wards

When should this matter be reviewed?

May 2020

Reviewing OSC:

Town and Communities

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

The purpose of this report is to provide information on the outcome of the review of housing and support needs of households living in Private Sector Leased accommodation (PSL).

The headlines of the review are:

- The current supply of PSL properties are needed to meet existing demand. However, the Council should diversify the supply of accommodation for homeless households in order to reduce the over-reliance on PSL properties in the long term.
- The financial position, although dependent on Government support grant, is currently being contained.
- There are a small number of households who are either overcrowded or under-occupying their current accommodation. Therefore, the Council should seek to move them into alternative temporary accommodation with the number of bedrooms that they need.
- There are a small number of households who will have no homeless statutory requirement for housing, but in view of the length of time they have been in PSL accommodation, they will have a reasonable expectation that they will be rehoused by the Council. Therefore, the Council should continue to provide them with suitable accommodation.
- There are a small number of households who have significant support needs. Therefore the Council should keep them near their support network should they need to move.
- There are a small number of households who were homeless prior to 9th November 2012 (Pre-localism Act). As these households have lived in temporary accommodation for more than 6 years, the Council should consider offering them a social tenancy, or if the households are in agreement, offer private rented accommodation as the pre-localism act required the individual to agree to an offer of private rented accommodation. The offer of social housing should be managed through a lettings plan, in order to minimise any adverse impact on other households on the Council's housing register.
- The majority of the households in temporary accommodation were homeless after 9th November 2012 (Post-localism Act). The Council is required to continue to provide them with temporary accommodation until they are either offered social housing or suitable private rented accommodation. In view of demand and supply pressures, the Council should seek to develop a new

supply of accommodation from the private sector market at local housing allowance rent levels, in order to meet this ongoing housing need.

RECOMMENDATIONS

The Cabinet is asked to:

1. **Note** the outcome of the review.
2. **Agree** that officers carry out the recommended actions in the report.

REPORT DETAIL

1. Background

- 1.1. In October 2004, the Council introduced a Private Sector Leasing Scheme (PSL) whereby the Council leases properties from private sector landlords as temporary accommodation for households in housing need. The scope of the scheme was extended in 2007 and 2008 to include non-statutory homeless clients.
- 1.2. Changes in central Government policy in 2010 and 2011 eroded the margin between the rental income levels and payments to owners. This is because a cap was imposed on the maximum amount of housing benefit that the Council can claim back for the cost of temporary accommodation. The amount has been set across the country for 1- 4 bedroom properties at 90% of Local Housing Allowance (LHA) as of January 2011. In addition, Councils were previously allowed to claim an additional £40pw for properties within London and £60pw for properties outside London, to cover the management costs of the accommodation. This was also removed from 1st April 2017 and replaced by a flexible homeless support grant which is paid yearly (subject to review this year).
- 1.3. PSL has been the Council's major source of temporary accommodation (TA). Over the last two years, the PSL stock has been reducing, a large proportion of which were taken back at lease end by the landlord.

- 1.4. This is not just a Havering issue and pressures are being seen at national and regional level. Affordability of housing supply is becoming more of a challenge locally. However this is not just about housing numbers, but the effect on people and families. The journey into stable, affordable housing has changed and the uncertain future for families creates a pressure on support networks.
- 1.5. The Homeless Placements policy, approved in June 2016, describes the Council's approach for homeless prevention and where necessary, placements into interim and long-term temporary accommodation and then settled private rented sector accommodation.
- 1.6. Since April 2018, with the introduction of the Homelessness Reduction Act, there is an additional focus on prevention as the Council can work with households much earlier on, preventing homelessness, by seeking alternative private rented accommodation before the resident becomes homeless. This means that there has been a shift away from temporary accommodation to private rented accommodation in the general market. The evidence to date shows that the service has had significant successes in this new approach but it is too early to assume that demand will be less going forward.
- 1.7. With increasing demand on the homelessness service and with a view to understanding the housing and support needs of those in PSL accommodation to whom the Council has not yet accepted a duty (non-statutory homeless), in July 2018, officers sought to commence a review of these households. Following concerns raised by residents, this was paused.
- 1.8. A commitment was given to all PSL households by the Leader in his letter dated 17th July 2018 that a review of their housing and support needs would be undertaken before any further action is taken. At the All Member briefing on 15th August 2018, the approach and timescale of the review was confirmed. A letter was sent to all PSL households on 10th September 2018 setting out the next step of the review and the timescales. A copy of the letter was shared with all ward members in advance.
- 1.9. The principles of the review were:
 - To help find the right stable, sustainable, housing solution for people living in temporary accommodation
 - To determine housing need where a duty has been established
 - To ensure details are up to date so residents have the right banding regarding access to affordable housing

- To work with families and agencies to help ease pressures associated with key aspects affecting their housing choices
- To identify housing solutions options and work with families to secure them.

1.10. The review has been carried out in 4 substantial areas:

- A desktop review which has collated the data held in systems and files on the circumstances currently known about our residents
- Face to face meetings between an officer and each family or person to ensure that we understand everything about them and their housing situation
- Detailed and considered assessments and open dialogue looking at what type of solution is available
- Working towards stable housing provision and sustainable housing options

2. Review findings

2.1. There are 881 households living in PSL accommodation and officers contacted all of them to arrange a visit, at a time convenient to them in order to carry out the review.

2.2. A summary of the responses are as follows:

- 686 (78%) were assessed,
- 43 (5%) declined the assessment,
- 152 (17%) failed to respond, despite numerous communication to arrange appointments with them so that the review can be carried out in their homes. They were telephoned at least 4 times, voice messages left on their phones and a letter sent asking them to make contact with officers in order for the review visits to be carried out.

2.3 Further detail of the findings is provided in Parts 1 and 2 below.

2.4 Part 1

2.4.1. 686 (78%) of the households living in PSL accommodation, have been assessed. The outcome has provided the Council with more clarity about the housing and support needs of households living in PSL accommodation. This is summarised below.

2.4.2. Financial circumstances

637 (93%) of the households are either fully or partially dependent on housing benefit and 49 (7%) are in full time employment. Further breakdown is provided in Table 1.

Table 1:

Full benefits	412	60%
Partial benefits	225	33%
Full-time employment	49	7%
Total	686	

2.4.3. As the majority of the households depend on benefits to meet their rental payments, rents on any future housing solutions should be based on local housing allowance levels to make it affordable to homeless households.

2.4.4. Overcrowded and under-occupying households.

533 (78%) of the households are living in the right size accommodation. However, 153 (22%) of the households are living in accommodation that is either too small or too big for their household.

Table 2: Accommodation size

Households in the right size accommodation	533	78%
Overcrowded households	117	17%
Under-occupying households	36	5%
Total	686	

2.4.5. 117 (17%) of the households are overcrowded in their current accommodation, as their families have grown since they were first offered the properties. Most of them need one extra bedroom as shown Table 3.

Table 3:

Breakdown of current and required bedroom size	
In 1 bed and need 2 bed	60
In 1 bed and need 3 bed	4
In 2 bed and need 3 bed	36
In 2 bed and need 4 bed	1
In 3 bed and need 4 bed	15
In 3 bed and need 5 bed	1
Total	117

2.4.6. 36 (5%) of the households are under-occupying their current accommodation due to changes in their circumstances. Again, most of them need one less bedroom as shown in Table 4. As they are under-occupying the accommodation, it is likely that they will only receive the level of housing benefit for the size of property they need, which can result in rent payment difficulties.

Table 4:

Under-occupiers - breakdown of current and required bedroom size	
In 4 bed and need 3 bed	9
In 4 bed and need 2 bed	2
In 3 bed and need 2 bed	20
In 3 bed and need 1 bed	3
In 2 bed and 1 bed	2
Total	36

2.4.7. Support needs

189 out of 686 (27%) of the households have significant support needs, which are detailed below:

- 76 residents are either receiving care from someone in the household or providing care to someone in the borough. Their housing stability is essential for the family member's wellbeing.
- 36 residents have severe medical conditions and are receiving on-going hospital treatment. However, their medical circumstances are not being made worse by their current accommodation; for example the right size and floor level with good facilities.
- 60 households have dependent children at key stages of their education (GSCE/A-Levels) and their housing stability is essential in order to minimise disruption to their education.
- 17 households are receiving support from either Social Care or other support agencies. The support received consists of a mixture of practical, emotional and financial support to help the households to manage their lives and remain independent. It is essential that they continue to access the support services.

2.4.8. All the support needs identified should be taken into account should these households need to move to alternative temporary or settled accommodation, to ensure that they remain near to their support network.

2.4.9. Non-duty households

There were 250 non-duty households at the beginning of the review. These are households who did not meet the statutory homeless criteria at the time they were placed in PSL accommodation. 201 (80%) of them have been re-assessed based on the current homeless legislation.

2.4.10. Based on the re-assessment, 162 out of 201 (81%) will be owed a homeless duty and only 39 out of 201 (19%) will not be owed a homeless duty should they lose their current accommodation.

- 2.4.11. The households, who will not be owed a homeless duty, are either single people or couples with no dependent children. They are also not considered vulnerable as they have the capacity to find and keep accommodation. However, in view of the length of time they have been in PSL accommodation, they will have a reasonable expectation that they will be rehoused by the Council. Therefore, the Council should continue to provide them with suitable accommodation.

2.5. Part 2

- 2.5.1. 152 (17%) of the households living in PSL accommodation have not been assessed, as they have failed to respond to any contact made by telephone and letter requesting to arrange home visit appointments in order to carry out the assessment. This total includes 49 non duty households.
- 2.5.2. Officers will carry out unannounced visits to their properties in order to check occupancy and/or assess their current housing and support needs.
- 2.5.4. The outcome of their assessment will be actioned in line with the management approach principles set out in this report.

3. Analysis of supply and demand and recommended response

- 3.1. In addition to the review of the housing and support needs of the households, an analysis of supply and demand of temporary accommodation based on current homeless households was also carried out.
- 3.2. The findings are broken down into two broad categories based on the different legislative requirements and the duties that the Council has.
- (A) Pre-localism Act households - these are households who applied as homeless before or on 9th November 2012 and the Council's housing duty to provide temporary accommodation continues until they are either offered social housing or if they are in agreement, a private rented accommodation. There are a total of 145 households in this category, of which 141 are in PSL and 4 in regeneration short-life properties.

Realistically most of these households are unlikely to agree to an offer of private rented accommodation. They are currently awarded a 'Homeseeker' priority band in line with the current Housing Allocation policy and the estimated waiting time for households on the 'Homeseeker' priority band is approximately 4 – 8 years, depending on the bedroom size required and area of preference.

As these households have lived in temporary accommodation for more than 6 years, the Council should consider making one direct offer of suitable social housing over a 5 year period. This will mean offering approximately 29 properties a year for these households and a separate

lettings plan should be developed for approval in order to minimise any adverse impact on other priority groups who need to move, such as tenants on regeneration estates and choice based lettings. The current Housing Allocation Policy allows for properties to be offered to a specific group where it is in the overriding interest of the Council to do so in order to make best use of resources. There are approximately 400 social housing properties available to let each year.

- (B) Post-localism Act households - these are households who applied as homeless after 9th November 2012 and the Council's housing duty to provide temporary accommodation continues until they are either offered social housing or suitable private rented accommodation with a one-year tenancy.

This is the largest group of residents that the Council has in temporary accommodation. There are a total of 998 households in this category, of which 740 are in PSL, 190 in regeneration short-life and 68 in the council's hostel accommodation.

Therefore, the Council should seek to develop a new supply of properties in the private rented sector at local housing allowance rent levels to meet the on-going housing need of these households.

REASONS AND OPTIONS

Management approach:

In summary, the outcome of the review to date enables the Council to draw conclusions over the future use of PSL accommodation. In addition, officers should carry out the management actions identified in the report based on the following principles:

1. Supply and demand

The Council is short of accommodation alternatives and although new demand has been effectively managed through prevention of homelessness, there is an ongoing need for accommodation to continue to meet the housing need of existing homeless households.

Currently, the regeneration short-life properties are being used to fill the gap between supply and demand when PSL landlords cancel their lease arrangements with the Council. However, many of the short-life units will be required for redevelopment over the next 5-6 years. Therefore, the current supply of PSL properties is needed to continue to meet the housing need of existing households.

In order to reduce the reliance on PSL properties with landlords terminating leases at any time, the Council should seek to diversify the sources of supply of both temporary and settled accommodation for homeless households by developing a mixed portfolio of properties at local housing allowance rent levels. Officers should look into different scheme options and develop costed proposals in order to create sufficient alternative supply.

2. Overcrowded and under-occupying households

The households who are either over-crowded or under-occupying their current accommodation, should be moved into alternative suitable temporary accommodation in order to alleviate overcrowding as well as release much needed larger accommodation for other families who need it.

3. Non-duty households

The non-duty households should continue to be accommodated in their current accommodation until suitable settled accommodation is secured for them.

4. Households with significant support needs.

Their support needs should be taken into account when decisions are made about the type of alternative accommodation that is suitable for them in order to keep residents near their support network.

5. Pre-localism Act households

The 145 Pre-localism Act households who have lived in temporary accommodation for more than 6 years should be offered a social tenancy over a 5 year period. Officers should develop a lettings plan on how this process will be managed to minimise any adverse impact on other households on the Council's housing register.

IMPLICATIONS AND RISKS

Financial implications and risks:

The cost associated with the provision of temporary accommodation is currently contained within the budget, but this is supported by a £1.8m grant, which will be available in 2019/20. There will also be an additional £400k allocated to the base budget from 2019/20.

However, the Government is reviewing whether to continue to provide this support grant beyond 2019/20, which may result in a budget pressure of £1.4m from 2020/21, subject to demand not increasing.

It is anticipated that the proposed change in approach to develop a mixed portfolio of accommodation will result in additional costs associated with acquiring new properties. New funding will be required for this scheme to be delivered.

Other management actions such as, moving households to alternative suitable accommodation will result in removal costs being incurred. These additional costs can be funded from the existing budget.

Legal implications and risks:

The Council has various duties in relation to homeless households and in respect of child protection/safeguarding.

The main area of legal risk comes from the proposal to make a direct offer of Part VI accommodation to pre-Localism Act households (*i.e.* those who applied as homeless prior to that Act coming into force in 2012 and who have been accommodated by the Council since). More specifically, the risk is of a potential judicial review challenge by someone who is not a member of that group but is on the housing register. This risk of such challenge arising is considered to be low. The merits of any such challenge cannot be determined at this point. The Report refers to the allocation scheme permitting direct offers to specific groups where it is in the overriding interest of the Council to do so. The Council's reasons for adopting such course should be fully minuted so that, in the event of a challenge, those can be easily discerned.

Human Resources implications and risks:

There are no HR implications as a result of the review.

Equalities implications and risks:

There are no equalities implications as a result of the review. The report focuses on the outcome of the review of the housing and support need of existing PSL residents and provision of alternative supply of accommodation for homeless households in line with existing policies.

BACKGROUND PAPERS

Homeless Placements Policy 2016

https://www.havering.gov.uk/download/downloads/id/1591/homeless_placements_policy.pdf

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CABINET

Subject Heading:

8 May 2019

Private Sector Housing Enforcement Scheme Two. To Consult on Proposal to Expand Additional Licensing for Housing of Multiple Occupation and Introduce Selective Licensing.

Cabinet Member:

Councillor Persaud

SLT Lead:

Caroline Bruce Director of Neighbourhoods

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Policy context:

Following the decision taken at Cabinet in October 2017 (Private Rented Houses in Multiple Occupation Landlord Licensing Designation, Implementation and Enforcement), Cabinet will be asked to give approval to consult on the proposal to expand the Additional Licensing for Houses in Multiple Occupation and to introduce Selective Licensing.

Financial summary:

There is a cost to running the statutory consultation. This will be met within existing budget

Is this a Key Decision?

Significant effect on two or more Wards

When should this matter be reviewed?

October 2019

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering

[x]

[x]

SUMMARY

- 1.1 This report provides an update of the Additional Licensing Scheme for Housing of Multiple Occupation (HMO), which was agreed in October 2017 and has been in operation since 1 March 2018.
- 1.2 The report presents a proposal for extending discretionary licensing in the Borough, the legal evidential test required to be met and a recommendation to proceed with a statutory consultation.
- 1.3 The scheme proposed to be consulted on has been determined from a Housing Stock Condition and Stressors Report (Appendix 1) which provides information about the number of privately rented properties by ward, stock condition, anti-social behaviour linked to rental properties and other housing stressors. The option recommended meets the evidential criteria set out by legislation.
- 1.4 The key recommendation in the report is to seek agreement to conduct a statutory consultation exercise on extending the discretionary licensing scheme.

RECOMMENDATIONS

Cabinet is asked to:

1. Note the progress report on the Additional Licensing Scheme for HMOs introduced in March 2018.
2. Authorise commencement of a consultation on extending the coverage of the Additional Licensing Scheme for HMOs (approved by Cabinet on 11th October 2017) to cover the remaining six wards in the Borough, which are Cranham, Emerson Park, Hacton, Hylands, St Andrews and Upminster.
3. Authorise commencement of a consultation on a Selective Licensing Scheme for Romford Town and Brooklands wards.
4. Note that, if it is agreed to proceed with the consultation, the results of the consultation will be presented to Cabinet in autumn 2019.

REPORT DETAIL

2. Havering's current Additional Licensing Scheme for HMOs and proposal for extending discretionary licensing.

2.1 Havering introduced Additional Licensing to cover all HMOs in 12 of 18 wards in late 2017 and enforcement of the scheme commenced in March 2018. The scheme mandates that all shared dwellings (properties with 3 or more persons and 2 or more households) must licence with the Council. The scheme covers less than 3% of Havering's total PRS. The scheme has been well received and has enabled the Council to deliver a number of complex private rented sector (PRS) regulatory interventions over the last 12 months, including:

- **25** multi-agency operations, involving Police and Home Office Enforcement Officers.
- **131** Financial Penalty Notices with a value of **£373,750**.
- **209** licence applications received.

2.2 It is too early to assess what the impact of the scheme will be over the 5 years; however early indicators are that licensing is an effective tool to tackle criminal landlords and disorderly tenants in Havering.

2.3 As can be seen from the outputs above, licensing has provided a legal platform from which to increase the effectiveness of the service in tackling poor housing conditions and management in the borough. It has led to the uncovering of previously unknown criminal activity.

2.4 As well as licensing enforcement, the service is now using all its statutory powers to address serious hazards and disrepair cases amongst the 97% of PRS properties not covered by the current additional licensing scheme.

2.5 The legal framework for Additional Licensing is set out in detail in the Cabinet Reports of 18th January 2017 and 11th October 2017. Additional licensing provides a power for local authorities to licence HMOs not covered by Mandatory licensing. Before designating further areas for Additional Licensing, the Authority must be satisfied in its evidence in relation to each proposed area, that it considers that a significant proportion of the HMOs of the relevant description in the area are being managed sufficiently ineffectively as to give rise to, or to be likely to give rise to, one or more particular problems either for those occupying the HMOs or for members of the public.

2.6 Selective licensing allows local authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact of poorly rented properties on the local environment and to improve housing conditions. Under Section 80 of the Housing Act 2004, a local authority can designate the whole or any part(s) of its area as being subject to Selective Licensing. Where a Selective Licensing Designation is made it applies to all Part 3 houses or flats which are privately rented (as set out in section 79 and 99 of the Act). Exemptions apply for example for registered social landlords.

2.7 If the local authority makes a Selective Licensing Designation that covers

- i) 20% or less of its total geographical area and
- ii) includes less than 20% of its privately rented properties,

then the scheme will not need to be submitted to the Secretary of State for Communities and Local Government (DCLG) for approval. (Larger Selective Licensing Schemes covering a wider designation or whole borough will require specific Government approval).

2.8 Before the Council introduces a Selective Licensing Scheme applying to non HMOs, under The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 they must be satisfied it is in an area in which one or more of the following general conditions apply;

- i. That the area is, or is likely to become, an area of low housing demand;
- ii. That the area is experiencing a significant and persistent problem caused by antisocial behaviour;
- iii. The area has poor property conditions;
- iv. The area has high levels of migration;
- v. The area has high levels of deprivation;
- vi. The area has high levels of crime.

2.9 The authority must also be satisfied that making the designation will when combined with other measures in the area by the local housing authority (or by other persons together with the local housing authority) lead to a reduction in, or elimination of, the problems).

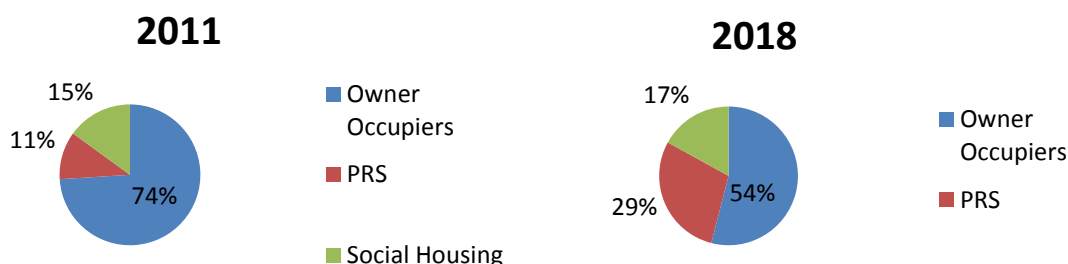
2.10 Prior to adopting the extension of the additional licensing scheme and introduction of the selective licensing scheme in the proposed wards the local authority must consider a) whether there are other courses of action available that might provide an effective method of achieving objectives that the

designation would be intended to achieve and b) that making the designation will significantly assist it to achieve the objective or objectives.

3. Havering's Private rented sector (PRS)

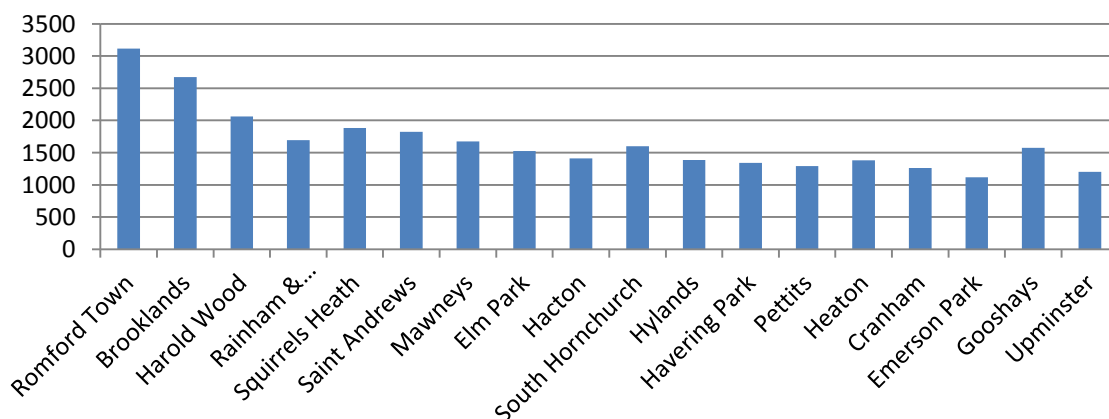
3.1 The PRS has grown rapidly in Havering since 2001. Population growth, lower London median rents and new transport infrastructure are factors.

3.2 The service has commissioned consultants to report on Havering's housing stock condition and stressors (**Appendix 1: Havering Housing Stock Condition and Stressors Report 2019**). The report calculates that Havering's PRS is now 30,215 (29% of total housing stock) (Graph 1), including up to 1300 HMOs.



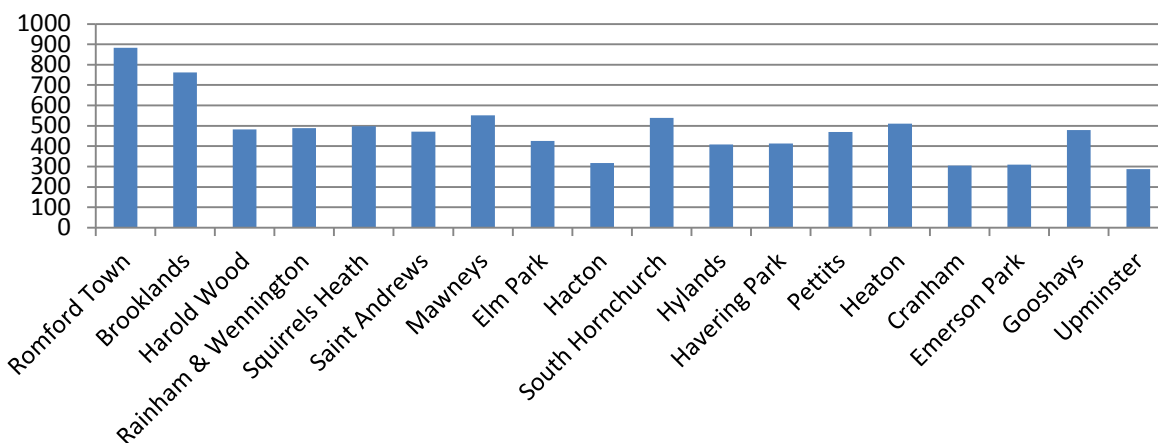
Graph 1 - Tenure profile 2011 to 2018 (ONS & Metastreet data)

3.3 Romford Town and Brooklands wards have the highest number of PRS properties (Graph 2).

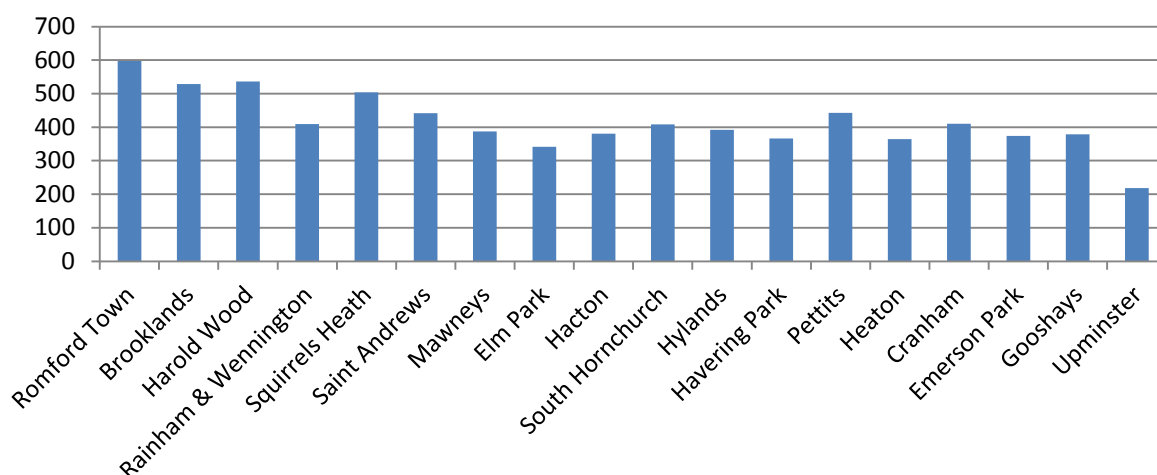


Graph 2 - Number of PRS dwellings by each Havering ward

3.4 The report also concludes that PRS properties have been a source of 8,600 recorded ASB incidents since 2013 (Graph 3), and 7,400 (24.5%) properties are predicted to have serious home hazards (Category 1). This includes damp, mould and electrical faults amongst others (Graph 4).



Graph 3 - Number of ASB incidents linked to PRS 2013-18



Graph 4 - Predicted number of properties with serious housing hazards (Category 1)

3.5 To introduce discretionary licensing as set out in the recommendations above, the Council must demonstrate that conditions exist in the Borough to meet the legal evidential tests as set out in this section. The evidence collated in the Housing Stock Condition and Stressors Report meets the tests for the proposed selective licensing scheme.

- Brooklands and Romford Town have more than 19% of the housing stock that is privately rented.
- There are a significant number of properties in poor condition in Brooklands and Romford Town.

- Finally, there is a significant proportion of the HMOs of the relevant description in the area being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems; either for those occupying the HMOs or for members of the public.

3.6 This is the case for the proposed extension of Additional Licensing in the remaining six wards in the Borough namely Cranham, Emerson Park, Hacton, Hylands, St Andrews and Upminster.

3.7 Before making the proposed designations as set out above the Council has a duty to formally consult all persons likely to be affected and to consider any representations made.

4. East London Context

4.1 Rapid PRS growth has been seen across east London over the last 15 years. The policy response has generally been greater regulation of the market through property licensing to mitigate some of the concerns that accompany large and growing PRS populations. Havering currently has the lowest level of PRS licensing of any outer east London borough.

REASONS AND OPTIONS

5. Reasons for the decision:

5.1 The number of privately rented properties in Havering is high and still growing. Through the experience gained from the operation of the Additional Licensing Scheme for HMOs and the Housing Stock Condition and Stressors Report 2019 circumstances exist justifying an extension of discretionary licensing in the Borough. There is a significant proportion of rental accommodation which is below standard and requires intervention.

5.2 A consultation exercise is legally required before any decision can be made before introducing further licensing.

6. Other options considered:

6.1 A number of other options were considered:

- **Do nothing** - Continue with existing Additional Licensing HMO Scheme for 12 of 18 wards.
- **Selective scheme covering more wards** - Introduce a larger selective licensing scheme in all wards to cover single family properties, except Upminster and Cranham wards.
- **Borough wide Selective scheme** - Introduce selective licensing borough wide.

IMPLICATIONS AND RISKS

7. Financial implications and risks:

7.1 In respect to the consultation for the proposed Additional and Selective Licensing Schemes a fee proposal will be included in the consultation and may vary depending on the final size of the scheme. The larger the number of properties covered, the cheaper per unit the scheme will be due to economy of scale savings. The schemes will also strive to be self-funding reducing the requirement for general funding.

7.2 A financial model has been developed which broadly sets out the range of fees taking into account forecasted income and expenditure based on the predicted number of properties that may be licensed. These fee levels will be included in any consultation, inviting comment from those affected.

7.3 Fees must be set at a level which meets the cost of the scheme, be justified and structured in a way that is legally compliant. No surplus can be made.

7.4 The cost of the consultation will be met from existing budgets.

8. Legal implications and risks:

8.1 This report seeks Members approval to commence formal consultation exercise to extend the existing additional HMO licensing scheme to a further 6 wards as set out in the report and to introduce a selective licensing scheme in the wards of Brooklands and Romford Town. Under the Housing Act 2004 a Local Authority has the power to designate the whole or any parts of its area as being subject to Selective Licensing and/or Additional Licensing for Houses in Multiple Occupation.

8.2 Under section 80 of The Housing Act 2004 a Local Authority can designate whole or any parts of its area subject to Selective Licensing and this applies to privately rented properties in the area. Before designating a Selective licensing area, the Council must consider;

- a) The area is or is likely to become an area of low housing demand and that the conditions in the areas will be improved by the designation combined with other measures or;
- b) That the area is experiencing a significant and persistent problem caused by anti-social behaviour which is not being dealt with by private landlords and that designation will in combination with other measures lead to a reduction in or elimination of the problem.

8.3 Under The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 a Selective Licensing designation may be made if the area to which it relates satisfies one or more conditions as set out in paragraph 2.8 of the report.

8.4 Before designating further areas for Additional Licensing, under section 56 (2) of the Housing Act 2004 the authority must be satisfied that a significant proportion of the HMOs of the relevant description in the area are being managed sufficiently ineffectively as to give rise to, or to be likely to give rise to, one or more particular problems either for those occupying the HMOs or for members of the public. A significant proportion means a proportion of the overall HMOs of the description falling within the proposed designation which the Authority considers to be significant (bearing in mind local conditions). This test applies to each area proposed for Additional licensing.

8.5 Before the designations are made, the Authority must consider the matters set out in paragraphs 2.9 and 2.10. They must also ensure they are consistent with the overall Housing strategy and must seek to adopt a co-ordinated approach in tackling homelessness, empty properties and antisocial behaviour in the privately rented sector whether on its own or in combination with other measures.

8.6 From 1st April 2015 a local housing authority will need to apply to the DCLG for confirmation of a Selective Licensing scheme which covers more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area. If the local authority makes two designations at the same time, each of which account for less than 20% of the area or privately rented stock but cumulatively account for more than 20% of

either, both schemes will need to be submitted to the Secretary of State for approval. Therefore it is vital the data and evidence gathered by the Authority is carefully analysed to determine whether or not it meets this threshold.

8.7 The Council must take reasonable steps to consult with persons likely to be affected by the proposed designations such as local residents, businesses, landlords, tenants, and managing agents within the proposed and surrounding area. Even if the designation does not require confirmation of Secretary of State due to its extent, the formal consultation must be prescribed for a minimum period of not less than 10 weeks. To ensure an effective consultation, it must take place when the proposals are at a formative stage, it should include sufficient reasons for the proposals to enable the consultees to consider them and respond intelligently, and the responses must be taken into account before a decision is made.

8.8 There should also be sufficient detail on the proposed fee structure. Once both proposed schemes have been fully drafted for formal consultation the designations may be challenged by judicial review. The Council will need to consider alternative options in the event of a successful challenge. The time limit for issuing a claim for judicial review is three months from date of designation.

9. Human Resources implications and risks:

9.1 There are no HR implications at this time as this report only relates to a consultation exercise. Further HR implications will be considered as part of any report on a decision to extend licensing if proposed.

10. Equalities implications and risks:

10.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- i. the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- ii. the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- iii. foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

10.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

10.3 An equalities assessment has been carried out; there is no significant impact on any of the protected characteristics. The assessment is attached as an appendix.

Appendices

1. Havering Housing Stock Condition and Stressors Report 2019
2. Equality and Health Impact Assessment

BACKGROUND PAPERS

Cabinet Report October 2017: Private Rented Houses in Multiple Occupation
Landlord Licensing Designation, implementation and enforcement

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London Borough of Havering

Private Rented Sector: Housing Stock Condition and Stressors Report

Russell Moffatt & Pip Watson

February 2019



Executive Summary

It has been a number of years since the London Borough of Havering reviewed the housing stock in the borough and assessed housing stressors related to key types of property tenures, particularly in the private rented sector.

The detailed housing stock information provided in this report will facilitate the development and delivery of Havering's housing strategy and enable a targeted approach to tackling poor housing, particularly in the private rented sector.

The main aim of this review was to investigate and provide accurate estimates of:

- Current levels of private rental sector (PRS) properties and tenure change since 2001
- Information on the number of Houses in Multiple Occupation (HMOs) as a subset of the PRS
- Levels of serious hazards that might amount to a Category 1 hazard (HHSRS)
- Other housing related stressors, including antisocial behaviour (ASB), council tax arrears, tenants' complaints of disrepair etc
- Assist the council to make policy decisions, including the introduction of property licensing schemes under Part 2 and Part 3 of Housing Act 2004

Metastreet has developed a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors. This approach has been used by a number of councils to understand their housing stock and relationships with key social, environmental and economic stressors.

The housing models are developed using unique property reference numbers (UPRN) as keys, which provide detailed analysis at the property level.

Data records used to form the foundation of this report include:

- Council tax
- Housing benefit
- Electoral register
- Private housing complaints and interventions records

- Planning complaints and interventions records
- ASB complaints and interventions records
- Experian Mosaic records

Key Findings

- There are a total of 105,798 residential properties in Havering, 29% (30,125) of which are PRS, 54% are owner occupied and 17% socially rented.
- 7480 PRS properties have category 1 HHSRS hazards. This represents 25% of the PRS stock, i.e. 1 in 4 rental properties have serious hazards.
- The highest concentration of PRS properties are located in Romford Town and Brooklands wards
- The data modelling predicts that Havering has 1310 HMOs
- HMOs as a subset of the PRS in Havering, have high rates of ASB and category 1 (HHSRS) hazards
- The highest concentration of HMOs can be found in the Romford Town and Brooklands wards.

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1. Introduction

1.1 Project Objectives

Metastreet was commissioned by the London Borough of Havering to review its housing stock with a focus on the following key areas:

- Residential property tenure changes since 2001
- Housing age profile
- Distribution of the private rented sector (PRS)
- Condition of housing stock in the PRS
- Tenure and housing related stressors, including Anti-Social Behaviour (ASB)

The report provides the council with the evidence base for developing housing policy and service interventions. The report also satisfies the council's responsibility to review its housing stock as set out under Part 1, Section 3 of the Housing Act 2004.

The first section of the report has collated a wide range of publicly held data to understand population, households and property economics, including 2011 Census, ONS, valuation office and public health data, and council held data.

The second section details the findings of the stock and tenure modelling, and the methodology used. Havering's data warehouse and the use of predictive analytics have been used to pinpoint tenure type and identify property conditions within the boroughs PRS housing stock. An advanced property level data warehouse house has been used to identify property tenure to facilitate the stock and tenure analysis. A large sample of properties with poor housing conditions has been used to predict housing conditions across the stock.

For the purposes of this review, it was decided that a ward-level summary is the fairest and most appropriate basis to assess housing conditions across Havering, built up from property level data.

Four separate predictive tenure models have been developed as part of this project which are unique to Havering, they include:

- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- Owner occupiers
- PRS Housing hazards (Category 1)

The third section provides a housing policy overview and uses this to provide further analysis of the tenure modelling information to determine if characteristics exist in the Borough to support any specific action.

The appendices at the end of the report contain a summary of the various PRS enforcement interventions available to the council plus some case studies provided by the team as examples of recent interventions.

2. About Havering

2.1 Introduction

The London Borough of Havering (LBH) is the third largest geographical borough in London and contains eighteen electoral wards. It is mainly characterised by suburban development, with almost half of the area dedicated to open green space, particularly to the east of the borough.

There are 105,798 properties in Havering, according to council records (November 2018). The Borough has a high proportion of residential properties built between the First and Second World Wars. New house building since the 1960 has generally been lower than the national average up to 2014.

In the published census data in 2011 the PRS was reported to be 10% of the total stock. The PRS profile has increased substantially since 2011 and is now estimated to be 29% in Havering. This increase is also seen across London.

The principal town of Romford is densely populated and is an area of major metropolitan retail and night time entertainment. The southern part of Havering is within the London Riverside section of the Thames Gateway redevelopment area and will be an area of increasing development and population change.

Havering is a relatively affluent local authority but there are pockets of deprivation to the north (Gooshays and Heaton wards) and south (South Hornchurch) of the borough.

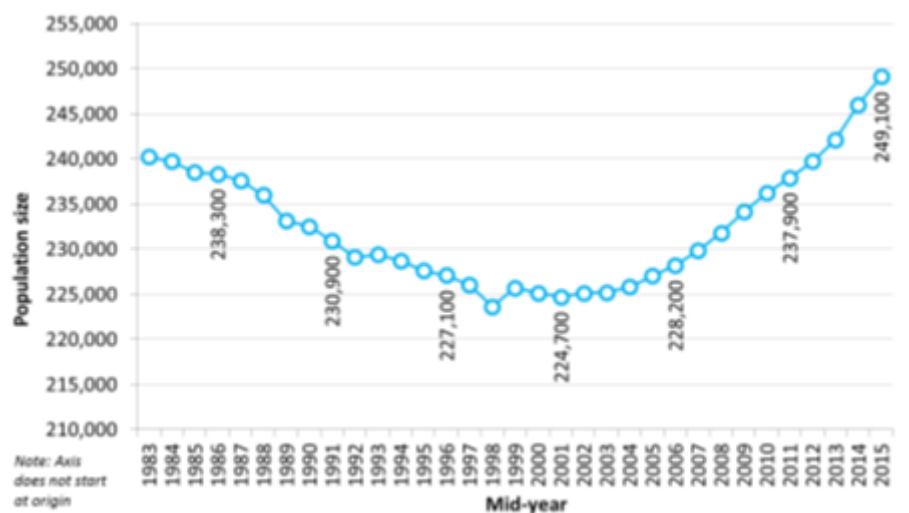
2.2. Population Profile

Havering has experienced a rapid population growth as a result of migration in the last 15 years.

Following a net population loss of 6.3% from 1983 (240,200) to 2002 (225,100), the population of Havering has increased year on year from 2002, with a 10.7% increase from 2002 to 2015 (Fig. 1)¹.

¹ *This is Havering 2017. A Demographic and socio-economic Profile. Some Key Facts and figures. V 2.4* (Marc, 2017) London Borough of Havering Public Health Service http://www.haveringdata.net/wp-content/uploads/2017/04/This-is-Havering_Havering-Demographic-Profile_Main-Document-v2.4.pdf

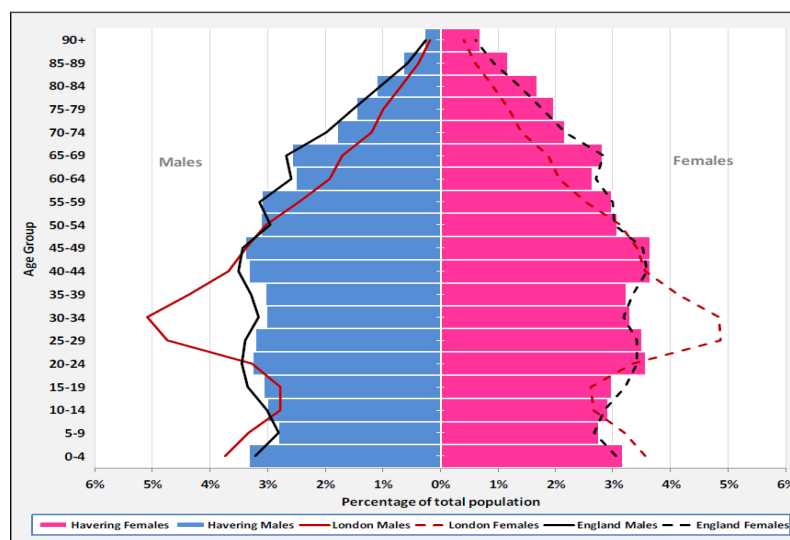
Figure 1: Change in population, London Borough of Havering 1993-2015



Source: mid-year population estimates, ONS cited in 'This is Havering, LBH (2017)'

The estimated population of the London Borough of Havering is 252,783. It has the oldest population in London with a median age of approximately 40 years old. However, from 2011 to 2016, Havering experienced the largest net inflow of children across all London boroughs. 4,580 children settled in the borough from another part of the United Kingdom during this six-year period.

Figure 2 - Population pyramid 2016, source: - ONS, Public Health Intelligence



Source: - ONS, Public Health Intelligence

Most existing data related to households is from the 2011 census. In Havering households are mainly composed of pensioners and married couples with dependent children. In 2011, there were 7,224 one-adult households with children under 16 in Havering. This is an increase from 2001 when there were 4,005 lone parent households. There has also been an increase in the number of one-adult households with no children. 32% (13,449) of the population aged 65 years and above are living in one-person households. Almost half (48%) of all one person households in Havering are occupied by persons aged 65 years and over, which is the highest proportion in London

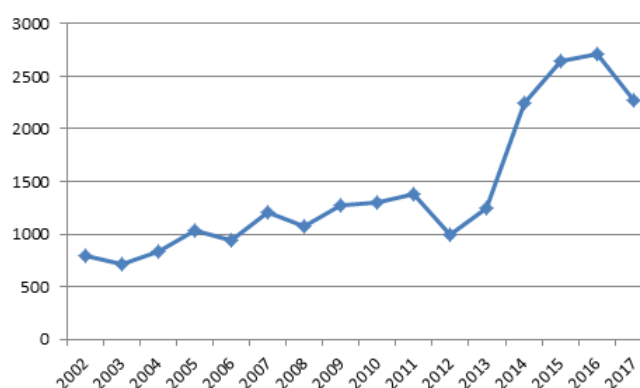
It is projected that the largest increases in population will occur in children (0-17 years) and older people age groups (65 years and above) up to 2033.

The life expectancy at birth for people living in Havering is 80.2 years for males and 83.9 years for females. About 18% of working age people living in Havering disclosed that they have a disability or long-term illness.

Havering is one of the most ethnically homogenous areas in London, with 83% of its residents recorded as White British, higher than both the London and England averages. About 90% of the borough's population were born in the United Kingdom.

National Insurance number registration to adult overseas nationals entering the UK have more than doubled in Havering since 2012 even though there was a slight downturn last year as shown below in Figure 3 (DWP 2018)².

Figure 3 National Insurance number registration to adult overseas nationals entering the UK 2002-2017



Source: NI number allocations. DWP. November 2018

² National Insurance number allocations to adult overseas nationals entering the UK. Statistics on National Insurance number allocations. 29 November 2018. Department of Work and Pensions
<https://www.gov.uk/government/collections/national-insurance-number-allocations-to-adult-overseas-nationals-entering-the-uk>

2.3 Economic profile

The average gross income per household in Havering (£44,430, as measured in 2012/13) is low in comparison to the London average (£51,770) and slightly higher than the England average (£39,557).

In 2017 the average gross salary for full time male was £35,869 and female £28,686 (source: ONS ASHE Table 7). 77% of households in Havering have at least one car and compared to other local authorities in London, Havering has the second highest proportion of households (32.8%) with 2 or more cars.

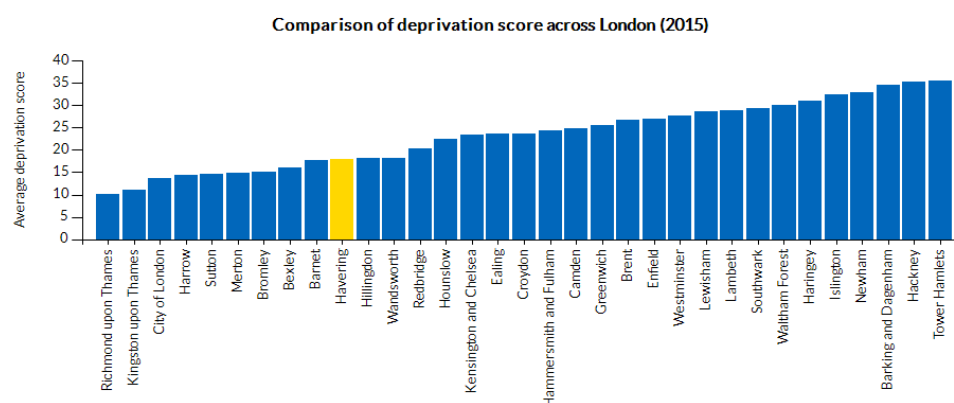
The majority of children in Havering are not poor, but around 8,800 live in income-deprived households. Gooshays and Heaton wards have the highest proportion of children living in poverty.

About 79.8% of working age residents in Havering were in employment between October 2016 – September 2017. Overall employment rate in Havering is higher than London (73.7%) and England (74.5%). The proportion of working age residents in Havering claiming out-of-work benefits (6.6%) is significantly lower than England (8.4%).

The recent data from the ONS shows that the average property in the area sold for £373,241; significantly higher than the UK average of £232,797. The average homeowner in Havering will have seen their property increase in value by around £147,000 in the last five years.

Deprivation in Havering compared to other London Boroughs is shown in the chart below. Havering is relatively less deprived than its neighbouring Boroughs.

Figure 4: Comparison of Deprivation Scores across London

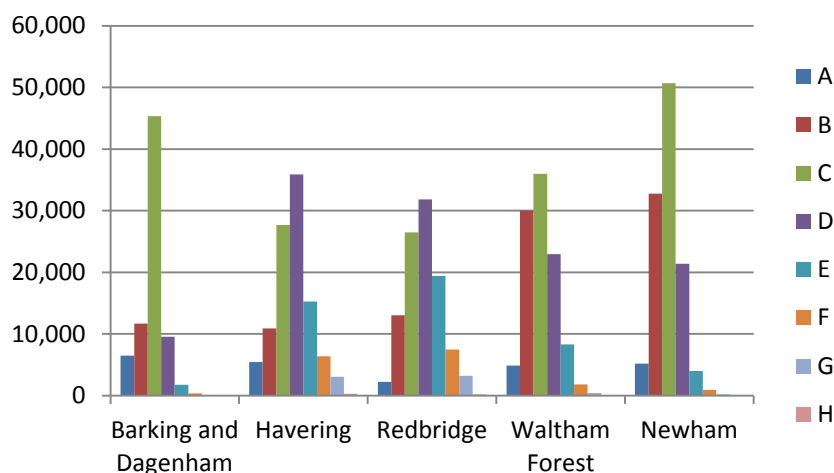


Source: DCLG, 2015

2.4 Council tax and household size

The Council tax band profile provides useful indicators for property value and type and is helpful for comparing housing stock. Council tax is banded A-H, (A being lowest value and H being highest value). Council tax bands were determined on the value of properties as of the 1st April 1991; the lower rated properties are generally more likely to be flats.

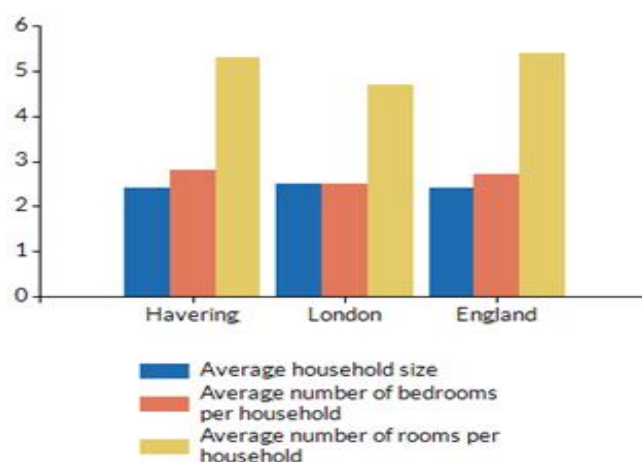
Figure 5: Council Tax Bands in Havering and neighbouring boroughs



Compared to Barking and Dagenham, Newham, and Waltham Forest, there are far fewer lower rated properties available in Havering, and the stock profile is very similar to that of Redbridge.

This profile is also reflected in the above London average number of bedrooms per household shown in the following charts and tables show the household size and number of rooms in housing in Havering, as recorded in the 2011 Census.

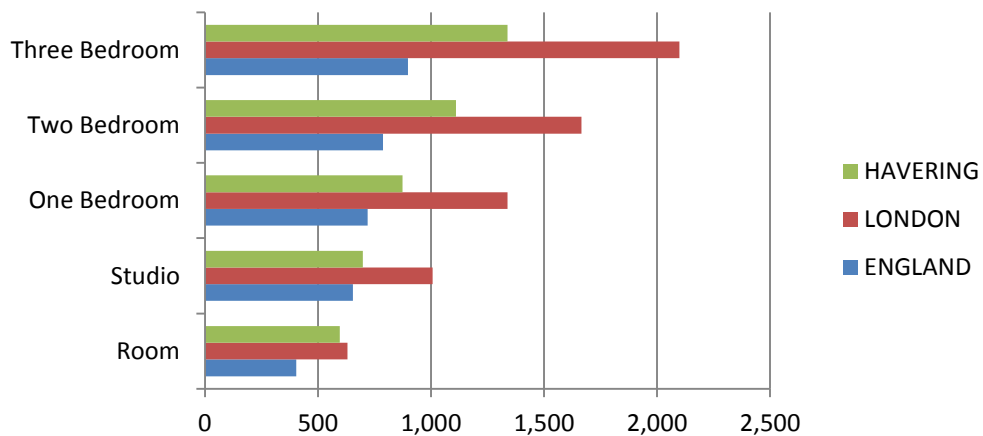
Figure 6: Household size and rooms Havering, London and England



Source: ONS 2011

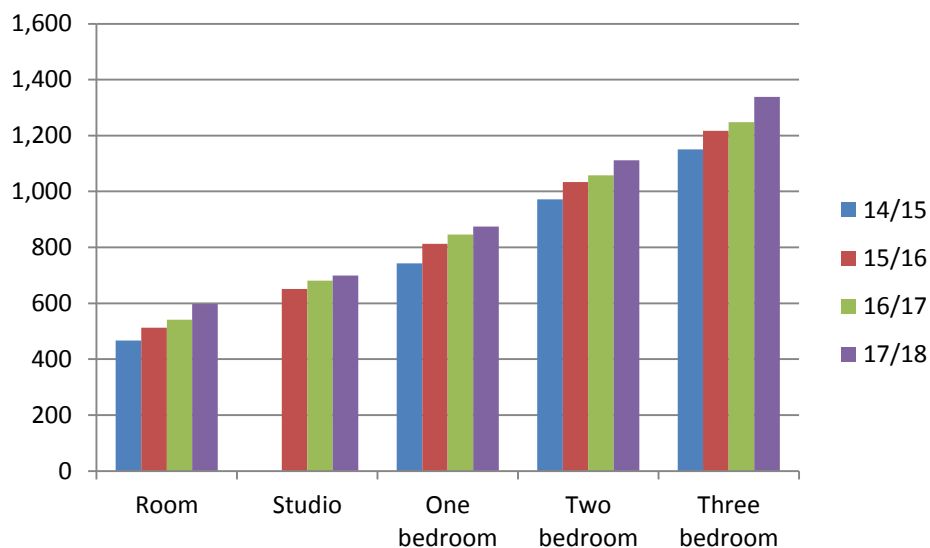
2.5 Rent levels

Average rents in Havering are below the London average across all types of accommodation but significantly more than the average in England. At the cheaper end of the market rents per room are almost on par with the London average.



Source: Valuation office agency 2018

Figure 7 Average rents (£) in Havering 2018 (Source: Valuation office agency)



Source: Valuation office agency 2018

2.6 Homelessness

The rate of homeless households in temporary accommodation (7.2 per 1,000 households) is lower than London (15.1 per 1,000) but higher than England (3.4 per 1,000) (Source Havering JSNA 2017).

The rate of statutory homelessness (eligible people not in priority need) in Havering (0.5 per 1,000 households), in 2016/17, is lower than both London (1.1 per 1,000) and England (0.9 per 1,000) (Source Havering JSNA 2017).

2.7 Empty homes

The need to bring empty private sector dwellings back into use when there are considerable shortages in housing, especially in greater London should be a consideration for most councils and part of a local housing strategy.

There will always be some stock that is empty for a short period of time i.e. for refurbishment, sales, probate etc. The only dwellings that tend to come to the attention of councils are those that are centres for nuisance, anti-social behaviour etc and are long-term empty properties.

The data provided in this report does not identify empty properties individually as this is outside the scope of this report, however a similar modelling methodology could be used in the future to assist with this.

The graph below shows the number of vacant properties from 2004 to 2017, the most recent figure available is in 2017 there were 1,427 vacant properties. The total in London in 2017 was 62,366.

Chart 1: Number of vacant properties in Havering 2004- 2017



Source: MHCLG Table 615 Vacant dwellings by Local Authority district

3. Results of housing stock and stressor modelling

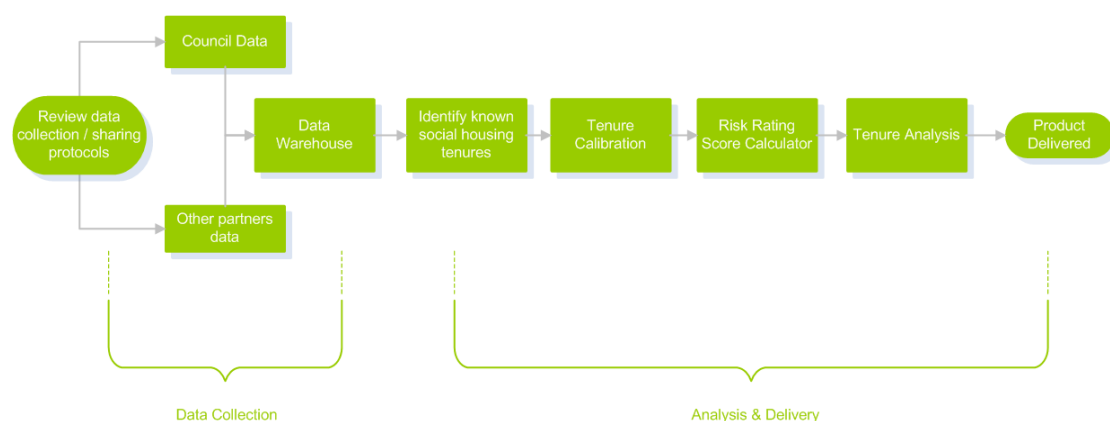
3.1 Methodology

Metastreet has developed Tenure Intelligence (Ti) which uses council held data and publicly available data to identify tenure and analyse property stressors, including property conditions and ASB.

Data trends at the property level are analysed by mathematical algorithms to help predict the tenure of individual properties using factors such as occupant transience and housing benefit data.

Metastreet has worked with the council to create a residential property data warehouse. This has included linking millions of cells of data to 105,798 unique property references (UPRN). This data includes council and externally held data.

Advanced mathematics is used to make predictions for each for tenure and property condition. Results are analysed to produce a summary of housing stock and predictions of Category 1 hazards (HHSRS). To achieve the maximum accuracy, algorithms are built for each council, incorporating individual borough data and using known outcomes to train predictive models.



Once the data warehouse was created, tenure modelling is used to determine tenure using the methodology outlined below.

Based on information for each address, risk factors were created that are predictive of an outcome. Different combinations of risk factors were systematically analysed for their predictive power in terms of either of these outcomes. Risk factors that duplicated other risk factors but were weaker in their predictive effect were systematically eliminated. Risk factors that were not statistically significant were also excluded through the same processes of elimination.

For each UPRN a risk score was calculated using logistic regression techniques. The selected risk factors have a better or worse than evens chance of being predictive

Four separate predictive models have been developed as part of this project which is unique to the council:

- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- Owner occupiers
- PRS Housing hazards

It is important to note that this approach cannot be 100% accurate as all statistical models include some error.

3.2 Results - Private Rented Sector

3.2.1 Population and distribution

The private rented sector (PRS) in Havering has grown significantly since 2001 and rapidly since 2011. Population growth, lower London median rents and new transport infrastructure are key drivers.

Based on tenure modelling (November 2018), Havering's PRS is now estimated to be 30,125 properties (29% of housing stock). This compares to 5,049 households in 2001 (ONS census data) and 10,500 households in 2011. This represents a six-fold increase over the last 17 years with approximately 25,000 properties transferring from owner occupation and social renting to PRS.

Chart 2: Tenure profile 2011

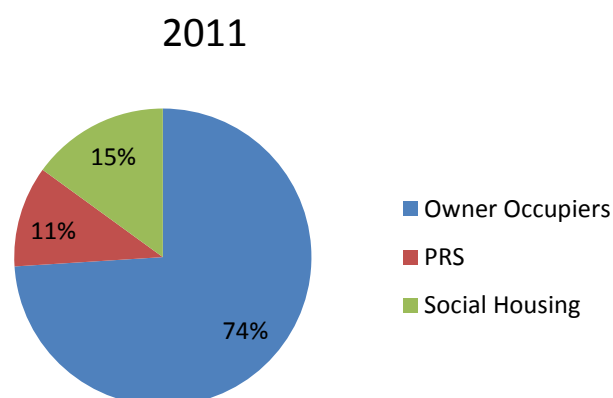
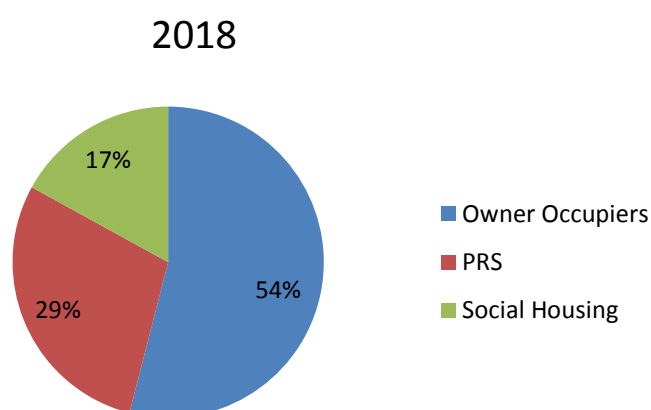
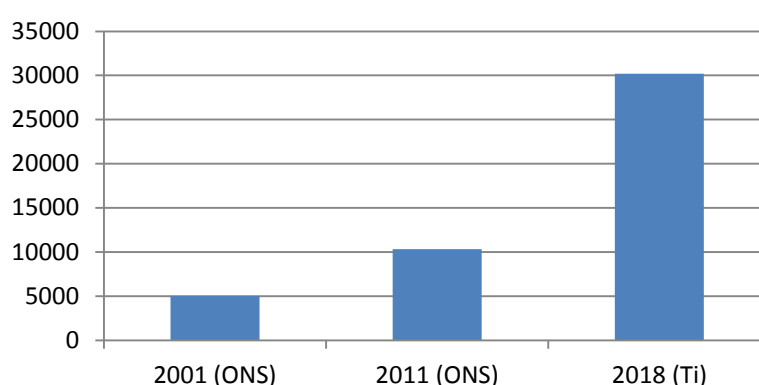


Chart 3: Modelled tenure profile 2018

Source: Metastreet Ti model

Chart 4: Numbers of PRS in Havering since 2001 – 2018

Source: ONS and Metastreet

This increase is part of a nationwide and regional trend, the PRS in the UK has grown from 9.4% of housing stock in 2000³, and now accounts for approximately a fifth of all households in England – with a significantly higher proportion in the PRS in many urban areas⁴. It is now the second largest housing tenure in England, with a growing number of households renting from a population of around 1.5 million private landlords⁵. In East London; Newham has more than 52k PRS dwellings⁵ (47% of housing stock) and Redbridge, Barking and Dagenham, Waltham Forest all have large and growing PRS populations.

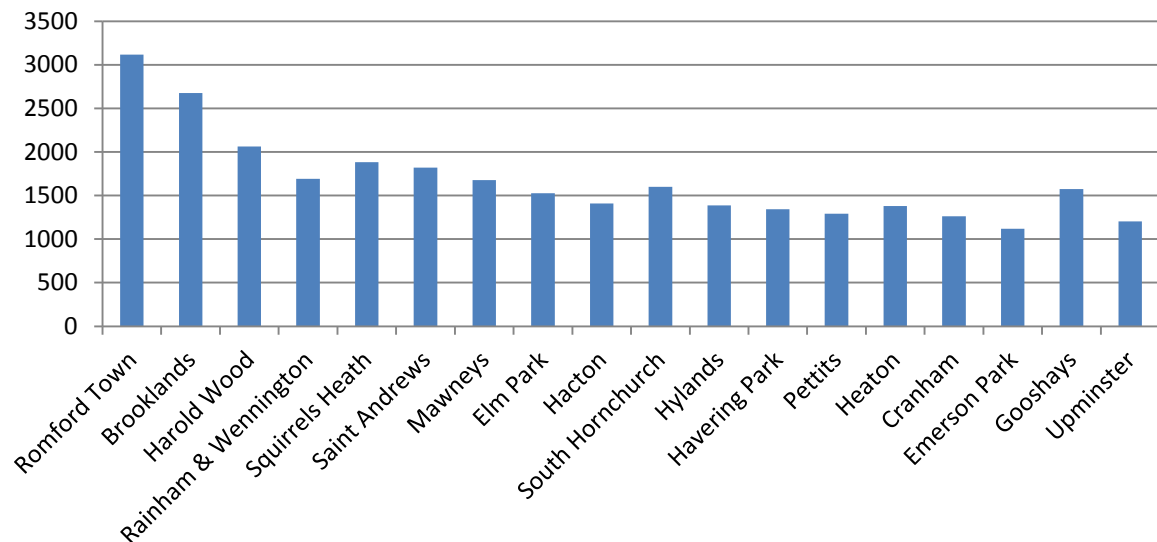
³ The profile of UK private landlords Scanlon K & Woodhead C CML research. LSE London. December 2017 www.cml.org.uk

⁴ Department for Communities and Local Government (DCLG) (2016) English housing survey 2014 to 2015: headline report.

⁵ Landlord Licensing. Interim report-overview of the incidence and cost of HMO & discretionary schemes in England. February 2015. www.landlords.org.uk

The PRS in Havering is distributed across all 18 wards. Romford Town and Brooklands have the highest numbers of PRS.

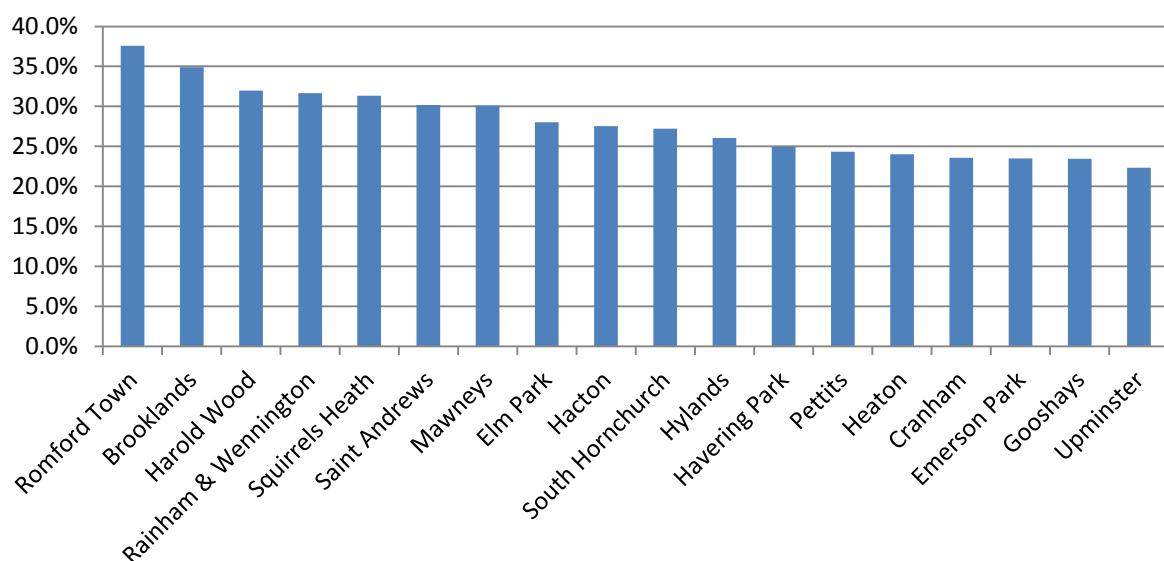
Figure 9 Number of PRS dwellings by each Havering ward



Source Ti 2018

The percentage of PRS properties in each ward ranges between 37.6% (Romford Town) and 22.3% (Upminster).

Figure 10: Percentage of PRS dwellings by each ward



Source: Ti 2018

The table below (table 1: percentage and number of PRS properties) shows the total predicted PRS in each ward and the % of the PRS against total housing stock. The wards on the western side of the borough generally have higher rates of PRS, with the exception of Harold Wood.

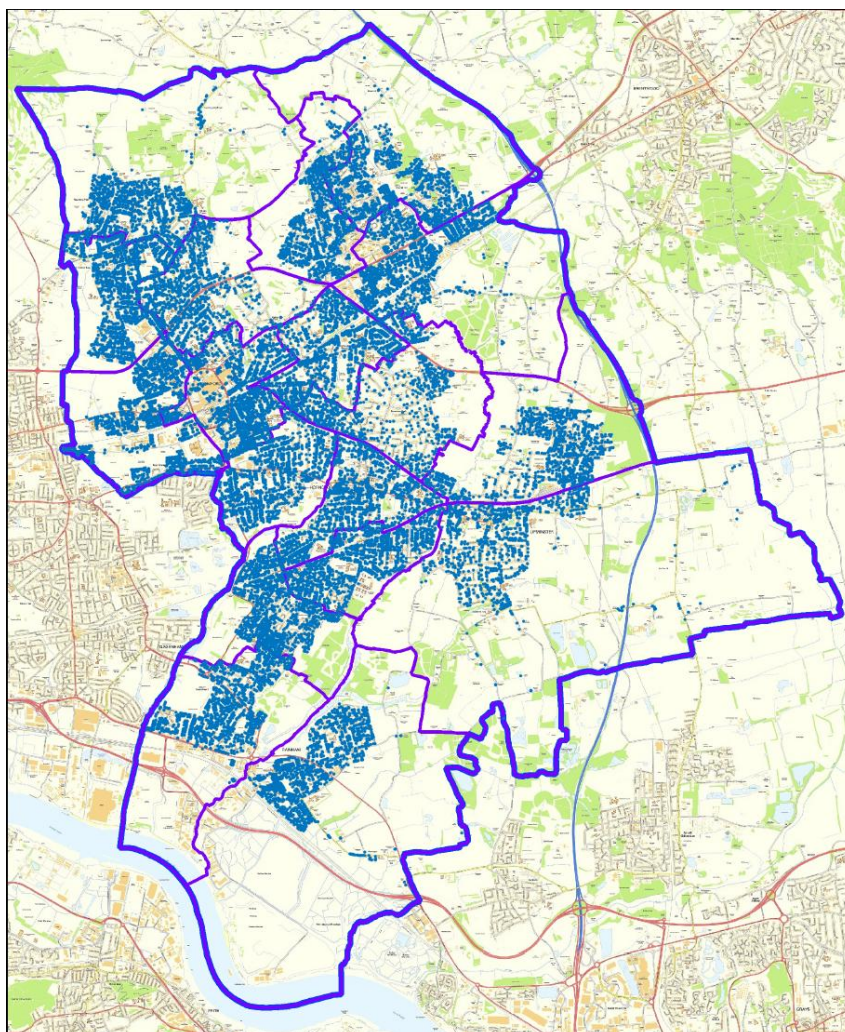
Table 1 – Percentage and number of PRS properties by ward

Ward	% of ward dwellings PRS	No. PRS dwellings per ward
Romford Town	37.6%	3117
Brooklands	34.9%	2674
Harold Wood	32.0%	2061
Squirrels Heath	31.3%	1884
Saint Andrews	30.2%	1821
Rainham & Wennington	31.6%	1692
Mawneys	30.1%	1676
South Hornchurch	27.2%	1599
Gooshays	23.4%	1575
Elm Park	28.0%	1525
Hacton	27.5%	1410
Hylands	26.0%	1386
Heaton	24.0%	1380
Havering Park	24.9%	1342
Pettits	24.3%	1291
Cranham	23.6%	1261
Upminster	22.3%	1204
Emerson Park	23.5%	1120
Total	28.4%	30018

Source: Ti 2018

The map below plots the PRS across Havering and shows that it is widely distributed across the Borough.

Map 1: Distribution of PRS properties in Havering



Source: Ti 2018

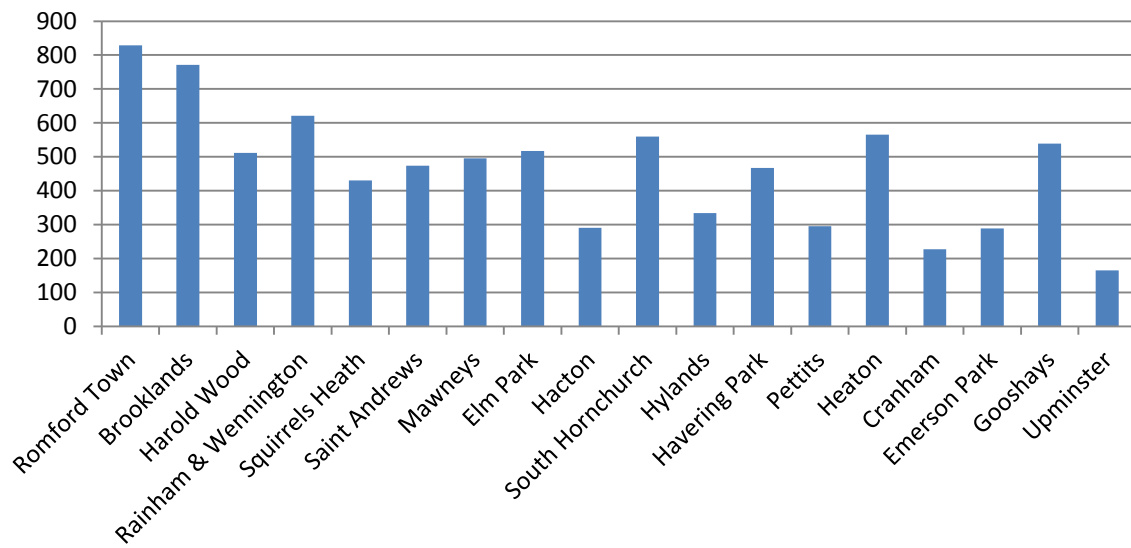
Map 2 PRS properties in Romford Town and Brooklands wards



Source: Ti 2018

The figure below shows the number of housing benefit claims being paid to PRS properties by ward, illustrating the amount of public finance being paid to private landlords

Figure 11 Housing benefit paid to PRS properties

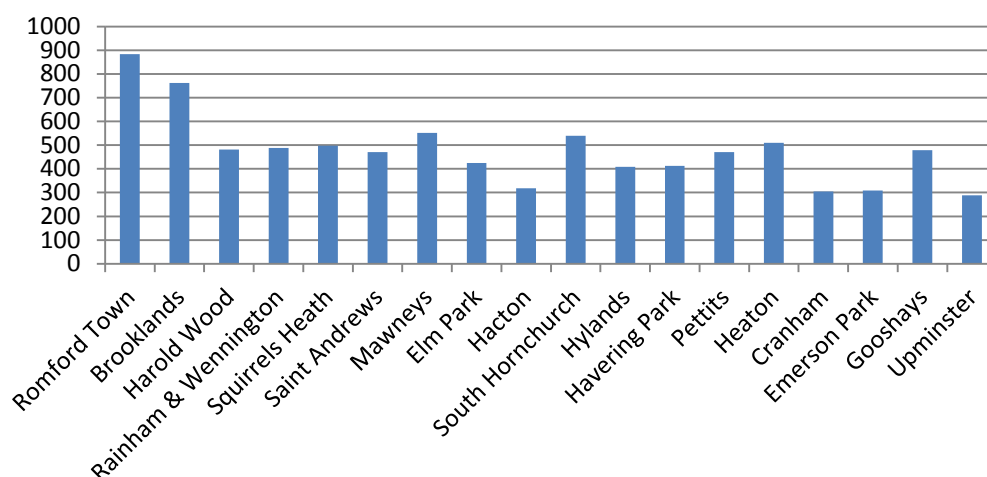


Source: Tf 2018

3.2.2 Anti-social behaviour (ASB)

The evidence shows that there are high levels of ASB in Romford Town and Brooklands in the PRS population. It also shows there are significant levels of ASB in all other wards in Havering. These are reported ASB incidents such as noise nuisance, rubbish accumulations etc.

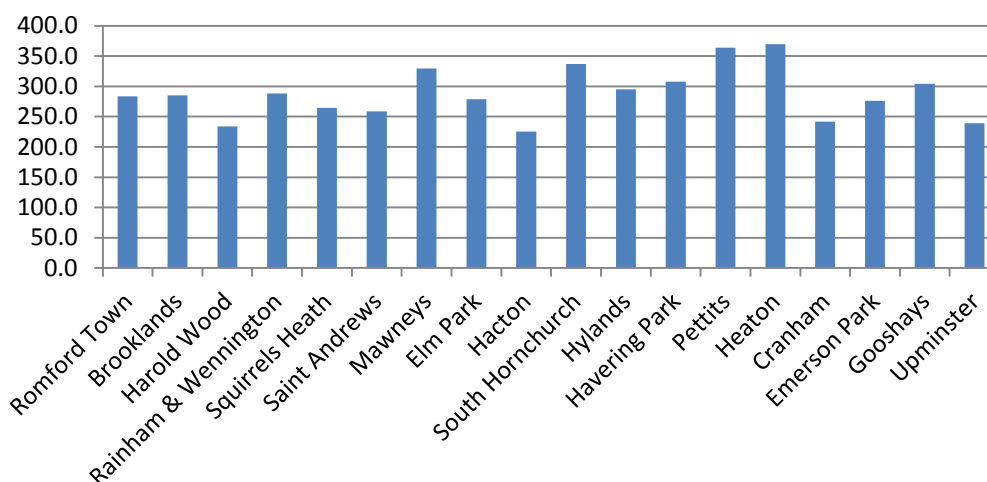
Figure 12 Number of ASB incidents linked to PRS 2013-18



Source: Ti 2018

ASB in the PRS expressed as incidents per 1000 dwellings and shows a relatively even distribution across all wards. Using this measure, Heaton and Pettits have the greatest number of recorded ASB incidents proportional to the size of the PRS in each ward.

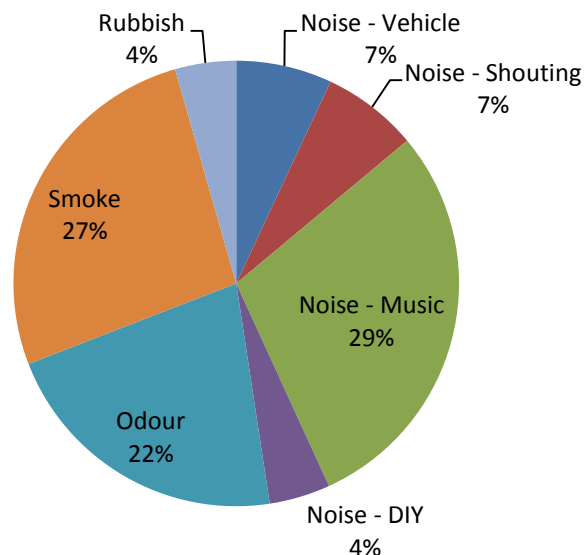
Figure 13 Incidents of ASB linked to PRS per 1000 properties 2013-18



Source: Ti 2018

Recorded ASB can be divided into a number of types. Each ASB incident has an impact on the environment and neighbourhood.

Chart 5- Types of ASB in PRS since 2013



Source: Ti 2018

3.2.3 Housing conditions (Category 1 hazards)

Housing conditions are affected by the level of maintenance and quality of repair, the age of the property and type of construction. Category 1 hazards have a physiological or psychological impact on the occupant and may result in medical treatment. The negative impact of poor housing on health is well understood. It is widely accepted that every person and family should have a safe and decent place to live.

A council's property age profile can have an impact on housing conditions.

Table 2 Age profile of Housing stock (all tenures)

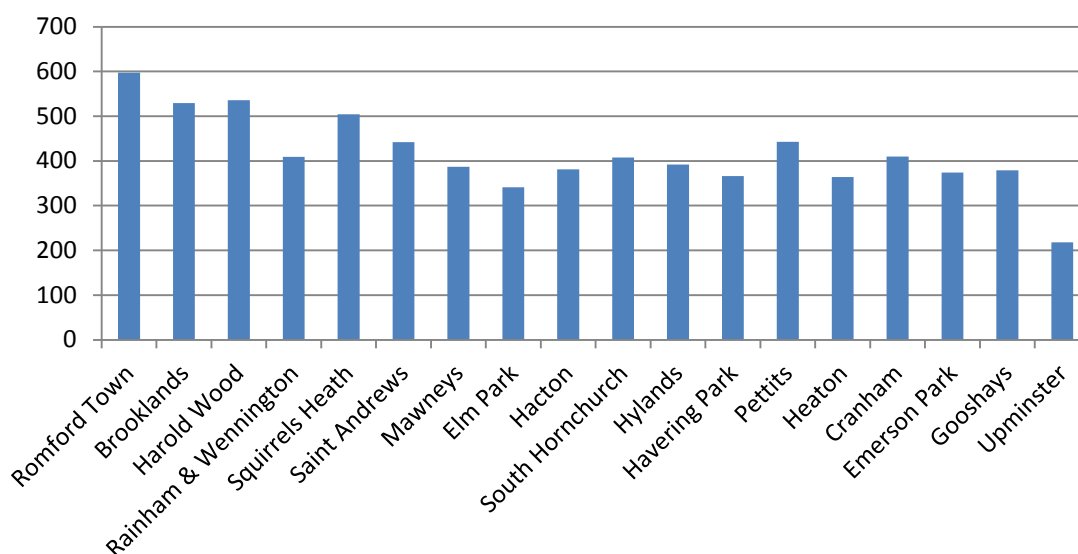
Property Age Profile	Havering (%)	England (%)
Pre 1900	1.7%	16.2%
1900-1918	3.5%	5.5%
1919-1929	3.9%	5.3%
1930-1939	34.1%	11.1%
1945-1954	15.8%	7.0%
1955-1964	14.3%	10.8%
1965-1972	7.9%	10.4%

1973-1982	5.4%	9.7%
1983-1992	3.7%	7.5%
1993-1999	2.0%	5.5%
2000-2009	5.3%	7.7%
2010-2014	2.1%	2.3%

Havering has a high proportion of residential properties built between the First and Second World Wars. New house building since the 1960s has generally been lower than the national average up to 2014.

In 2016, 15% (750,000) of private rented dwellings in England had at least one Category 1 hazard; this was a higher proportion than owner occupied (13%) and social rented homes (6%) (Source: - MHCLG Private rented sector 2016-17 English Housing survey).

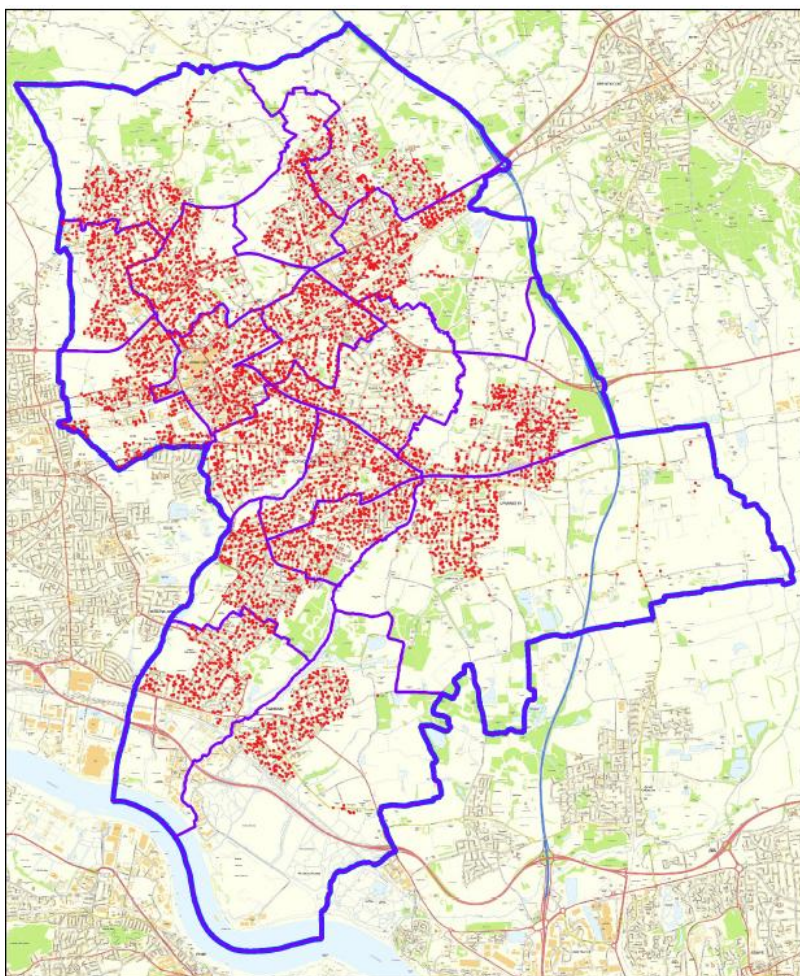
Figure 14 – Estimated number of Category 1 hazards by ward



Source: Ti 2018

Using analytic modelling there are 7,480 rental properties in Havering predicted to have a category 1 hazard. Romford Town ward is predicted to have the largest number of properties followed closely by Brooklands and Harold Wood. All other wards also show consistently high levels of category 1 hazards.

Map 3: Distribution of PRS properties with category 1 hazards across Havering



Source: Ti 2018

These properties are widespread across the Borough, however there are fewer issues in Upminster. The following map shows more detail of the category 1 hazards in Romford Town and Brooklands.

Map 4: showing properties in Romford Town and Brooklands with category 1 hazards

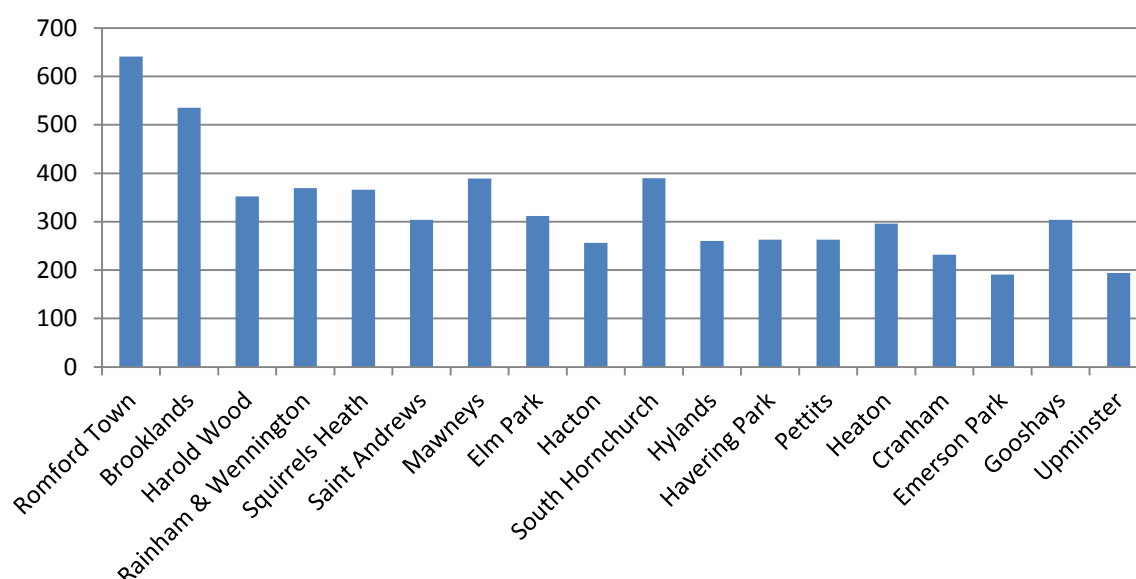


Source: Ti 2018

3.3 Council environmental interventions

Part of the housing conditions picture is to report on council intervention in the private rented sector. These are often as a result of a complaint being made by a tenant about their accommodation and a result of other nuisances. Romford Town and Brooklands have required more resources than other wards in Havering.

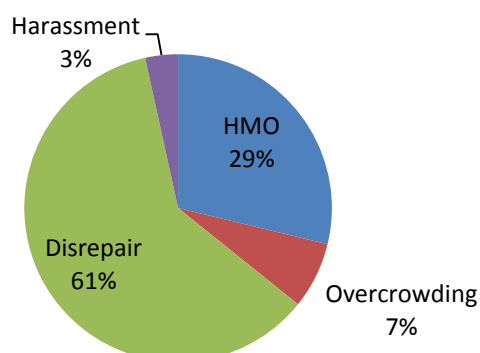
Fig 15: The number of councils PRS interventions by ward 2013-18



Source: Ti 2018

The council receives a range of complaint from tenants regarding PRS properties, the majority relating to disrepair in rental properties and HMOs.

Chart 6 Types of complaints to the council about PRS properties



Source: Ti 2018

3.4 Results - Houses in Multiple Occupation

Houses in Multiple Occupation (HMO) are a sub-set of properties within the PRS and represent the cheapest rental accommodation- rent by room with the sharing of amenities. The Housing Act 2004 defines HMOs as a “dwelling of 3 or more persons not forming a single household”. This definition has been used for the purposes of this report.

3.4.1. Population and distribution

HMOs are the cheapest form of housing available and have traditionally been occupied by single adults. Pressure on affordable housing and higher rates of homelessness has driven up demand for this type of dwelling. Greater demand has resulted in growth in this sector across London over the last decade.

Table 3 - Numbers of HMOs per ward

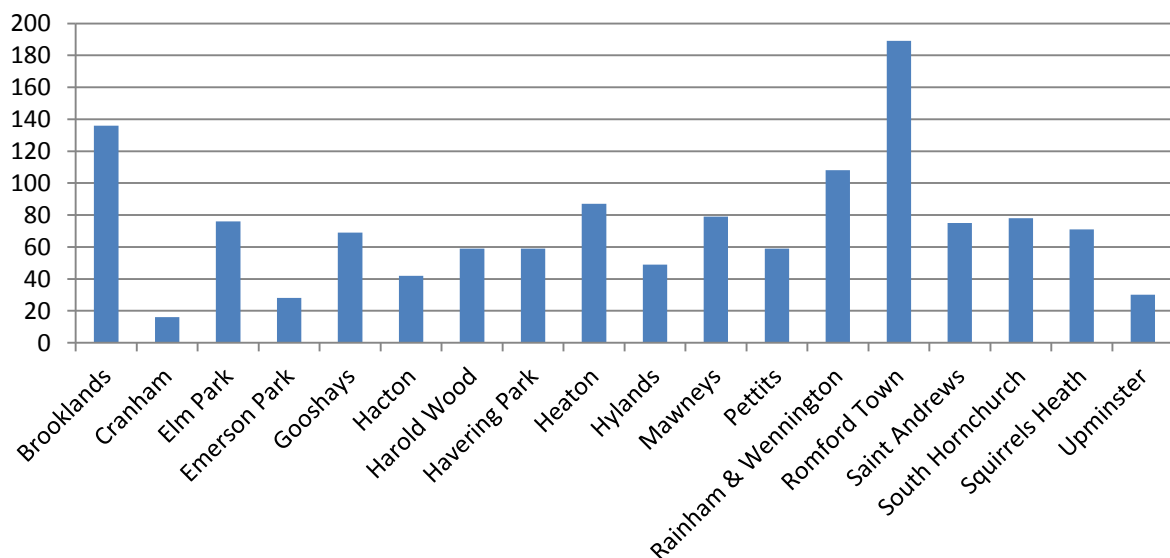
Ward	Number HMOs
Brooklands	136
Cranham	16
Elm Park	76
Emerson Park	28
Gooshays	69
Hacton	42
Harold Wood	59
Havering Park	59
Heaton	87
Hylands	49
Mawneys	79
Pettits	59
Rainham & Wennington	108
Romford Town	189
Saint Andrews	75
South Hornchurch	78
Squirrels Heath	71
Upminster	30

Source: Ti 2018

The number of predicted HMOs was 800 at the time of introducing the additional licensing scheme for the twelve wards in October 2017. It is now estimated to be 1070 for these twelve wards and 1310 for all wards. Note, this will include HMOs that are not licensable, including temporary accommodation etc. The modelling is supported by enforcement work on the ground as it is being used to identify unlicensed HMO properties with a high degree of accuracy.

Romford Town has the highest number of HMOs, followed closely by Brooklands.

Figure 16: Number of HMOs in each ward

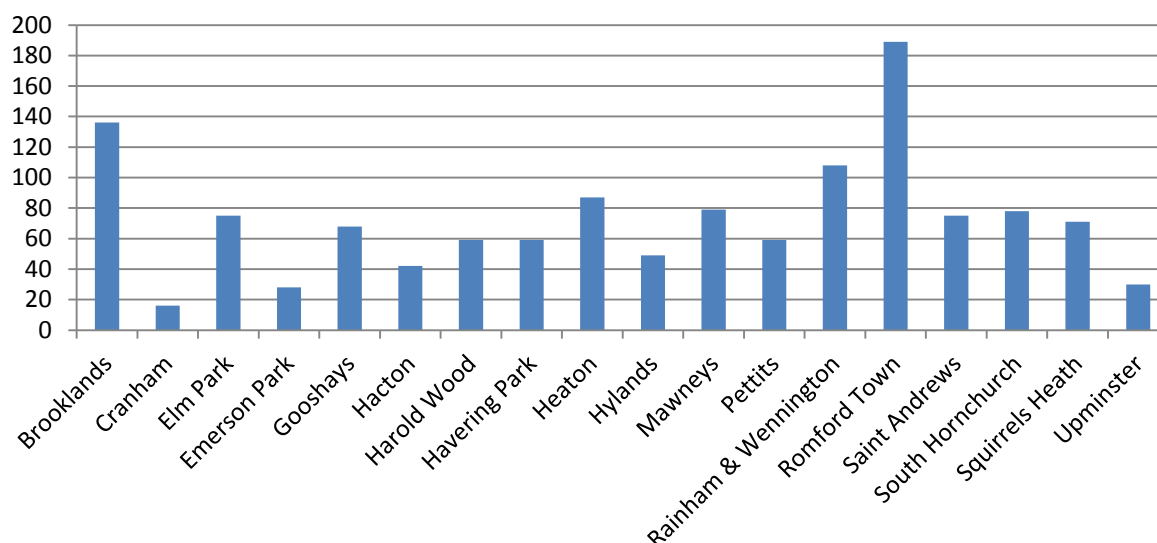


Source: Ti 2018

3.4.2. HMO & Anti-Social Behaviour

The number of ASB incidents shown above relate to ASB associated with residential premises only, commercial and ASB incidents on the street are excluded from these figures. The number of ASB incidents correlates with the highest levels of HMOs. Romford and Brooklands wards having the highest number of incidents. Across all wards the number of incidents is significant and is almost a 1 to 1 ratio.

Figure 17: Number of ASB incidents linked to HMOs by ward



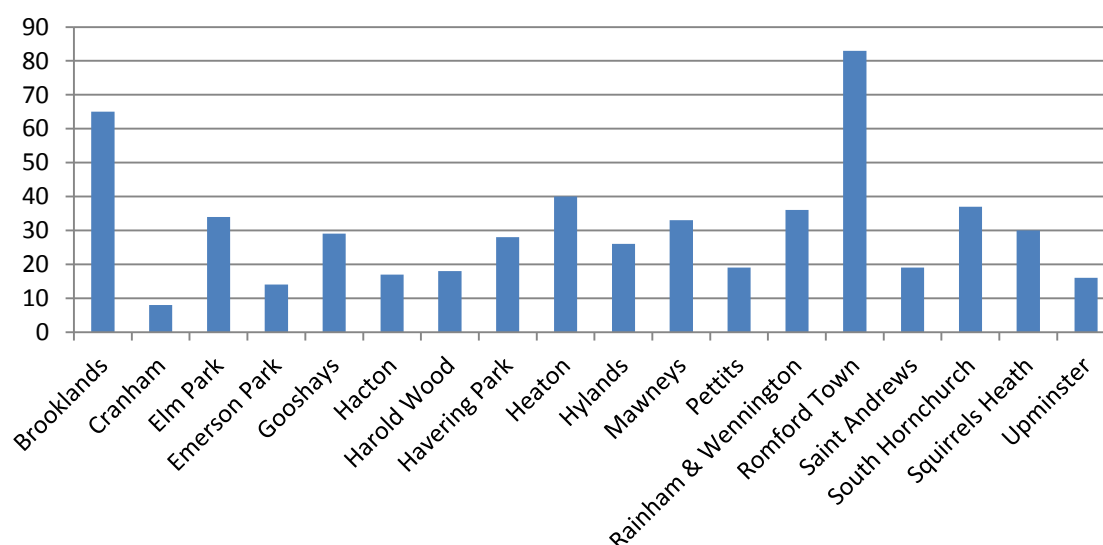
Source: Ti 2018

3.4.3. HMO & Housing conditions

HMOs have the some of the poorest housing conditions of any tenure. Analysis shows that 553 of 1312 (42%) HMOs in Havering are predicted to have serious hazards (Category 1 HHSRS).

Numbers of Category 1 hazards are highest in Romford Town and Brooklands. All wards have HMOs with Category 1 hazards.

Figure 18 Predicted number of serious hazards in HMO by ward

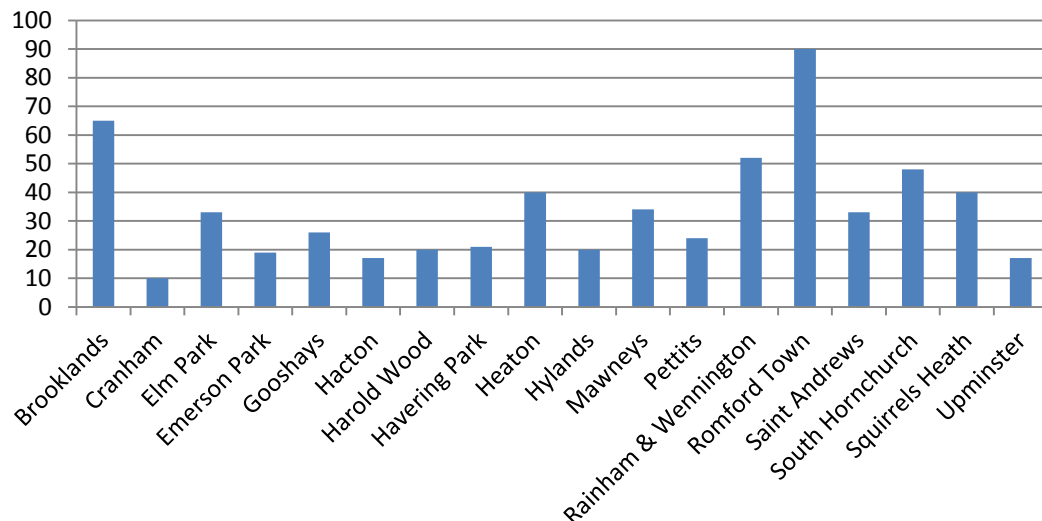


Source: Ti 2018

3.4.4. HMO economic stressors

Operational based practice has shown that HMOs (where the landlord is legally responsible for the council tax) have high rates of council tax arrears; The highest number of cases where the arrears total over £1000 are highest in the two wards with the highest number of HMOs- Romford Town and Brooklands.

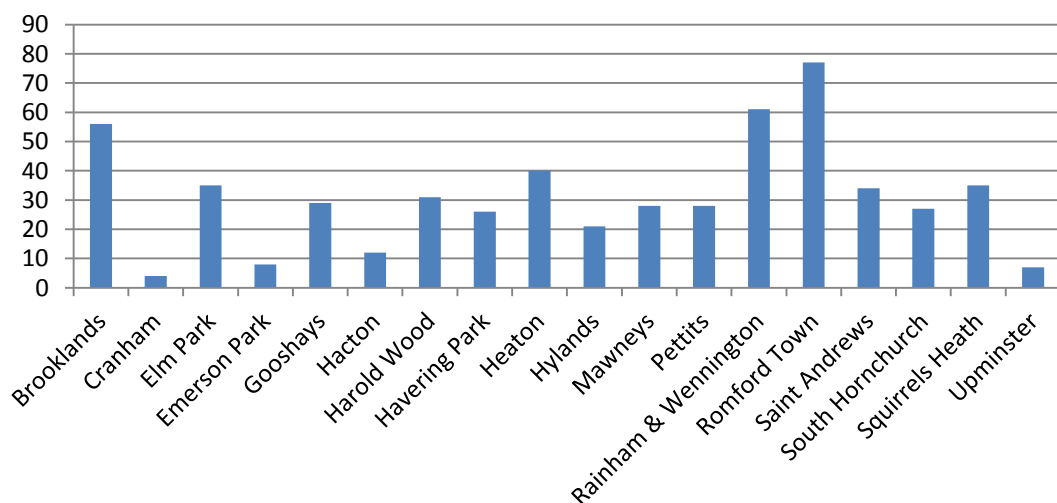
Figure 19: Council tax arrears in HMOs of more than £1000



Source: Ti 2018

The figure below shows the number of housing benefit claims being paid to tenants in HMO by ward. This illustrates the large numbers of economically vulnerable tenants and the amount of public finance being paid to private landlords.

Figure 20: Housing benefit claims in HMOs



Source: Ti 2018

4. Policy Context

4.1 PRS Strategy across East London

Rapid PRS growth has been seen across east London over the last 15 years. The policy response has generally been greater regulation of the market through property licensing to mitigate some of the concerns that accompany large and growing PRS populations. Havering currently has the lowest level of PRS licensing of any outer east London borough. Table 1 provides an overview of the PRS and property licensing across east London.

London Borough	No. PRS	% PRS	% PRS covered by licensing	Notes
Newham	52,000	47%	97%	Borough wide additional and selective licensing introduced in 2013, excluding Olympic Park.
Havering	30,215	29%	3%	Additional licensing introduced in 2018 in 12 of 18 wards
Barking and Dagenham	21,000	28%	100%	Borough wide licensing introduced in 2014, currently under renewal. PRS figures probably below actuals
Waltham Forest	38,000	39%	100%	Borough wide licensing introduced in 2015, currently under renewal
Redbridge	46,000	45%	80%	Borough wide additional and 80% Selective introduced in 2016

*Additional licensing - relates to small HMOs only (3&4 person) **Selective licensing - related to all private single-family dwellings

Table 4: size of the PRS and proportion covered by licensing schemes in several East London boroughs

4.2 Reviewing Housing conditions

A local housing authority must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them under the Housing Act 2004, Part 1, specifically:

- dwellings that are below standard (currently category 1 hazards HHSRS)
- licensing of HMOs,
- selective licensing of other houses
- management orders
- demolition orders and slum clearance
- renewal areas and
- to provide assistance (either directly or indirectly) to any person for the purpose of improving living conditions in the local authority area e.g. adaptations to the home for disabled persons

This report contains a review of housing conditions in the area to satisfy this requirement, the section below outlines the current interventions and policy in the LB Havering.

4.3 Current PRS interventions by London Borough of Havering

4.3.1 Article 4

The council introduced an Article 4 direction to protect family homes from conversion to HMO. Although this is a useful policy in protecting family homes, there is evidence that many properties have been converted to HMO before the new rules took effect in 2016.

4.3.2 Additional Licensing Scheme

The Council introduced Additional Licensing in twelve wards in October 2017. Enforcement of the scheme started in March 2018. The scheme mandates that all small HMOs (3 or more person and 2 or more households) must licence with the council. The scheme offers the council new powers to tackle overcrowding, poor property management and ASB. Compliance with the scheme launch has been low, with less than 10% of landlords licensing on time.

To ensure the scheme is a success and that all landlords comply, Havering is taking a proactive enforcement stance to identify non-compliant landlords and agents. To help promote good landlords, every effort is made to enable landlords to comply with the scheme by sending out

warning letters. For those landlords that choose not to licence, Private Housing Enforcers work closely with partners internally and externally including, planning, Police and Immigration Enforcement targeting problematic and dangerous rental properties.

Since March 2018 the service has overseen 19 early morning multi-agency operations and issued 108 financial penalties in respect to poor housing conditions and failure to licence, with a value of £304,250. In addition, 16 notices related to property standards (see monthly update below) have been served. Property history is used to identify non-compliant properties, including residents' complaints, overcrowding, council tax arrears and ASB reports amongst other factors. This approach has worked well so far and the evidence on the ground shows a clear correlation between poor housing conditions and unlicensed properties.

In addition to licensing enforcement, the service receives more than 400 complaints from private tenants each year, with peak demand during colder months. This demand is managed on a risk basis and often requires the use of statutory notices to address serious hazards, such as damp and mould and no heating.

4.3.3 Tackling Disrepair

Part I of the Act contains powers for regulating the private rented sector which includes; improvement notices for disrepair, prohibition notices, management orders etc.

The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. Where category 1 hazards are present local authorities have a general duty to act. They must take one of the following actions; serve an improvement notice, make a prohibition order, serve a hazard awareness notice, take emergency remedial action, make a demolition order or declare a clearance area.

Reviewing notices and interventions under Part 1, the Council has historically preferred an informal approach to enforcement. However, since March 2018 a more formal enforcement approach has been adopted aided by additional powers from licensing.

4.3.4 Housing and Planning Act 2016

Provides councils with additional powers to tackle criminal/rogue landlords in the private rented sector. The Act also covers other housing policy areas such as social housing rents to earnings, changes in social housing tenancies etc.

For the purposes of this report the additional powers are of most importance; local authorities now have an alternative to prosecution as this Act provides for a council to impose a civil penalty with a maximum fine of £30,000. The local authority can also retain the money recovered, which can then be reinvested into housing enforcement.

Havering have drawn down these powers and have been using them appropriately since March 2018.

Other powers include;

- Creating a national database of rogue landlords/letting agents, which will be maintained by local authorities
- Allowing tenants or local authorities to apply for a rent repayment order where a landlord has committed certain offences (for example continuing to operate while subject to a banning order or ignoring an improvement notice). If successful, the tenant (or the authority if the tenant was receiving universal credit) may be repaid up to a maximum of 12 months' rent

No banning orders or rent repayment orders have been applied for to date as circumstances/cases currently do not exist.

4.4 Interventions currently not in use

4.4.1 Management orders

At the time of writing no management orders were in place in Havering, as currently there are no cases that warrant this action.

4.4.2 Demolition orders and slum clearance

Although 25% of the rental stock have category 1 hazards, this does not mean that Demolition orders or slum clearance are appropriate. Taking into account the cost of remediation and value of

the properties in the borough it is unlikely that this will be an appropriate course of action for the foreseeable future. However, this is always assessed on a case by case basis and could be used if the correct circumstances are present.

4.4.3 Renewal areas

There are currently no renewal areas in Havering.

4.4.4 Selective Property licensing

Havering currently licence large HMOs which fall into the Mandatory scheme and from March 2018 smaller HMOs if they are present in 12 wards. There is therefore an option, if the evidential criteria are met, to introduce more licensing i.e. to extend the additional licensing scheme to the other 6 wards and introduce some selective licensing (to licence properties that are rented to single households).

Large-scale selective licensing schemes are an important tool for local authorities seeking to tackle criminal landlords and improve standards in the private rented sector, as well as helping to address wider issues such as anti-social behaviour. This approach has been widely adopted in east London. Newham, Tower Hamlets, Hackney, Waltham Forest and Barking and Dagenham all have large selective licensing schemes and use the extended powers to exclude rogue landlords operating in each borough.

Mandatory licensing of Households in Multiple Occupation (HMOs) was extended in October 2018, however it is not sufficient to address the scale of problems in many areas as it excludes smaller HMOs and is challenging to enforce without the additional powers and resources that discretionary licensing provides.

Licensing powers sit under Parts 2 and 3 of the Housing Act 2004, to regulate and license HMOs and also rentals let to single households if the local council has chosen to use them. There is mandatory licensing and discretionary licensing:-

a) *Mandatory licensing* – HMOs with 5 or more people, forming more than 2 households. In 2018, the UK government published new guidance for landlords to extend mandatory licensing and further protect tenants from poor living conditions. As of 1st October 2018, any landlord who lets a property

to five or more people (or 2 separate households), irrespective of the number of storeys the property has must be licensed by their local housing authority.

b) *Discretionary licensing* – licensing schemes which can be introduced by Councils at a local level if certain criteria can be met.

- i) Additional licensing – regulate smaller HMOs i.e those with 3 or 4 persons forming more than 1 household
- ii) Selective licensing – Rentals let to single households

There are exemptions which include Local Authority stock and some non-profit registered provider properties.

Licensing provides a useful regulatory framework to improve housing standard through licensing conditions as well as being able to focus enforcement on unlicensed properties where evidence-based practice shows most of the housing crimes are committed.

Benefits of licensing include:

- **Greater enforcement capability, including powers of entry:** This increased capacity can be clearly seen in London, where the four London councils with borough-wide selective licensing account for 73.7% of all prosecutions across the capital's 33 boroughs.
- **Resources:** In a context of significant cuts to council budgets, licensing provides ring-fenced income for local authorities to fund regulation and enforcement over a sustained period.
- **Data and intelligence:** Enabling councils to better understand the scale of the private rented sector and target their interventions.
- **Improved housing conditions and tackling Anti-Social Behaviour (ASB):** Licensing conditions, backed by enforcement, can lead to improvements in standards and safety as well as helping local authorities to tackle crime and ASB.
- **Joint working:** Licensing provides the intelligence and legal framework that enables enhanced partnership working with other agencies.
- **Engagement with landlords:** Licensing enables councils to engage with landlords and helps to inform and professionalise the market (Core Cities Licensing Report, Moffatt/Watson 2018 ⁶)

⁶ https://metastreet.co.uk/files/Core_Cities_UK_Metastreet_licensing_report_Oct_2018.pdf

However, licensing itself is not a 'catch all' solution. Criticisms raised in relation to schemes that are overly bureaucratic, insufficiently targeted, and poorly enforced, are valid where the approach has not been well designed and implemented. To maintain effectiveness and legitimacy, large-scale licensing schemes should be backed by robust, targeted enforcement, and be part of a wider strategy to improve the PRS and/or tackle ASB (Core Cities Licensing Report, Moffatt/Watson 2018).

4.4.5 Energy Act 2011

The Energy Act 2011 requires that from 2016 reasonable requests by tenants for energy efficiency improvements will not be able to be refused.

In theory from 2018 it has been unlawful for landlords to rent out properties that do not reach a minimum standard of energy efficiency (set at Energy Performance Certificate rating E). However, the exemptions are generous making this legislation less effective in improving energy efficiency of domestic homes.

5 Conclusions and recommendations

The evidence provided in this report shows a substantial rise in privately rented properties in Havering. This tenure group is always shown as living in properties with the highest proportion of disrepair.

It is estimated that over 7000 properties have category 1 hazards.

ASB in privately rented properties as a whole is high and higher in the sub set HMO group. It can be seen that some wards have a particular high incident of ASB which warrants further action.

The council is fully utilising its existing powers under Part I of the Housing Act 2004 and is also using the new powers afforded it in the Housing and Planning Act 2016 appropriately.

This report has outlined some further intervention options available to the council to improve Housing conditions. These are mainly to;

- Extend the number of properties covered by discretionary licensing
- Focus resources on areas with the worst conditions
- Continue multi agency enforcement

The remit of this report does not extend to more strategic housing interventions in respect to house building, affordable housing or regeneration activities.

Appendix 1 – Ward summaries

Ward	Summary	
Romford Town	Total residential stock	8292
	% PRS	37.6%
	No. PRS	3117
	No. PRS dwellings claiming housing benefit	829
	No. ASB incidents since 2013	883
	No. Category 1 hazards	597
	No. HMOs (note, included licensable HMOs)	189
Brooklands	Total residential Stock	7663
	% PRS	34.9%
	No. PRS	2674
	No. PRS dwellings claiming housing benefit	771
	No. ASB incidents since 2013	762
	No. Category 1 hazards (predicted)	529
	No. HMOs	136
Harold Wood	Total residential Stock	6444
	% PRS	32.0%
	No. PRS	2061
	No. PRS dwellings claiming housing benefit	511
	No. ASB incidents since 2013	482
	No. Category 1 hazards	536
	No. HMOs	59
Squirrels Heath	Total residential Stock	6013
	% PRS	31.3
	No. PRS	1884
	No. PRS dwellings claiming housing benefit	430
	No. ASB incidents since 2013	498
	No. Category 1 hazards	504

	No. HMOs	71
Rainham & Wennington	Total residential Stock	5347
	% PRS	31.6%
	No. PRS	1692
	No. PRS dwellings claiming housing benefit	621
	No. ASB incidents since 2013	488
	No. Category 1 hazards	409
	No. HMOs	108
Mawneys	Total residential Stock	5572
	% PRS	30.1%
	No. PRS	1676
	No. PRS dwellings claiming housing benefit	495
	No. ASB incidents since 2013	552
	No. Category 1 hazards	387
	No. HMOs	79
Saint Andrews	Total residential Stock	6032
	% PRS	30.2%
	No. PRS	1821
	No. PRS dwellings claiming housing benefit	474
	No. ASB incidents since 2013	471
	No. Category 1 hazards	442
	No. HMOs	75
Hacton	Total residential Stock	5121
	% PRS	27.5%
	No. PRS	1410
	No. PRS dwellings claiming housing benefit	290
	No. ASB incidents since 2013	318
	No. Category 1 hazards	381
	No. HMOs	42
Elm Park	Total residential Stock	5446
	% PRS	28.0%
	No. PRS	1525
	No. PRS dwellings claiming housing benefit	517

	No. ASB incidents since 2013	425
	No. Category 1 hazards	341
	No. HMOs	76
South Hornchurch	Total residential Stock	5879
	% PRS	27.2%
	No. PRS	1599
	No. PRS dwellings claiming housing benefit	560
	No. ASB incidents since 2013	539
	No. Category 1 hazards	408
	No. HMOs	78
Hylands	Total residential Stock	5323
	% PRS	26.0%
	No. PRS	1386
	No. PRS dwellings claiming housing benefit	334
	No. ASB incidents since 2013	409
	No. Category 1 hazards	392
	No. HMOs	49
Pettits	Total residential Stock	5307
	% PRS	24.3%
	No. PRS	1291
	No. PRS dwellings claiming housing benefit	295
	No. ASB incidents since 2013	470
	No. Category 1 hazards	443
	No. HMOs	59
Havering Park	Total residential Stock	5385
	% PRS	24.9%
	No. PRS	1342
	No. PRS dwellings claiming housing benefit	467
	No. ASB incidents since 2013	413
	No. Category 1 hazards	366
	No. HMOs	59
Cranham	Total residential Stock	5353
	% PRS	23.6%

	No. PRS	1261
	No. PRS dwellings claiming housing benefit	227
	No. ASB incidents since 2013	305
	No. Category 1 hazards	410
	No. HMOs	16
Emerson Park	Total residential Stock	4767
	% PRS	23.5%
	No. PRS	1120
	No. PRS dwellings claiming housing benefit	289
	No. ASB incidents since 2013	309
	No. Category 1 hazards	374
	No. HMOs	28
Heaton	Total residential Stock	5747
	% PRS	24.0%
	No. PRS	1380
	No. PRS dwellings claiming housing benefit	565
	No. ASB incidents since 2013	510
	No. Category 1 hazards	364
	No. HMOs	87
Upminster	Total residential Stock	5390
	% PRS	22.3%
	No. PRS	1204
	No. PRS dwellings claiming housing benefit	165
	No. ASB incidents since 2013	288
	No. Category 1 hazards	218
	No. HMOs	30
Gooshays	Total residential Stock	6717
	% PRS	23.4%
	No. PRS	1575
	No. PRS dwellings claiming housing benefit	539
	No. ASB incidents since 2013	479
	No. Category 1 hazards	379
	No. HMOs	69

Ward PRS summary

Ward	Total Stock	% PRS	Total PRS
Romford Town	8292	35.9%	2978
Brooklands	7663	33.0%	2528
Harold Wood	6444	30.6%	1973
Squirrels Heath	6013	30.2%	1817
Rainham & Wennington	5347	29.8%	1591
Mawneys	5572	29.1%	1623
Saint Andrews	6032	28.9%	1742
Hacton	5121	26.9%	1378
Elm Park	5446	26.7%	1455
South Hornchurch	5879	25.2%	1484
Hylands	5323	25.2%	1340
Pettits	5307	23.7%	1259
Havering Park	5385	23.3%	1253
Cranham	5353	22.9%	1227
Emerson Park	4767	22.5%	1073
Heaton	5747	22.2%	1276
Upminster	5390	22.0%	1187
Gooshays	6717	22.0%	1477

Appendix 2- A summary of PRS enforcement options

Action	Circumstances
1. No action	<ul style="list-style-type: none"> Complaints or allegations of housing legislation breaches or statutory nuisances are of minor or low risk to health and the landlord has not been informed by the complainant, or allegations are unsubstantiated and unwitnessed. Formal action is inappropriate in the circumstances.
2. Advisory notices and	<ul style="list-style-type: none"> Where conditions are evidenced to justify action and investigation

letters	<p>and it is appropriate to give opportunity to landlords and tenants to make representations, provide information or effect change to meet compliance.</p> <ul style="list-style-type: none"> • No health impacts are present which poses a risk to health or nuisance.
3. Formal notices or orders	<ul style="list-style-type: none"> • The defect/conditions presents a risk to health and/or a nuisance. • There are previous failures of statutory requirements. • Previous advisory notices/letters ignored or action was not taken in a timely manner or to the correct standard. • There is a lack of confidence in the individual or management i.e. the willingness to respond to an informal approach • The Council is legally required to serve a statutory notice.
4 Financial Penalties (of up to £30,000.)	<ul style="list-style-type: none"> • Non-compliance with an improvement or overcrowding notice. • Failure to obtain a property licence • Significant and/or repeated breaches of HMO management regulations. • Breaches of the conditions of the property licence. • Amount of penalty decided by financial penalty Matrix Used as alternative to a prosecution.
4. Works in Default – Emergency Remedial Action & Emergency Prohibition Order	<ul style="list-style-type: none"> • There is an imminent risk to health and safety to the occupant and/or public • Awaiting the service of a notice or a prosecution would not adequately protect the public interest. • However, this does not rule out subsequent action being taken in conjunction with a prosecution, financial penalty, RRO or other legal action.

5. Works in Default – non-compliance with a notice	<ul style="list-style-type: none"> • We may choose to carry out works required by a notice if they have not been completed within the permitted time or are not likely to be completed within the permitted time. • This may be taken in conjunction or followed with a prosecution or financial penalty and/or RRO.
6. Reducing the term (length) of an additional HMO Licence.	<ul style="list-style-type: none"> • When assessing a Property Licence application, where appropriate and in conjunction with the Council's Fit and Proper and Cause for Concern policies, we may reduce the term of the licence. • A Licence holder may continue to stay on a 1 year licence if they still are a 'Cause for Concern'. E.g. not fulfilling the training requirement, poor management etc;
7. Adding new property licence conditions	<ul style="list-style-type: none"> • When assessing a Property Licence application, where appropriate and in conjunction with the Council's Fit and Proper and Cause for Concern policies, we may add further conditions to remedy poor landlord behaviour or standards e.g. not fulfilling the training requirement, poor management etc.;
8. Formal (Simple) Caution	<ul style="list-style-type: none"> • This will be offered as an alternative to a financial penalty or a prosecution for very low level offending where it is appropriate to do so in line with the Home Office Guidance on Simple Cautions and The Code of Crown Prosecutors.
9. Refusal to grant a property licence and Revocation of property licenses and approvals	<ul style="list-style-type: none"> • Where the Licence application is not made in accordance with the Council's application requirements; or • Where the Licence application is not accompanied by the appropriate fee; or • Where the proposed manager/licence holder is not a 'fit and proper' person; or • Where the proposed manager/licence holder is not the most appropriate person to hold a licence; or • Where the proposed manager/licence holder is not the person or an

	<p>agent of a person who has control of the property; or</p> <ul style="list-style-type: none"> • Where the proposed management arrangements are not satisfactory; or • Where the property is not reasonably suitable of occupation in regards the number of persons or households. • Where the Council consider that the licence holder or any other person has committed a serious breach or repeated breaches of a condition of the licence. • Or a combination of the above.
10. Prosecution	<ul style="list-style-type: none"> • This will be considered for the more serious cases which satisfy the legal tests under the 'Code for Crown Prosecutors' in that it passes the i) evidential stage and ii) public interest stage. At the charging stage, there must be 'a realistic prospect of conviction'. • Once the case is issued in Court, if the case is contested, the Authority must prove the case 'beyond reasonable doubt'. • See section 3.18 for more detail.
11. Rent Repayment Orders (RRO)	<ul style="list-style-type: none"> • RRO will be considered after every successful prosecution for failure to comply with an Improvement Notice (section 30); Prohibition Order, including Emergency Prohibition Orders (section 32); Offences in relation to licensing of HMOs (section 72) and in relation to licensing of houses under Part 3 of the Act (section 95). • Where a landlord fails to licence a licensable property and they received a significant amount of Housing Benefit, a RRO application may be made to the First Tier Tribunal.
12. Banning Order	<ul style="list-style-type: none"> • The Council may decide to seek a Banning Order following the breach of 'banning order offences' by landlords and agents. A banning order last for a minimum of 12 months and prevent landlords or agents from letting their own properties or being involved in the lettings and property management industry across

	England.
13..Proceeds of Crime Act	<ul style="list-style-type: none"> Where landlords or others have benefited from the proceeds of a criminal activity we will work with Trading Standards colleagues and other internal departments as necessary to consider applications or legal proceedings under the Proceeds of Crime Act 2002 or other associated legislation. .

Appendix 3 - Enforcement Case Studies

Case Study 1 – HMO Fire

In April this year, the London Fire Brigade (LFB) notified Havering's Private Sector Housing Team of a fire in a 3 storey House in Multiple Occupation (HMO) in Harold Hill. The fire started as a result of an unattended pan in a shared kitchen. An investigation carried out by Havering Council in partnership with the LFB confirmed that **the fire alarm system was defective and did not sound** and in fact had not been in working order for some time.

A life threatening situation was only averted by a quick thinking tenant who discovered the fire. The tenant alerted other occupants residing on the top floor and assisted the evacuation of the property.

Key fact: Tenants in HMOs face much higher fire risks than occupant of other tenure types.

One of the key conditions on a **HMO licence** is that effective **fire detection is maintained in proper working** for just this type of scenario. For this serious breach, a **Financial Penalty Notice (FPN) of £5,000** was issued to the licence holder. The licence holder accepted liability and agreed to pay the full penalty amount claimed. Private Sector Housing are reviewing the status of the licence.



Fire damage in shared kitchen

Case Study 2 –Overcrowding and disrepair

An unannounced inspection by officers from Private Sector Housing in July 2018 found 8 Turkish national males living in unhygienic shared housing conditions.

The unlicensed HMO above shops in the centre of Gidea Park was found to be overcrowded, filthy and had no working fire detection. Every room in the property had been converted into a bedroom, a number of which had bunkbeds.

The property became a target for action because a HMO license had not been received and the data and intelligence suggest it could be a HMO.

Police, Immigration Enforcement and Housing Officers visited the property.



Case Study 3 – Poor living conditions

A multi-agency enforcement operation organised by Havering PRS Officers on 5th October 2018 found an overcrowded unlicensed HMO being occupied by a number of non-related residents, some of whom worked in the Indian Restaurant on the ground floor of the premises.

The living accommodation was found to be in poor condition with inadequate fire safety. Two of the persons found sleeping on the premises were removed from the property by immigration officers.

Financial Penalty Notices are to be served on the property owner for failing to licence a HMO and for Management Regulation breaches.

A referral has also been made to the Food Safety team as there was concern over the hygiene of the food business, given the general run-down condition of the premises overall. The fire authorities have also been informed about fire safety concerns as this premises is part commercial.



Equality & Health Impact Assessment (EqHIA)

Document control

Title of activity:	Private Sector Landlord Licensing
Lead officer:	Louise Watkinson
Approved by:	Dipti Patel
Date completed:	02/04/2019
Scheduled date for review:	October 2019

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Did you seek advice from the Public Health team?	Yes
Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality & Health Impact Assessment Checklist

Please complete the following checklist to determine whether or not you will need to complete an EqHIA and ensure you keep this section for your audit trail. If you have any questions, please contact EqHIA@havering.gov.uk for advice from either the Corporate Diversity or Public Health teams. Please refer to the Guidance in Appendix 1 on how to complete this form.

About your activity

1	Title of activity	<i>Private Sector Landlord Licensing</i>
2	Type of activity	<i>Strategy</i>
3	Scope of activity	<p>Under the provisions of Part 2 of the Housing Act 2004 the council is proposing to launch a statutory consultation to extend property licensing of HMOs to cover the 6 remaining wards not already covered by HMO licensing and introduce a selective licensing scheme (single households) to cover 20 % of the Borough in Romford Town and Brooklands wards.</p> <p>This will have the effect of requiring landlords of <u>all</u> houses in multiple occupation (HMO) not currently covered by mandatory licensing and landlords letting to single households in the Brooklands and Romford Town wards will be required to have a license.</p> <p>The scheme will be subject to a full public consultation with landlords, residents, businesses and community groups across the borough and all other potentially affected stakeholders who were invited to comment on the proposals. All feedback has been fully considered and will be presented to members prior to making the final informed decision at cabinet.</p> <p>Any designation made after the consultation is intended to last for five years and the council will be required to review the scheme from time to time within this period.</p> <p>The aims of Havering Council's Private Sector Landlord Licensing Project are:</p> <ul style="list-style-type: none"> to exercise the council's powers under the provisions under Part 2, section 55-56 of Housing Act 2004 <p>to improve management practices and improve housing conditions within the private rented residential sector and to deter the activities of</p>

		rogue or unprofessional landlords within the Borough		
4a	Are you changing, introducing a new, or removing a service, policy, strategy or function?	Yes	If the answer to <u>any</u> of these questions is 'YES', please continue to question 5.	If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6.
4b	Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?	No		
4c	Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?	Yes		
5	If you answered YES:	Please complete the EqHIA in Section 2 of this document. Please see Appendix 1 for Guidance.		
6	If you answered NO:	n/a		

Completed by:	Pip Watson
Date:	04/04/2019

2. The EqHIA – How will the strategy, policy, plan, procedure and/or service impact on people?

Background/context:
<p>Under the provisions of Part 2 of the Housing Act 2004 the council is consulting on extending landlord property licensing. The proposal will extend the coverage of the HMO licensing scheme to cover the remaining 6 wards not covered and introduce licensing for single household rentals in the Romford Town and Brooklands Wards</p> <p>The proposal will be subject to a full public consultation with landlords, residents, businesses and community groups across the borough and all other potentially affected</p>

stakeholders will be invited to comment on the proposals. All feedback will be fully considered and will be presented to members prior to making the final informed decision at cabinet.

Percentage and number of PRS properties by ward

Ward	% of ward dwellings PRS	No. PRS dwellings per ward
Romford Town	37.6%	3117
Brooklands	34.9%	2674
Harold Wood	32.0%	2061
Squirrels Heath	31.3%	1884
Saint Andrews	30.2%	1821
Rainham & Wennington	31.6%	1692
Mawneys	30.1%	1676
South Hornchurch	27.2%	1599
Gooshays	23.4%	1575
Elm Park	28.0%	1525
Hacton	27.5%	1410
Hylands	26.0%	1386
Heaton	24.0%	1380
Havering Park	24.9%	1342
Pettits	24.3%	1291
Cranham	23.6%	1261
Upminster	22.3%	1204
Emerson Park	23.5%	1120
Total	28.4%	30018

**Expand box as required*

Who will be affected by the activity?

The extension of a property licensing scheme will impact on the following individuals/groups :

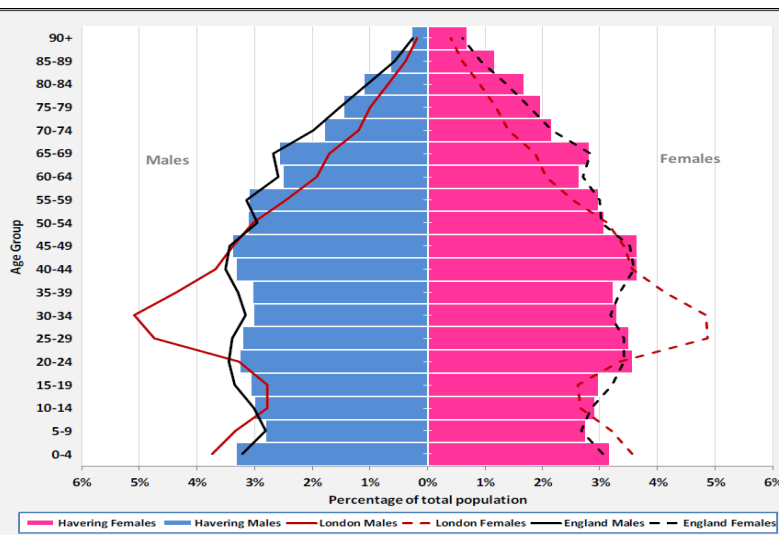
- Landlords who operate any HMOs within the designated zones
- Landlords who operate single household rentals in Romford Town and Brooklands
- Tenants who occupy or are potential occupiers of privately rented HMOs within designated areas and single household renters in Romford Town and Brooklands
- Borough residents and businesses located within the vicinity of the rental properties and the surrounding areas.

Protected Characteristic - Age: Consider the full range of age groups		
Please tick (✓) the relevant box:		Overall impact: Houses in Multiple Occupation are more likely to be occupied by young people under the age of 35 as shared accommodation is often the only type of affordable accommodation available to benefit reliant tenants as a result of housing benefit caps for young people. Licensing proposals could impact on this group negatively in the short term due to the possibility that some landlords may seek to return converted houses currently used as bedsit type accommodation back into single family homes in order to avoid licensing requirements or sell their properties. However there is no evidence that this occurs and the Council is not aware of any significant pattern of this from experience with the existing scheme. Housing and the quality of housing has a major impact on health and wellbeing of all age groups. Investment in improving poor, overcrowded or inappropriate housing will improve the quality of life of residents and have a preventative effect on future health and social care need. By driving up standards, licensing in the long term can deliver better individual health outcomes. Licensing also affords tenants better protection from eviction as a landlord can not evict a tenant if they have not licensed the property where required to. <div>*Expand box as required</div>
Positive	✓	
Neutral		
Negative		

Evidence:

Year	Population size
1983	240,000
1984	240,000
1985	239,000
1986	238,300
1987	238,000
1988	237,000
1989	236,000
1990	235,000
1991	230,900
1992	229,000
1993	229,000
1994	228,000
1995	227,000
1996	227,100
1997	226,000
1998	224,000
1999	225,000
2000	225,000
2001	224,700
2002	225,000
2003	225,000
2004	226,000
2005	227,000
2006	228,200
2007	230,000
2008	232,000
2009	234,000
2010	236,000
2011	237,900
2012	239,000
2013	241,000
2014	246,000
2015	249,100

Source: mid-year population estimates, ONS cited in 'This is Havering, LBH (2017)'



Population pyramid 2016, source: - ONS, Public Health Intelligence

Most existing data related to households is from the 2011 census. In Havering households are mainly composed of pensioners and married couples with dependent children. In 2011, there were 7,224 one-adult households with children under 16 in Havering. This is an increase from 2001 when there were 4,005 lone parent households. There has also been an increase in the number of one-adult households with no children. 32% (13,449) of the population aged 65 years and above are living in one-person households. Almost half (48%) of all one person households in Havering are occupied by persons aged 65 years and over, which is the highest proportion in London. It is projected that the largest increases in population will occur in children (0-17 years) and older people age groups (65 years and above) up to 2033.

- There are a total of 105,798 residential properties in Havering, 29% (30,125) of which are PRS, 54% are owner occupied and 17% socially rented.
- 7480 PRS properties have category 1 HHSRS hazards. This represents 25% of the PRS stock, i.e. 1 in 4 rental properties have serious hazards.
- The highest concentration of PRS properties are located in Romford Town and Brooklands wards
- The model predicts that Havering has 1310 HMOs
- HMO as a subset of the PRS in Havering, have high rates of ASB and category 1 (HHSRS) hazards
- The highest concentration of HMOs can be found in the Romford Town and Brooklands wards.

London Borough of Havering Private Rented Sector: Housing Stock Condition and Stressors Report 2019

Improvements in property standards

Our research found clear evidence that property standards have been improved. The high number of inspections carried out as part of the schemes often shed light on the high level of non-compliance and the prevalence of dangerous properties being rented out in licensable areas. We found numerous examples of councils who could clearly demonstrate that large numbers of hazards had been identified and addressed Source: A

The core cities report outlines the key benefits of licensing

Benefits of landlord licensing

Landlord licensing can bring benefits for local authorities and residents through greater powers and ability to improve standards in the private rented sector. In particular:

Greater enforcement and regulation capability: *Councils with licensing schemes have demonstrated a greater capacity to deliver effective regulation and enforcement. This benefit is a product of a spread of other benefits, including additional powers; resources; and intelligence. This increased capacity can be clearly seen in London, where the four London Boroughs with borough wide selective licensing (Newham, Barking and Dagenham, Croydon and Waltham Forest) account for 73.7% of prosecutions across the capitals 33 boroughs. Including all London boroughs with some level of selective licensing in the same year takes the total to 87.5%.³⁸*

Improved powers of entry: *linked to the above, licensing schemes provide councils with enhanced powers of entry (the Housing Act 2014 gives local authorities powers to inspect a property without notice where it is suspected that it a property is in breach of a licence condition or doesn't have a licence).*

Resources: *significant cuts to council budgets over recent years have reduced resources available to tackle landlords who provide poor or unsafe living conditions. Licensing provides a ring-fenced income stream for local authorities to fund greater regulation and enforcement at local level over a sustained period. Without licensing fees, many councils would be forced to cut back on PRS regulation and forced to deal with tenants' complaints only. Experience shows that these reactive complaints are not always where most of the worst conditions or housing crimes exist.*

Comprehensive data and intelligence: *Through the data that licensing provides, local authorities can better understand the scale and profile of the private rented sector. This enables councils to shape and target their interventions, reducing the burden on good landlords and providing a much more cost-effective approach for the council.*

Housing conditions and safety: *Licensing is being used in a range of ways to improve property standards, including:*

- o Alerting the authority to properties that are more likely to have issues with poor standards and management. Licensed properties with Category 1 hazards can be more effectively dealt with because landlord information is readily available, including name, address and contact details.*
- o Convicted landlords can be found 'not fit and proper', and other landlords subject to enforcement can be issued with shorter licences and additional licensing conditions.*
- o Preventing overcrowding by specifying the number of people and households permitted in the property.*
- o Ensuring the good condition of the property by requiring the landlord to inspect the property at least every six months.*
- o Risk based documents audits of licensing conditions can be checked to ensure key hazards are properly managed, including safety certificates and tenancy management documents This includes:*
- o Ensuring gas and electrical safety by requiring the landlord to have a valid gas safety certificate and provide an electrical appliance test report to the council.*

- o Tackling pest infestations by requiring the landlord to take pest control measures, if required.
- o Ensuring Fire Safety by ensuring that the landlord tests all smoke alarms and fire equipment. The Licence requires the landlord to provide a copy of periodical test certificates/reports to the council.

Anti-Social Behaviour: Licensing offers information and powers covering a range of common ASB issues, including:

- o Requiring the landlord to take steps to address anti-social behaviour with tenants.
- o Requiring the landlord to ensure there are formal arrangements for the disposal of rubbish and bulky waste.
- o Working in partnership with landlords to reduce and prevent ASB at an early stage.

Crime and disorder: Through private rented sector licensing councils are able to help tackle criminal activity, including:

- o Tax evasion by sharing data with HMRC about landlords not paying all their tax.
- o Recovering Council Tax by working in partnership with council tax enforcement teams to recoup unpaid council tax from HMO landlords.
- o Illegal immigration through joint working with Immigration Enforcement.
- o Sharing data to detect and prevent crimes, enabling the council to identify properties that are in the private rented sector but also the occupants. This has assisted the police with serious crime prevention activity. It also assists other Council departments, for example assisting social services to identify children who may be at risk.

Joint working: Licensing provides intelligence and a legal framework that enables enhanced joint working with other enforcement partners. The additional intelligence and powers offered by licensing enable councils to jointly target properties of concern.

Engagement with landlords: Licensing enables councils to engage and communicate with large numbers of landlords on a range of issues, helping to inform and professionalise the market through newsletters and meetings.

Source – Core cities report 2019

**Expand box as required*

Sources used:

Shaw M, Danny D and Brimblecombe N (1998) Health problems in houses in multiple occupation.

Environmental Health Journal 106(10) 280-281.

Professional Evaluation: Beyond safety to wellbeing: How local authorities can mitigate the mental health risks of living in houses in multiple occupation-

Dr Caroline Barratt, Christopher Kitcher and Dr Jill Stewart

A Licence to Rent - joint research project between Chartered Institute of Environmental Health and Chartered Institute of Housing Jan 2019

Core City Report -

<https://www.corecities.com/publications/cities-need-more-powers-licence-private-landlords-and-protect-communities> Feb 2019 Moffatt and Watson

London Borough of Havering Private Rented Sector: Housing Stock Condition and Stressors Report 2019

Protected Characteristic - Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions

Please tick (✓) the relevant box:

Positive

✓

Neutral

Negative

Overall impact:

There are a significant number of tenants with mental health disabilities living in HMO accommodation and single household rentals.

The potential risk to the number of available HMO and rental units as a direct result of licencing could impact negatively on this group. There is no evidence the housing supply reduces in licencing areas.

However, the envisaged benefits of better quality housing accommodation that is well managed and complies with all relevant standards outweighs the possible negative impact that may result from implementing the proposed licencing scheme.

The council's Housing service has a duty to assist vulnerable adults to find alternative accommodation in cases where they have become unintentionally homeless, therefore it is expected that the majority of adversely affected individuals would be assisted to secure either temporary or permanent alternative accommodation.

**Expand box as required*

Evidence:

- (1) Previous research has highlighted the relationship between mental health problems and HMOs. Shaw *et al.*, (1998) note that HMO residents are eight times more likely than the general population to suffer from mental health problems as well as having other problems:

'These groups [living in HMOs] are more likely to be drug or alcohol-dependent, many have spent their early lives in care, or are ex-prisoners, and have nowhere else to go' (Shaw et al., 1998: 67

'Within HMOs some of the greatest threats to the mental health of tenants come from the actions of other tenants. Landlords currently have a duty to ensure that the behaviour of tenants in the property does not impinge on the surrounding community but it is not specified that tenants should be protected from the behaviour of other tenants'. (2)

'In terms of mental health, preventing ASB in the property will make tenants feel safer and more secure', (2)

'current legislation has the potential to contribute significantly to the safety and quality of housing and this is likely to positively affect the mental health of tenants, through creating a sense of safety and security' (2)

**Expand box as required*

Sources used:

(1) Shaw M, Danny D and Brimblecombe N (1998)
Health problems in houses in multiple occupation.
Environmental Health Journal 106(10) 280-281.

(2) Professional Evaluation: Beyond safety to wellbeing: How local authorities can mitigate the mental health risks of living in houses in multiple occupation-
Dr Caroline Barratt, Christopher Kitcher and Dr Jill Stewart

**Expand box as required*

Protected Characteristic - Sex/gender: Consider both men and women

Please tick (✓)
the relevant
box:

Positive

Neutral

✓

Overall impact:

No differential impact has been identified on the grounds of this protected characteristic in respect of landlords who may be affected by the licensing proposals as it applies equally to all landlords operating in Havering irrespective of sex / gender.

Negative

Evidence suggests that Houses in Multiple Occupation are twice as likely to be occupied by males, predominantly under the age of 30, as shared accommodation is often the only type of affordable accommodation available to them and they usually have no access to social housing accommodation.

Additional licensing proposals could impact on this group negatively in the short term due to the possibility that some landlords may seek to return converted houses currently used as bedsit type accommodation back into single family homes in order to avoid licensing requirements which may result in consequential shortages of HMO accommodation and evictions.

This is however only expected to be the case for poorly managed properties in the worst condition and may have the beneficial effect of driving bad landlords out of the market which, in the longer term, should result in increased availability of better quality and well managed bedsit type accommodation. Residents that are displaced as

		<p>a result of this process will have access to housing advice albeit it may not be possible for the council to make a direct offer of alternative accommodation in all cases.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>
<p>Evidence:</p> <p>Community Safety report using data collected from Havering databases and Metropolitan Police records stated that of all known HMOs in the Borough, 67% were occupied by males.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		
<p>Sources used:</p> <p>Data on noise nuisance collated by London Borough of Havering and Metropolitan Police records of reported crime and anti-social behaviour (for period April 2015-March 2016)</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		

Protected Characteristic - Ethnicity/race: Consider the impact on different ethnic groups and nationalities		
Please tick (✓) the relevant box:		<p>Overall impact:</p> <p>There is a significant concentration of migrant households in HMOs and low quality homes where this is the only affordable form of accommodation for a working household on low wages.</p> <p>Vulnerable tenants, such as new arrivals in the country may be more likely to be affected by poor housing conditions. Overcrowding disproportionately affects migrants.</p> <p>PRS tenants within ethnic minority groups are therefore likely to be adversely affected by licensing in the short term due to the potential of a shortage of rental accommodation resultant from licensing requirements. However, they should be positively affected in the longer term by way of better quality accommodation and landlord management practices and more protection from eviction to be implemented through licence conditions. Housing advice will be available to any tenant that has been displaced as a consequence of licensing.</p>
Positive	✓	
Neutral		
Negative		

Licenses state the permitted number of occupants for the property, therefore compliance will reduce overcrowding.

The PRS Landlord Licensing proposal applies equally to all landlords operating within the London Borough of Havering irrespective of ethnicity / race therefore this group will not be negatively affected. A range of measures will be implemented in order to support landlords to respond to reports of antisocial behaviour and unsocial tenants.

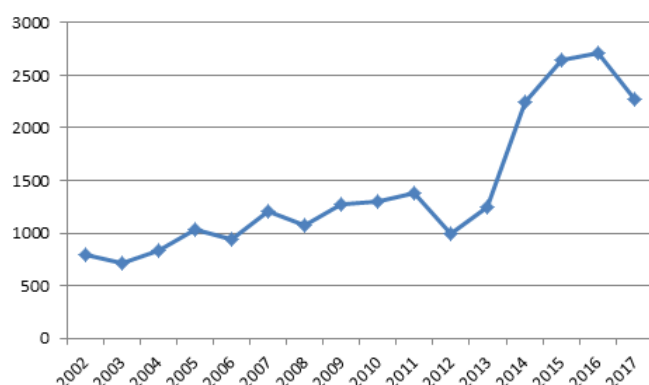
**Expand box as required*

Evidence:

Havering is one of the most ethnically homogenous areas in London, with 83% of its residents recorded as White British, higher than both the London and England averages. About 90% of the borough's population were born in the United Kingdom.

National Insurance number registration to adult overseas nationals entering the UK have more than doubled in Havering since 2012 even though there was a slight downturn last year as shown below (DWP 2018)¹.

National Insurance number registration to adult overseas nationals entering the UK 2002-2017



**Expand box as required*

Sources used:

1. National Insurance number allocations to adult overseas nationals entering the UK. Statistics on National Insurance number allocations. 29 November 2018. Department of Work and Pensions <https://www.gov.uk/government/collections/national-insurance-number-allocations-to-adult-overseas-nationals-entering-the-uk>

**Expand box as required*

Protected Characteristic - Religion/faith: Consider people from different religions or beliefs including those with no religion or belief		
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and Landlords operating within Havering irrespective of religion / faith. <i>*Expand box as required</i>
Positive		
Neutral	✓	
Negative		
Evidence: N/A <i>*Expand box as required</i>		
Sources used: N/A <i>*Expand box as required</i>		

Protected Characteristic - Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual		
Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and landlords operating in Havering irrespective of sexual orientation. <i>*Expand box as required</i>
Positive		
Neutral	✓	
Negative		
Evidence: There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation of tenants <i>*Expand box as required</i>		

<p>Sources used:</p> <p>N/A</p>

**Expand box as required*

Protected Characteristic - Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth

Please tick (✓) the relevant box:		<p>Overall impact:</p> <p>No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and landlords operating in Havering irrespective of gender reassignment.</p>
Positive		<p>Licensing aims to reduce anti-social behaviour which is likely to benefit people who suffer from harassment, abuse or other crimes and incidents. A range of measures will be implemented in order to support landlords to respond to reports of anti-social behaviour and unsocial tenants.</p>
Neutral	✓	
Negative		

**Expand box as required*

<p>Evidence:</p> <p>There is insufficient data available to measure accurately the potential effect of these proposals in relation to people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth</p>

**Expand box as required*

<p>Sources used:</p> <p>N/A</p>

**Expand box as required*

Protected Characteristic - Marriage/civil partnership: Consider people in a marriage or civil partnership

Please tick (✓) the relevant box:		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and landlords operating in Havering irrespective of marriage / civil partnership. <i>*Expand box as required</i>
Positive		
Neutral	✓	
Negative		
Evidence: N/A <i>*Expand box as required</i>		
Sources used: N/A <i>*Expand box as required</i>		

Protected Characteristic - Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
Please tick (✓) the relevant box:		Overall impact: Proposed restrictions on numbers of occupants in rental accommodation may impact upon pregnant tenants as the addition of a baby may result in a property becoming overcrowded. However a landlord is NOT required to evict a tenant where the property has become 'naturally' overcrowded. Tenants are afforded more protections under licensing schemes. Housing advice will be available to any tenant that has been displaced as a consequence of licensing and in many cases tenants falling within this protected characteristic will be owed a homeless duty by the council's housing service. <i>*Expand box as required</i>
Positive	✓	
Neutral		
Negative		

Evidence:

It is projected that the largest increases in population will occur in children (0-17 years) and older people age groups (65 years and above) up to 2033.

**Expand box as required*

Sources used:

London Borough of Havering Private Rented Sector: Housing Stock Condition and Stressors Report 2019

**Expand box as required*

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:

Positive

✓

Neutral

Negative

Overall impact:

Vulnerable residents and those on low incomes have found that access to housing appropriate to their needs has been restricted by a lack of affordability and large numbers find themselves living in the worst PRS properties or shared accommodation. Changes to the national welfare system has had a negative impact on the provision of quality housing options due to displacement of benefit dependent households into cheaper shared accommodation as a result of the Local Housing Allowance rent caps. Some landlords may decide to increase rents or leave the private rental market altogether as a result of introducing licensing in Havering and this could negatively impact tenants due to a reduction in the supply of rental accommodation and subsequent increase in evictions and homelessness.

On the positive side, a significant protection that would be provided for assured shorthold tenants is that a s.21 Notice to evict tenants cannot be used by the landlord where a property has not been licensed when it is required to be and the Courts will therefore refuse to issue Possession Orders on that basis. The life chances of residents are closely linked to the quality of their neighbourhoods and their housing accommodation. Licensing seeks to address some of these issues by driving up the quality of the PRS and will improve housing conditions and security of tenure, particularly for the poorest tenants, over the longer term.

A common complaint is that licensing will lead to an increase in rents, with the costs of licensing passed on to tenants. However, there is little evidence that this is case.

The reality is that the PRS is a competitive market. Rents are set at what the market will bear and can respond quickly to market conditions

		<p>e.g. if a property is hard to let the rent will be adjusted down, and vice versa. There is no conclusive evidence that licensing fees increase rents, and with healthy profits in the private rented sector such licensing fees are usually paid for by landlords' surplus and do not impact on tenants. (core cities)</p> <p style="text-align: right;"><i>*Expand box as required</i></p>
<p>Evidence:</p> <p>The average gross income per household in Havering (£44,430, as measured in 2012/13) is low in comparison to the London average (£51,770) and slightly higher than the England average (£39,557).</p> <p>In 2017 the average gross salary for full time male was £35,869 and female £28,686 (source: ONS ASHE Table 7). 77% of households in Havering have at least one car and compared to other local authorities in London, Havering has the second highest proportion of households (32.8%) with 2 or more cars.</p> <p>The majority of children in Havering are not poor, but around 8,800 live in income-deprived households. Gooshays and Heaton wards have the highest proportion of children living in poverty.</p> <p>About 79.8% of working age residents in Havering were in employment between October 2016 – September 2017. Overall employment rate in Havering is higher than London (73.7%) and England (74.5%). The proportion of working age residents in Havering claiming out-of-work benefits (6.6%) is significantly lower than England (8.4%).</p> <p>The recent data from the ONS shows that the average property in the area sold for £373,241; significantly higher than the UK average of £232,797. The average homeowner in Havering will have seen their property increase in value by around £147,000 in the last five years.</p> <p>Havering is relatively less deprived than its neighbouring Boroughs, however Romford Town and Brooklands have some of the highest deprivation.</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		
<p>Sources used:</p> <p>source: ONS ASHE Table 7</p> <p style="text-align: right;"><i>*Expand box as required</i></p>		

<p>Health & Wellbeing Impact: Consider both short and long-term impacts of the activity on a person's physical and mental health, particularly for disadvantaged, vulnerable or at-risk groups. Can health and wellbeing be positively promoted through this activity? Please use the Health and Wellbeing Impact Tool in Appendix 2 to help you answer this question.</p>		
<p>Please tick (✓) all the relevant boxes that apply:</p>	<p>Overall impact:</p> <p>There are claims that licensing of private rented properties can reduce investment, supply and affordability which could have a negative impact on health and well being.</p>	
<p>Positive</p>	<p>✓</p>	

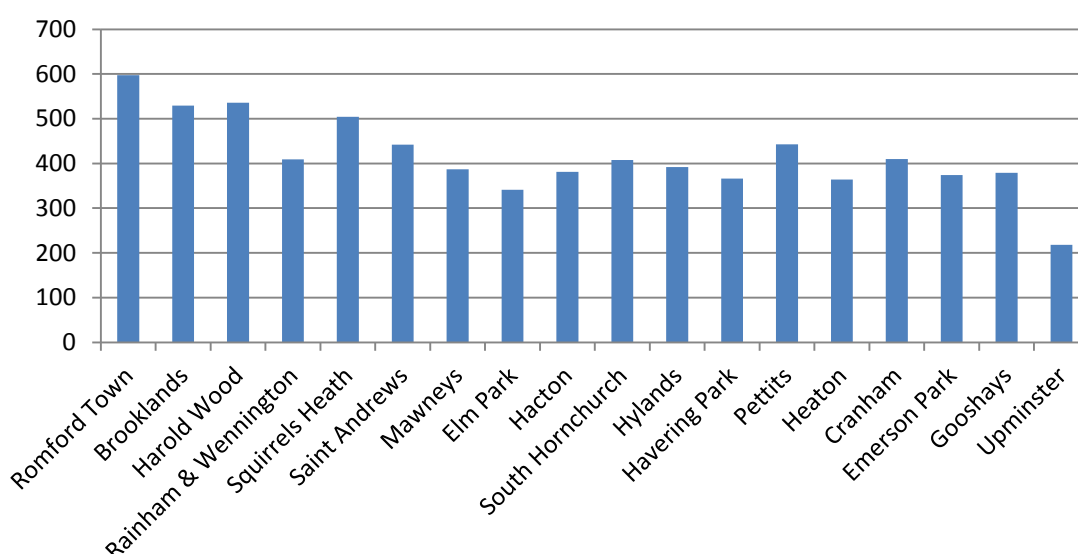
Neutral		Recent reports on licensing show that this is not the case. Landlords are price takers so rents are set at maximum in most cases.
Negative		<p>Investment continues to grow if yields and markets are good rather than from a licensing scheme.</p> <p>The areas of the borough with the highest concentration of HMOs and the proposed selective licensing area are Romford Town and Brooklands – these are both areas where there is existing deprivation and significant inequalities in health and wellbeing.</p> <p>Licensing can assist in improving the condition of rental accommodation by improving management and responsiveness of property owners.</p> <p>Poor housing impacts seriously on health, the most common hazards are excess cold, damp and mould and lack fire precautions.</p> <p>Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box</p> <p style="text-align: right;">Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

Evidence:

In 2016, 15% (750,000) of private rented dwellings in England had at least one Category 1 hazard; this was a higher proportion than owner occupied (13%) and social rented homes (6%) (Source: - MHCLG Private rented sector 2016-17 English Housing survey).

The Havering housing report concludes that PRS properties have been a source of 8,600 recorded ASB incidents since 2013 (Graph 2) and 7,400 (24.5%) properties are predicted to have serious home hazards (Category 1), including damp, mould, electrical faults.

Estimated number of Category 1 hazards by ward



**Expand box as required*

Sources used:

<https://researchbriefings.files.parliament.uk/documents/POST-PN-0573/POST-PN-0573.pdf>

MHCLG Private rented sector 2016-17 English Housing survey

3. Outcome of the Assessment

The EqHIA assessment is intended to be used as an improvement tool to make sure the activity maximises the positive impacts and eliminates or minimises the negative impacts. The possible outcomes of the assessment are listed below and what the next steps to take are:

Please tick (✓) what the overall outcome of your assessment was:

✓	1. The EqHIA identified <u>no significant concerns</u> OR the identified <u>negative concerns</u> have already been <u>addressed</u>	➔	Proceed with implementation of your activity
	2. The EqHIA identified some <u>negative impact</u> which still needs <u>to be addressed</u>	➔	COMPLETE SECTION 4: Complete action plan and finalise the EqHIA
	3. The EqHIA identified some <u>major concerns</u> and showed that it is <u>impossible to diminish negative impacts</u> from the activity to an acceptable or even lawful level	➔	Stop and remove the activity or revise the activity thoroughly . Complete an EqHIA on the revised proposal.

4. Action Plan

The real value of completing an EqHIA comes from the identifying the actions that can be taken to eliminate/minimise negative impacts and enhance/optimize positive impacts. In this section you should list the specific actions that set out how you will address any negative equality and health & wellbeing impacts you have identified in this assessment. Please ensure that your action plan is: more than just a list of proposals and good intentions; sets ambitious yet achievable outcomes and timescales; and is clear about resource implications.

Protected characteristic / health & wellbeing impact	Identified Negative or Positive impact	Recommended actions to mitigate Negative impact* or further promote Positive impact	Outcomes and monitoring**	Timescale	Lead officer

Add further rows as necessary

* You should include details of any future consultations and any actions to be undertaken to mitigate negative impacts

** Monitoring: You should state how the impact (positive or negative) will be monitored; what outcome measures will be used; the known (or likely) data source for outcome measurements; how regularly it will be monitored; and who will be monitoring it (if this is different from the lead officer).

5. Review

In this section you should identify how frequently the EqHIA will be reviewed; the date for next review; and who will be reviewing it.

Review:

This will be reviewed again after the consultation if the council choose to proceed with introducing more licensing of the private rented sector

Scheduled date of review: Autumn 2019

Lead Officer conducting the review: Louise Watkinson

**Expand box as required*

Appendix 1. Guidance on Undertaking an EqHIA

This Guidance can be deleted prior to publication.

What is it?

The Equality & Health Impact Assessment (EqHIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service, whilst at the same time ensuring a person's chance of leading a healthy life is the same wherever they live and whoever they are. We want to ensure that the activities of the Council are 'fit for purpose' and meet the needs of Havering's increasingly diverse communities and employees. This robust and systematic EqHIA process ensures that any potential detrimental effects or discrimination is identified, removed, or mitigated and positive impacts are enhanced.

When to Assess:

An EqHIA should be carried out when you are changing, removing or introducing a new service, policy, strategy or function; for simplicity, these are referred to as an "activity" throughout this document. It is best to conduct the assessment as early as possible in the decision-making process.

Guidance: Equality & Health Impact Assessment Checklist

The Checklist in Section 1 asks the key questions,

4a) Are you changing, introducing a new, or removing a service, policy, strategy or function?

4b) Does this activity (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon people (9 protected characteristics)?

4c) Does this activity (policy/strategy/service/decision) have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing?

- If the answer to ANY of the questions 4a, 4b or 4c of the Checklist is 'YES' then you must carry out an assessment. e.g. Proposed changes to Contact Centre Opening Hours
'YES' = you need to carry out an EqHIA
- If the answer to ALL of the questions, 4a or 4b of the Checklist is NO, then you do not need to carry out an EqHIA assessment. e.g. Quarterly Performance Report
'NO' = you DO NOT need to carry out an EqHIA. Please provide a clear explanation as to why you consider an EqHIA is not required for your activity.

Using the Checklist

The assessment should take into account all the potential impacts of the proposed activity, be it a major financial decision, or a seemingly simple policy change. Considering and completing this EqHIA will ensure that all Council plans, strategies, policies, procedures, services or other activity comply with relevant statutory obligations and responsibilities. In particular it helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#) and its public health duties under the [Health and Social Care Act 2012](#).

Having Due Regard

To have due regard means that in making decisions and in its other day-to-day activities, the Council must consciously consider the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups
- Reduce inequalities in health outcomes

Combining Equality and Health Impact Assessment:

[Equality Impact Assessments \(EIAs\)](#) provide a systematic way of ensuring that legal obligations are met. They assess whether a proposed policy, procedure, service change or plan will affect people different on the basis of their 'protected characteristics' and if it will affect their human rights. Currently there are **nine protected characteristics** (previously known as 'equality groups' or 'equality strands'): age, disability, sex/gender, ethnicity/race, religion/fait, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/ maternity/paternity.

An activity does not need to impact on all 9 protected characteristics – impacting on just one is sufficient justification to complete an EqHIA.

[Health Impact Assessments \(HIAs\)](#) consider the potential impact of any change or amendment to a policy, service, plan, procedure or programme on the health and wellbeing of the population. HIAs help identify how people may be affected differently on the basis of where they live and potential impacts on health inequalities and health equity by assessing the distribution of potential effects within the population, particularly within vulnerable groups. 'Health' is not restricted to medical conditions, or the provision of health services, but rather encompasses the wide range of influences on people's health and wellbeing. This includes, but is not limited to, experience of discrimination, access to transport, housing, education, employment - known as the 'wider determinants of health'.

This [Equality and Health Impact Assessment \(EqHIA\)](#) brings together both impact assessments into a single tool which will result in a set of recommendations to eliminate discrimination and inequality; enhance potential positive impacts and mitigate where possible for negative impacts. In conducting this EqHIA you will need to assess the impact (positive, neutral or negative) of your activity on individuals and groups with **protected characteristics** (this includes staff delivering your activity), **socio-economic status** and **health & wellbeing**. Guidance on what to include in each section is given on the next pages.

Guidance: What to include in background/context

In this section you will need to add the background/context of your activity, i.e. what is the activity intending to do, and why?

Make sure you include the scope and intended outcomes of the activity being assessed; and highlight any proposed changes. Please include a brief rationale for your activity and any supporting evidence for the proposal. Some questions to consider:

- What is the aim, objectives and intended outcomes?
- How does this activity meet the needs of the local population?
- Has this activity been implemented in another area? What were the outcomes?
- Is this activity being implemented as per best practice guidelines?
- Who were the key stakeholders in this activity?

*Note that the boxes will expand as required

Guidance: Who will be affected by the activity?

The people who will be affected may be

Residents: pay particular attention to vulnerable groups in the population who may be affected by this activity

Businesses/ manufacturing / developers / small, medium or large enterprises

Employees: e.g. Council staff for an internal activity, other statutory or voluntary sector employees, local businesses and services

*Note that the boxes will expand as required

Guidance: What to include in assessing a Protected Characteristic e.g. AGE

Please tick (✓) the relevant box:

Positive

Neutral

Negative

Overall impact: In this section you will need to consider and note what impact your activity will have on individuals and groups (including staff) with protected characteristics based on the data and information you have. You should note whether this is a positive, neutral or negative impact.

It is essential that you note all negative impacts. This will demonstrate that you have paid 'due regard' to the Public Sector Equality Duty if your activity is challenged under the Equality Act.

*Note that the boxes will expand as required

Evidence: In this section you will need to document the evidence that you have used to assess the impact of your activity.

When assessing the impact, please consider and note how your activity contributes to the three aims of the Public Sector Equality Duty (PSED) as stated in the section above.

It is essential that you note the full impact of your activity, so you can demonstrate that you have fully considered the equality implications and have paid 'due regard' to the PSED should the Council be challenged.

- If you have identified a **positive impact**, please note this.
- If you think there is a **neutral impact** or the impact is not known, please provide a full reason why this is the case.
- If you have identified a **negative impact**, please note what steps you will take to mitigate this impact. If you are unable to take any mitigating steps, please provide a full reason why. All negative impacts that have mitigating actions must be recorded in the **Action Plan**.
- **Please ensure that appropriate consultation with affected parties has been undertaken and evidenced**

Sources used: In this section you should list all sources of the evidence you used to assess the impact of your activity. This can include:

- Service specific data
- Population, demographic and socio-economic data. Suggested sources include:
 - o Service user monitoring data that your service collects
 - o [Havering Data Intelligence Hub](#)
 - o [Office for National Statistics \(ONS\)](#)

If you do not have any relevant data, please provide the reason why.

*Note that the boxes will expand as required

Guidance: What to include in assessing Health & Wellbeing Impact:

Please tick (✓) all the relevant boxes that apply:

Positive

Neutral

Negative

Overall impact: In this section you will need to consider and note whether the proposal could have an overall impact on, or implications for, people's health and wellbeing or any factors which determine people's health.

How will the activity help address inequalities in health?

Include here a brief outline of what could be done to enhance the positive impacts and, where possible, mitigate for the negative impacts.

*Note that the boxes will expand as required

Do you consider that a more in-depth HIA is required as a result of this brief assessment? Please tick (✓) the relevant box

Yes ☐ No ☐

Evidence: In this section you will need to outline in more detail how you came to your conclusions above:

- What is the nature of the impact?
- Is the impact **positive** or **negative**? It is possible for an activity to have **both positive and negative impacts**. Consider here whether people will be able to access the service being offered; improve or maintain healthy lifestyles; improve their opportunities for employment/income; whether and how it will affect the environment in which they live (housing, access to parks & green space); what the impact on the family, social support and community networks might be
- What can be done to mitigate the negative impacts and/or enhance the positive impacts?
- If you think there is a **neutral impact**, or the impact is not known, please provide a brief reason why this is the case.
- What is the likelihood of the impact? Will the impact(s) be in weeks, months or years? In some cases the short-term risks to health may be worth the longer term benefits.
- Will the proposal affect different groups of people in different ways? A proposal that is likely to benefit one section of the community may not benefit others and could lead to inequalities in health.

Please use the Health & Wellbeing Impact Tool in Appendix 2 as a guide/checklist to assess the potential wider determinants of health impacts.

This tool will help guide your thinking as to what factors affect people's health and wellbeing, such as social support, their housing conditions, access to transport, employment, education, crime and disorder and environmental factors. It is not an exhaustive list, merely a tool to guide your assessment; there may be other factors specific to your activity.

Some questions you may wish to ask include:

- Will the activity impact on people's ability to socialise, potentially leading to social isolation?
- Will the activity affect a person's income and/or have an effect on their housing status?
- Is the activity likely to cause the recipient of a service more or less stress?
- Will any change in the service take into account different needs, such as those with learning difficulties?
- Will the activity affect the health and wellbeing of persons not directly related to the service/activity, such as carers, family members, other residents living nearby?
- If there is a short-term negative effect, what will be done to minimise the impact as much as possible?

- Are the longer-term impacts positive or negative? What will be done to either promote the positive effects or minimise the negative effects?
- Do the longer term positive outcomes outweigh the short term impacts?

*Note that the boxes will expand as required

Sources used: In this section you should list all sources of the evidence you used to assess the impact of your activity. This could include, e.g.:

Information on the population affected

- Routinely collected local statistics (e.g. quality of life, health status, unemployment, crime, air quality, educational attainment, transport etc.)
- Local research/ Surveys of local conditions
- Community profiles

Wider Evidence

- Published Research, including evidence about similar proposals implemented elsewhere (e.g. Case Studies).
- Predictions from local or national models
- Locally commissioned research by statutory/voluntary/private organisations

Expert Opinion

- Views of residents and professionals with local knowledge and insight

*Note that the boxes will expand as required

Guidance: Outcome of the Assessment

On reflection, what is your overall assessment of the activity?

The purpose of conducting this assessment is to offer an opportunity to think, reflect and **improve** the proposed activity. It will make sure that the Council can evidence that it has considered its due regard to equality and health & wellbeing to its best ability.

It is not expected that all proposals will be immediately without negative impacts! However, where these arise, what actions can be taken to mitigate against potential negative effects, or further promote the positive impacts?

Please tick one of the 3 boxes in this section to indicate whether you think:

1. all equality and health impacts are adequately addressed in the activity – proceed with your activity pending all other relevant approval processes
2. the assessment identified some negative impacts which could be addressed – please complete the Action Plan in Section 4.
3. If the assessment reveals some significant concerns, this is the time to stop and re-think, making sure that we spend our Council resources wisely and fairly. There is no shame in stopping a proposal.

*Note that the boxes will expand as required

Guidance: Action Plan

For each protected characteristic/health & wellbeing impact where an impact on people or their lives has been identified, complete one row of the action plan. You can add as many further rows as required.

State whether the impact is Positive or Negative

Briefly outline the actions that can be taken to mitigate against the negative impact or further enhance a positive impact. These actions could be to make changes to the activity itself (service, proposal, strategy etc.) or to make contingencies/alterations in the setting/environment where the activity will take place.

For example, might staff need additional training in communicating effectively with people with learning difficulties, if a new service is opened specifically targeting those people? Is access to the service fair and equitable? What will the impact on other service users be? How can we ensure equity of access to the service by all users? Will any signage need changing? Does the building where the service being delivered comply with disability regulations?

Guidance: Review

Changes happen all the time! A service/strategy/policy/activity that is appropriate at one time, may no longer be appropriate as the environment around us changes. This may be changes in our population, growth and makeup, legislative changes, environmental changes or socio-political changes.

Although we can't predict what's going to happen in the future, a review is recommended to ensure that what we are delivering as a Council is still the best use of our limited resources. The timescale for review will be dependent on the scale of the activity.

A major financial investment may require a review every 2-3 years for a large scale regeneration project over 10-15 years.

A small policy change may require a review in 6 months to assess whether there are any unintended outcomes of such a change.

Please indicate here how frequently it is expected to review your activity and a brief justification as to why this timescale is recommended.

Appendix 2. Health & Wellbeing Impact Tool

Will the activity/service/policy/procedure affect any of the following characteristics? Please tick/check the boxes below

The following are a range of considerations that might help you to complete the assessment.

Lifestyle YES <input type="checkbox"/> NO <input type="checkbox"/>	Personal circumstances YES <input type="checkbox"/> NO <input type="checkbox"/>	Access to services/facilities/amenities YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Diet <input type="checkbox"/> Exercise and physical activity <input type="checkbox"/> Smoking <input type="checkbox"/> Exposure to passive smoking <input type="checkbox"/> Alcohol intake <input type="checkbox"/> Dependency on prescription drugs <input type="checkbox"/> Illicit drug and substance use <input type="checkbox"/> Risky Sexual behaviour <input type="checkbox"/> Other health-related behaviours, such as tooth-brushing, bathing, and wound care	<input type="checkbox"/> Structure and cohesion of family unit <input type="checkbox"/> Parenting <input type="checkbox"/> Childhood development <input type="checkbox"/> Life skills <input type="checkbox"/> Personal safety <input type="checkbox"/> Employment status <input type="checkbox"/> Working conditions <input type="checkbox"/> Level of income, including benefits <input type="checkbox"/> Level of disposable income <input type="checkbox"/> Housing tenure <input type="checkbox"/> Housing conditions <input type="checkbox"/> Educational attainment <input type="checkbox"/> Skills levels including literacy and numeracy	<input type="checkbox"/> to Employment opportunities <input type="checkbox"/> to Workplaces <input type="checkbox"/> to Housing <input type="checkbox"/> to Shops (to supply basic needs) <input type="checkbox"/> to Community facilities <input type="checkbox"/> to Public transport <input type="checkbox"/> to Education <input type="checkbox"/> to Training and skills development <input type="checkbox"/> to Healthcare <input type="checkbox"/> to Social services <input type="checkbox"/> to Childcare <input type="checkbox"/> to Respite care <input type="checkbox"/> to Leisure and recreation services and facilities
Social Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Economic Factors YES <input type="checkbox"/> NO <input type="checkbox"/>	Environmental Factors YES <input type="checkbox"/> NO <input type="checkbox"/>
<input type="checkbox"/> Social contact <input type="checkbox"/> Social support <input type="checkbox"/> Neighbourliness <input type="checkbox"/> Participation in the community <input type="checkbox"/> Membership of community groups <input type="checkbox"/> Reputation of community/area <input type="checkbox"/> Participation in public affairs <input type="checkbox"/> Level of crime and disorder <input type="checkbox"/> Fear of crime and disorder <input type="checkbox"/> Level of antisocial behaviour <input type="checkbox"/> Fear of antisocial behaviour <input type="checkbox"/> Discrimination <input type="checkbox"/> Fear of discrimination <input type="checkbox"/> Public safety measures <input type="checkbox"/> Road safety measures	<input type="checkbox"/> Creation of wealth <input type="checkbox"/> Distribution of wealth <input type="checkbox"/> Retention of wealth in local area/economy <input type="checkbox"/> Distribution of income <input type="checkbox"/> Business activity <input type="checkbox"/> Job creation <input type="checkbox"/> Availability of employment opportunities <input type="checkbox"/> Quality of employment opportunities <input type="checkbox"/> Availability of education opportunities <input type="checkbox"/> Quality of education opportunities <input type="checkbox"/> Availability of training and skills development opportunities <input type="checkbox"/> Quality of training and skills development opportunities <input type="checkbox"/> Technological development <input type="checkbox"/> Amount of traffic congestion	<input type="checkbox"/> Air quality <input type="checkbox"/> Water quality <input type="checkbox"/> Soil quality/Level of contamination/Odour <input type="checkbox"/> Noise levels <input type="checkbox"/> Vibration <input type="checkbox"/> Hazards <input type="checkbox"/> Land use <input type="checkbox"/> Natural habitats <input type="checkbox"/> Biodiversity <input type="checkbox"/> Landscape, including green and open spaces <input type="checkbox"/> Townscape, including civic areas and public realm <input type="checkbox"/> Use/consumption of natural resources <input type="checkbox"/> Energy use: CO2/other greenhouse gas emissions <input type="checkbox"/> Solid waste management <input type="checkbox"/> Public transport infrastructure

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CABINET

Subject Heading:

MOPAC Partnership Plus Scheme for s92 Police Officers

Cabinet Member:

Cllr Persaud

SLT Lead:

Caroline Bruce Director of Neighbourhoods

Report Author and contact details:

Dipti Patel Assistant Director Environment
01708 432403
dipti.patel@havering.gov.uk

Policy context:

Supports the priorities under the Crime and Disorder Act 1998 and the Safer Havering Partnership Plan 2017-2020 approved by Full Council July 2017.

Financial summary:

Funding for this scheme has been identified corporately

Is this a Key Decision?

Significant effect on two or more Wards

When should this matter be reviewed?

June 2020

Reviewing OSC:

Crime and Disorder Committee.

The subject matter of this report deals with the following Council Objectives

Communities making Havering

[x]

Places making Havering

[x]

Opportunities making Havering

[]

Connections making Havering

[]

SUMMARY

This report details a proposal from the Mayor's Office for Policing and Crime (MOPAC) on the Partnership Plus scheme for S92 Police Officers for Havering for a decision by Cabinet.

RECOMMENDATIONS

The Cabinet approve the MOPAC Partnership Plus scheme for additional Police officers within Havering and the funding requirements to support the scheme for three years from 2019/20.

REPORT DETAIL

1. Background.

- 1.1. The Metropolitan Police has launched a new PartnershipPlus Scheme in February 2019 in order to support safer neighbourhoods within London Boroughs. The MOPAC PartnershipPlus Scheme for the London Boroughs must be discussed and considered with the Borough Commander as was previously required, and has already been discussed with the East Borough Command Unit (BCU) Commander who is completely supportive of the proposed scheme for Havering.
- 1.2. However, the proposed new scheme is different than the previous scheme (i.e. buy-one-get-one-free basis) in that it now requires the funding of all Police posts involved.
- 1.3. The new scheme will allow local authorities to purchase police officers at a reduced rate of £57,000 per police constable, £70,500 per sergeant and £86,000 per inspector. It represents a discount of over 21% of the full cost of a police constable. There are approximately 10 Public Order High Demand Days per annum, when these police officers will be required elsewhere. The above costs have made provision for these expected abstractions and are incorporated within the rates.
- 1.4. The minimum term for PartnershipPlus Scheme agreement is three years, albeit either party may terminate the agreement with six months' notice for any reason within the term. The process for securing these posts is similar to the previous arrangements with a receipt of a Letter of Intent from the London Borough, confirmation of availability of the additional officers and Deputy Assistant Commissioner's approval. Discussions with both the Borough Commander and MOPAC lead should Havering wish to precede this will be undertaken. Attached at Appendix 1 is a letter to the Council explaining the proposed scheme.
- 1.5. There is the opportunity to explore additional funding to support the scheme locally engaging with other partners including the Business Improvement Districts within Havering.

2. Further information

- 2.1. The most frequent questions from the Metropolitan Police Service on the Partnership Plus Scheme are detailed below:

- The PartnershipPlus Scheme is an MPS Scheme that is supported by MOPAC and provides officers at a reduced rate with the MPS absorbing pension and support costs.
- The PartnershipPlus Scheme is restricted by legislation to Local Authorities only and is formalised pursuant to Section 92 of the Police Act 1996 (Grants by local authorities). This may be extended to Business Improvement Districts, Arm's Length Management Organisations, mainstream schools and NHS Trusts where the Local Authority is prepared to work in partnership and act as the primary contact for contractual and payment purposes.
- Local Authorities that raise additional revenue through either Section 106 of the Town and Country Planning Act 1990 or Late Night Levy may use the funds to purchase additional officers through the PartnershipPlus Scheme.
- Officers purchased under the PartnershipPlus Scheme will be additional to the BCU Establishment. PartnershipPlus officers will be available for approximately 10 High Demand Days annually for which a discount has been applied to the annual rates.

3. Havering Enforcement Model

3.1. The Council proposed approach to enforcement is currently underway. Should the Council commit to the arrangements for the additional police officers the intention would be to co-locate them within the Enforcement Group. The introduction of a one Council approach to enforcement will ensure consistency and the effective use of resources to tackle crime and disorder issues for Havering. The enforcement model proposes the creation a generic area based enforcement team; a tactical enforcement team and a strategic intelligence/ policy hub. The outline Enforcement Model structure is attached at **Appendix 2**, including the proposal of S92 Police officers located within the tactical enforcement team.

3.2. The Proposed Enforcement and Safety Model will:

- i. prioritise and allocate resources to tackle issues that need an immediate response, gather intelligence on offenders and take positive, relevant action, be agile and responsive to emerging issues, seeking compliance/resolution and then move on whilst monitoring to prevent re-occurrence.
- ii. Improve the quality of the competency base for the officers to ensure the right legislative 'tools' are used proportionately to promote acceptable behaviour in public realm areas whilst tackling the minority who have no respect for their local environment.

- iii. Enable 'upskilling' of staff to raise the competency level and standardise the enforcement response without losing the balance between education/encouragement and robust enforcement action where needed.
 - iv. Maximise the availability/ flexibility of officers within the available budget and deliver services when and where they are needed.
 - v. Ensure a 'level playing field' for residents and business to enable compliance with relevant legislation, providing support, advice and education to minimise the need for enforcement.
 - vi. Establish strong cross service working with other key stakeholders, in particular Public Protection and Community Safety to ensure efficiency is maximised. I.e. tasks are completed by appropriately graded staff, supporting, assisting and sharing intelligence and information to reduce borough visits and maximising the hours of service provision.
- 3.3. There will be a need to rationalise the enforcement activities undertaken by the team and priority will be given to issues that affect the quality of people's lives and the environment in which they live, work or do business. A balance will need to be made on what is achievable and deliverable in light of the resources available and with the proposed additional resource of s92 officers will both enhance and provide essential warranted policing support on priority issues within Havering. Such arrangements will enable 'cross-fertilisation' of skills, experience and knowledge amongst the wider Enforcement Group and enable flexibility to meet changing demands and emerging priorities.
- 3.4. The proposed council funded Met PartnershipPlus s92 officers will be deployed to police and support both the Safer Havering Partnership priorities and Havering Tactical Enforcement Group (TEG) tasking priorities.

REASONS AND OPTIONS

Reasons for the decision:

The proposal supports the Safer Havering Partnership strategic priorities and will enable the Council to deploy dedicated Police resource to address local antisocial behaviour incidents and targeted enforcement activity as required.

If the Met PartnershipPlus was not supported the ability to secure additional Police resource for activity locally would be subject to East BCU priorities.

IMPLICATIONS AND RISKS

4 Financial implications and risks

4.1 Proposed costs annually

Annual Rates	2019/20
Police Constable (PC)	£57,000
Police Sargent (PS)	£70,500
Police Inspector (PI)	£86,000
Recommended number of officers in Havering	
PC	4 (£228,000)
PS	1 (£70,500)
PI	0
TOTAL	£298,500 p.a.

- 4.2 The terms and conditions issued are standard and consistent with those supplied to all London Boroughs under the PartnershipPlus Scheme and unlikely to be varied. As already highlighted input will be required by the London Borough, in consultation with the Borough Commander, which has already commenced at the time of drafting the report in order, to agree the number/rank of officers supplied, start/end dates and objectives within the schedules.
- 4.3 Provision for police overtime can be made within the agreement; this will be required particularly where there is an expectation for the officers to work on bank holidays. Additional resources to support the officers, such as vehicles, may be funded by the London Borough. These arrangements may either be included as part of the scheme Agreement or formalised within a separate agreement, subject to consideration of the requirement, funding available and the term of the funding.
- 4.4 £300,000 per annum funding for this scheme has been identified corporately from the Corporate Risk Budget for three years 2019/20, 2020/21 and 2021/22.

5 Legal implications and risks:

- 5.1 Section 92 (2) of The Police Act 1996 provides that the Council of a London Borough, County, or District which falls wholly or partly within the Metropolitan Police district may make grants for the police purposes to the Receiver for the Metropolitan Police District. This includes the Mayor's Office. Grants can be made as a gift or there is an arrangement for contract of services. Section 92 (3) of the 1996 Act provides Grants under this section may be made unconditionally, or with the agreement of the chief officer of the police for the police area concerned subject to conditions. It is noted the grant will be made subject to an agreement as set out in the body of the report. The performance

of officers will have to be managed in accordance with the terms of the agreement. Once the scheme has been implemented the Council must ensure that no part of the funds represents a 'profit' to any of the recipients in order to avoid any indication of a procurement activity.

Human Resources implications and risks:

- 6.1 There are no HR implications or risks arising directly that impact on the Councils workforce. Whilst the intention is to co-locate the Met PartnershipPlus s92 officers with the Councils Enforcement Service, the officers will be employed by the Metropolitan Police Service on police terms and conditions.

7 Equalities implications and risks

- 7.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

- 7.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

Appendices

Appendix 1 Letter from MOPAC regarding PartnershipPlus Scheme

Appendix 2 Enforcement Model

BACKGROUND PAPERS

None



[REDACTED]
Policing
7th Floor New Scotland Yard
Victoria Embankment
London
SW1A 2JL

Email:

[REDACTED]
www.met.police.uk

22 February 2019

Dear Council Leaders,

For many years the Metropolitan Police has worked in partnership with other agencies and organisations both within the public and private sectors to provide additional policing presence. Our officers can be seen daily at Heathrow and London City working in partnership with the airport operators; policing the bus and red route road network in partnership with Transport for London; patrolling through many of the Capital's major shopping centres funded by the Management Companies.

The MPS and Local Authorities have successfully worked together in partnership for over 10-years through the provision of police officers at subsidised rates. The last iteration of the Scheme, MetPatrolPlus, has operated since 2014 and has been regarded as hugely successful and beneficial to all parties in providing additional policing to address local priorities.

Whilst the MPS is committed to continue working in partnership with Local Authorities, the sustained budget reductions over the last few years are now impacting on both officer numbers and the Commissioner's ability to deploy according to risk and harm. The rates offered in the current MetPatrolPlus Scheme are now no longer sustainable and we have had to consider a more cost effective Scheme for the MPS but one that still offers reduced and preferential rates for Local Authorities.

In April 2019 the MPS seeks to launch the new 'PartnershipPlus' Scheme. The new Scheme will allow Local Authorities to purchase police officers on a three-year agreement at a reduced rate of £57,000 per constable, £70,500 per sergeant and £86,000 per inspector; this represents a discount of over 21% of the full cost of a police constable.

Any purchased officers will be additional to the local BCU workforce target and will be ring fenced from normal AID provision or other local abstraction; but would be required to perform MPS duties in the case of an emergency or on days that are deemed to be High Demand Days for the purposes of public order. These High Demand Days are expected to be typically no more than 10-days per year, which equates to circa. 5% of working days. The above costs have made provision for these expected abstractions and are incorporated within the rates.

Current and New Agreements

- Those Local Authorities that have existing MetPatrolPlus agreements in place with an expiry date beyond the 1 April 2019 will be honoured until their natural expiry date.
- Those agreements that expire on 31 March 2019, the MPS will, upon receipt of a letter of intention for continuation (see Appendix A), leave existing officers in place for a grace period of up to 3-months at the new MetPatrolPlus rates¹ to allow Local Authorities time to decide whether they wish to invest in the new PartnershipPlus Scheme.
- Requests for new agreements from Local Authorities will be considered on a case-by-case basis and should be commenced with the submission of a letter of intent (see Appendix B).

If you are interested in purchasing additional officers under the new Scheme, I would ask that, in the first instance, you discuss your requirements with your local BCU Commander.

I have included for your information a set of 'frequently asked questions' which will provide you with additional information and will hopefully answer any questions you may have. Should you have any further questions, that are not answered in the attached, please contact either Tony Horsley (Tony.Horsley@met.police.uk or 020 7161 0716) or Donna Burgess (Donna.Burgess@met.police.uk or 020 7161 1737).

Yours sincerely,

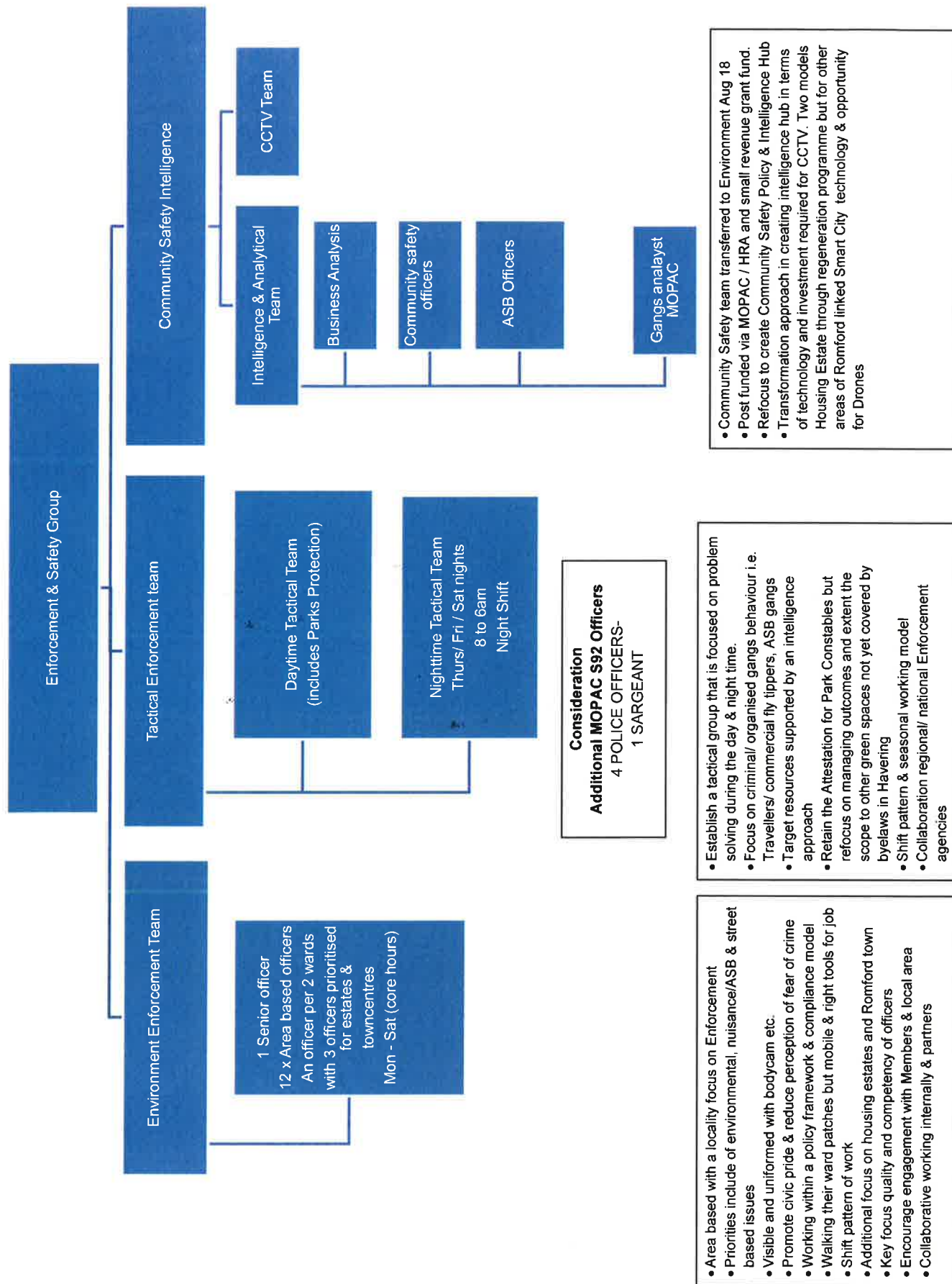
[Redacted signature]

[Redacted text]

[Redacted text]

¹ New MetPatrolPlus rates for 2019, based on a 'buy-one-get-one-free' basis, are £72,500 per constable, £86,750 per sergeant, £105,000 per inspector; all provided with a constable at no additional charge.

Appendix 2 Enforcement Model



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CABINET

Subject Heading:

Approval to enter into the Greater London Authority Grant Agreement (Local Authority) in relation to the Building Council Homes for Londoners Programme (programme basis)

Cabinet Member:

Councillor Damian White - Leader of the Council and Cabinet Member for Regeneration

SLT Lead:

Neil Stubbings - Director of Regeneration

Report Author and contact details:

Kevin Hazlewood – (Acting) Assistant Director of Regeneration –
kevin.hazlewood@havering.gov.uk –
01708 434091

Policy context:

Havering Housing Strategy 2014-2017
National Planning Policy Framework 2012
Draft London Plan 2017
Emerging Havering Local Plan 2017
HRA Business Plan 2018-2048
Havering Local Development Framework and Romford Area Action Plan 2008
Romford Development Framework 2015

Financial summary:

This report seeks a Cabinet decision to enter into the grant agreement with the GLA for the provision of grant funding in the sum of £24,046,000 for the Building Council Homes for Londoners programme to support the provision of affordable housing by the Havering/Wates Joint Venture and delivery of smaller sites by the Housing department.

Is this a Key Decision?

Yes

When should this matter be reviewed? March 2020

Reviewing OSC: Towns and Communities

Exempt information: Appendix 1 and 2

Grounds: Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information) of the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended. It is in the public interest to withhold the information as the public interest in maintaining the exemption outweighs the public interest in disclosing the information, as disclosing the information could prejudice the Council's commercial position in future dealings and this is not in the public interest.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[✓]
Places making Havering	[✓]
Opportunities making Havering	[✓]
Connections making Havering	[✓]

SUMMARY

This report seeks approval from Cabinet to enter into the Grant Agreement (Local Authority) in relation to the Building Council Homes for Londoners Programme with the Greater London Authority (GLA) as the funding body.

RECOMMENDATIONS

For the reasons set out in this report, Cabinet is recommended to agree to:

1. **Approve** the entering into the Grant Agreement (Local Authority) for which the key terms are set out in exempt appendix 1 in relation to the “Building Council Homes for Londoners Programme” to support the provision of 282 new units of affordable housing as shown in exempt appendix 2.
2. **Agree** to delegate to the Leader of the Council, after consultation with the Director of Regeneration and the Director of Legal and Governance authority to agree to enter into any appropriate contractual extensions or variations in the general management arrangements relating to this Grant Agreement.

REPORT DETAIL

- 1.1 In May 2018 the Mayor of London published the prospectus “Building Council Homes for Londoners” which outlined the bidding and award criteria for a new affordable housing programme. The programme was established in response to the GLA securing additional funding from the Government to help start building at least 10,000 new council homes by March 2022 with a focus on increasing social rented properties by offering enhanced grant rates. Approved providers, including the Council, were invited to submit bids.
- 1.2 Following Cabinet decision of 10th October 2018 the Council’s bid submitted centred on the delivery of additional affordable housing associated with the regeneration of Housing Estates owned and managed by the Councils Housing Services department, as well as other pipeline sites utilising underused housing land and extensions to current sites due for development by the Council’s Joint Ventures.
- 1.3 The Council submitted an ambitious bid for £122m across 24 sites, of which the GLA awarded grants to five sites totalling £24.046m to deliver 282

affordable homes, subject to entering into the Building Council Homes for Londoners contract.

- 1.4 The grant funding will be allocated to the Council through a programme approach which allows the affordable units to be delivered on alternative sites other than those identified in the original bid with the agreement of the GLA. This affords the Council greater flexibility to deliver the 282 affordable homes in line with other area-based strategic objectives.

REASONS AND OPTIONS

2.0 Reasons for the Decision

- 2.1 By entering into the agreement the Council will access grant funding to complement the Council's regeneration and housing development programmes to bring forward an additional 282 affordable housing units. Consequently the Council is therefore better placed to secure its regeneration and deliver much-needed affordable housing in the borough. The Council could develop these units via one of its three joint venture companies or through its traditional pipeline.

Other options considered

- 2.2 To undertake the scheme without grant funding.

Rejected – Although the Council could fund some of the cost of affordable rent type housing by utilising Right to Buy Receipts, this would be restricted to 30% of the build cost and cannot be used to fund shared ownership properties. The rate of GLA grant being offered through this funding is above 30% of build cost for the affordable units therefore, overall, the use of GLA grant has a greater financial benefit and minimises the impact on the Housing Revenue Account as to additional borrowing to support the delivery. It also gives the Council the ability to offer local residents a range of affordable housing products and thus help meet its aspirations.

- 2.3 Do Nothing.

Rejected – The 'do-nothing' option has been rejected as the Council has made a commitment to maximising the affordable housing delivered in the Borough. An additional 282 units will provide long-term affordable housing solutions for Havering residents and allow us to create better places for communities to thrive.

IMPLICATIONS AND RISKS

3.0 Financial implications and risks:

- 3.1 Under this agreement, the GLA are making £24.046 million of grant funding available to deliver 282 new affordable home across five sites in the Borough. The grant would be used to fund the building of 58 new homes by the Housing department (White Hart Lane, New Zealand Way and Whitchurch Road) and acquisition of 224 affordable homes from the Havering and Wates Regeneration Joint Venture (Chippenhams Road and Waterloo Site A).
- 3.2 The 282 units of affordable housing are estimated to cost £60.950 million, with a net HRA subsidy requirement of £36.904 million (£60.950 million less £24.046 million grant). Provision has been made for 5 of the 6 schemes within the HRA Capital Programme. The HRA capital requirement is to be funded via borrowing with long-term payback being secured from the net rental returns on the completed units.
- 3.3 The GLA Grant will be paid in two tranches, 50% upon start on site with the remaining 50% released upon completion of the units. The initial tranche will be used to fund the early costs of development with HRA borrowing used to fund the remainder of the costs until the balance of the grant is repaid. The latest HRA Business Plan refresh (February 2019) incorporates these assumptions.
- 3.4 The site at Waterloo Site A is earmarked to be delivered via the Havering and Wates Regeneration LLP (HWR). It is anticipated a formal request for funding will be included as part of the annual Business Plan refresh scheduled for late 2019. If approved a capital allocation will be added to the HRA capital budget for formal approval by Cabinet and Full Council by February 2020.

TABLE - Building Council Homes Funded Schemes

			<u>GLA Funding</u>	<u>HRA Capital</u>	<u>Funding</u>
	<u>Units</u>	<u>Cost</u>	<u>Secured</u>	<u>Budget</u>	<u>Required</u>
	<u>Nr</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>	<u>£m</u>
Housing Department (Inhouse Schemes)					
White Hart Lane	23	5.300	2.300	3.000	0.000
New Zealand Way	30	8.400	3.000	5.400	0.000
Whitchurch Road	5	1.400	0.500	0.900	0.000
Total (Housing Department)	58	15.100	5.800	9.300	0.000
Wates and Havering Regeneration					
Chippenham Road	140	24.010	11.396	12.614	0.000
Waterloo Site A	84	21.840	6.850	0.000	14.990
Total HWR	224	45.850	18.246	12.614	14.990
Building Council Homes for Londoners (Schemes)	282	60.950	24.046	21.914	14.990

- 3.5 This is an indicative allocation based on a 'programme approach'. The programme approach means that the Council has committed to delivering the total number of units, but this allows flexibility across different sites. Therefore, the Council in consultation with the GLA has the option to reallocate the grant funding to a different scheme should a decision be taken not to proceed with the development of Waterloo Site A.
- 3.6 In addition to the affordable housing cost, the developments within scope of HWR will require additional capital funding to fund the costs of pre-construction and vacant possession. An allowance of £7.817 million has been set aside in the HRA Capital budget to fund to progress the development of the Chippenham Road site. It is anticipated that a further approval to progress the development of the Waterloo A site as part of the HWR Business Plan refresh scheduled for late 2019.
- 3.7 The average subsidy equates to £85,000 per unit of affordable housing. This compares to the alternative option of utilising 1-4-1 Right to Buy receipts which is estimated to yield £15.000 million, at an average of £53,000. As such, the Council would have to fund the £9.000 million shortfall from additional HRA borrowing. As a result, should the Council do not enter into the Approved Provider Grant Agreement (Building Council Homes for Londoners) this will have implications for the delivery of the 12 Estates Regeneration Programme and pipeline sites.
- 3.8 The GLA agreement imposes a number of key conditions on the Council. A breach could result in the Council repaying a proportion in whole or in part of the grant back to the GLA.

- 3.9 One of the key requirements is that the rents on the affordable homes are capped at the London Affordable Rent levels below. Annual increases are capped at CPI + 1%.

Number of bedrooms	2018/19 Benchmark Rent Level (weekly rent, exclusive of service charges)
Bedsit and one bedroom	£150.03
Two bedrooms	£158.84
Three bedrooms	£167.67
Four bedrooms	£176.49
Five bedrooms	£185.31
Six or more bedrooms	£194.13

- 3.10 Consideration would also need to be given to the Recycled Capital Grant Fund (RCGF) regulations. This would be of relevance to the shared ownership properties. Future staircasing receipts on a property could create an obligation for the Council to repay a proportion of the grant applied to a property to the GLA. The Council also has the option under the RCGF regulations to recycle the grant to new properties with the prior agreement from the GLA.

4.0 Legal implications and risks:

- 4.1 This report seeks authority to enter into a grant agreement with the GLA
- 4.2 The Council has a statutory duty under s8 Housing Act 1985 to consider housing conditions in its district and the needs of the district with respect to the provision of further housing accommodation.
- 4.3 Furthermore, s1 Localism Act 2011 gives the Council a general power of competence, the Council has the power to receive grant funding and enter into a grant agreement.
- 4.4 The GLA Programme Grant Agreement also requires the Director for Legal and Governance to give a certificate that amounts to a warranty that the Council has the power and authority to enter into, observe and perform the terms and obligations under the Grant Agreement and has obtained all relevant consents and approvals (statutory or otherwise) to authorise the execution and delivery of the Agreement and the performance and validity of the obligations under it.
- 4.5 Appendix 1 sets out the main terms of the GLA Programme Grant Agreement including the circumstances for clawback. The sites set out in Appendix 2 have been accepted as named projects by GLA and therefore, as part of entering into the agreement and throughout the agreement, the Council will

be required to provide a number of warranties, including around ability to meet the delivery timescales. In the event the Council is unable to comply, clawback provisions may apply, unless GLA agree to vary these requirements on the GLA OPS system.

- 4.6 There will be a number of financial and legal implications arising from any decision to proceed with the site schemes outlined in the bid. These will be the subject of further reports to Cabinet.

5.0 Human Resources implications and risks:

- 5.1 There are no significant implications associated with the entering of this agreement relating to Human Resources policy or operations within service.

6.0 Equalities implications and risks:

- 6.1 The public sector equality duty under section 149 of the Equality Act 2010 (“PSED”) requires the Council when exercising its functions to have due regard to:

(i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(ii) the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between those who have protected characteristics and those who do not. ‘

- 6.2 Protected characteristics’ include: gender, race and disability, sexual orientation, age, religion or belief, pregnancy and maternity and gender reassignment. The Council is committed to improving the quality of life for all, and supports wider social and economic growth through social and physical regeneration.

- 6.3 The wider implications associated with each project will be addressed in separate reports. Consequently all matters associated as a result of entering this agreement are addressed.

BACKGROUND PAPERS

None

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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