

REPORT FOR: **Tenants', Leaseholders' and Residents' Consultative Forum**

Date of Meeting: 26th June 2013

Subject: **Resident Services Manager's Report and feedback from other Council led Resident Involvement Activities**

Responsible Officer: Lynne Pennington
Divisional Director of Housing

Exempt: No

Enclosures: Appendix 1 – Tenancy Agreement consultation summary

Section 1 – Summary

This joint report sets out a range of information items that the Head of Resident Services would like to bring to the attention of the Tenants', Leaseholders' and Residents' Consultative Forum and provides feedback to TLRCF on a wide range of Council led service specific and service wide resident involvement activities.

RECOMMENDATION:

That the report be noted

Section 2 – Report

1. Introduction

1.1 Key service priorities continue to be progressing with an emphasis on:

- Welfare reform implications for Resident Services
- Finalisation of the resident Services “Getting Closer to the Customer” restructure

2.0 Updates from previous discussions and new items for information

2.1 Leasehold Services

2.2 Performance

2.3 During the period 1st April 2013 to 20th May 2013 our records indicate that we received 11 Right to Buy applications and sold 2 properties. This compares with 6 Right to Buy applications and nil sales for the same period in the previous year.

2.4 Information

2.5 Unfortunately the MyHarrow Account project is experiencing continuous delay and, the delivery date of the portal has been put back to July 2013. The Business Transformation Team is working hard with the supplier to get the scheme back on track.

2.6. The Council’s building insurance is due for renewal next year. The Leasehold and Insurance Team are working together to ensure that the correct Notices are served over the coming months and that leaseholders have an opportunity to influence the process including being involved in the tender opening and evaluation.

2.7 The Leasehold Team is working with the finance team and relevant service areas, challenging cost items to ensure accurate costs are used in the preparation of the annual service charge bills.

2.8 The Leasehold Team is preparing to issue bills for the completed enveloping major work scheme at Bucknall House, Shaftesbury Avenue and Milman Close. This included work on replacing windows, doors and associated structural repairs.

2.9 Housing Management

2.10 Performance Tenancy Management

2.11 With the exception of the second week in May we have seen a steady increase in our rent arrears since the start of the financial year. Council Tax

benefit has ceased for a number of our tenants. For some of them it is the first time they are receiving demands to pay their council tax. We suspect that this is having an impact on our rent collection as tenants try to prioritise their payments to the council. An analysis of the potential impact of the bedroom tax on rent arrears levels has been carried out for the month of April 2013 and the initial findings are as follows:

- We have 346 accounts that are under occupying and affected by the bedroom tax.
- 189 of these accounts were in arrears between the 1st April 2013 and the end of April 2013.
- The total debt for all these accounts was £41,000.
- From this debt we can make a broad assumption that £14,700 can be attributed to the impact of bedroom tax.

2.12 In the first instance we are prioritising follow up visits to those cases that we consider to need additional support and advice. The fuller impact will not be determined for a few months yet. We are, however, working with corporate colleagues on agreeing a joined up response to debt recovery including agreeing how debt is prioritised, how data sharing can be improved and the development of a corporate vulnerability criteria. We are working in partnership with colleagues across the council to monitor the impact of Welfare Reform on the council's debt. A number of support and advice mechanisms are in hand to help tenants who are experiencing hardship such as the Emergency Relief Scheme for Furniture.

2.13 The third direct debit date to pay rent went live on the 25th April.

2.14 Housing Service Managers are working closely with a corporate group to procure and monitor a contractor/s to provide an emergency relief furniture scheme service to tenants in need. Harrow has received a hardship fund from the government and we must ensure the fund is used efficiently following stringent means tests.

2.15 A successful Mutual Exchange Event was held on the 23rd April 2013. Approximately 160 Harrow social housing tenants attended the event to seek alternative housing. We targeted tenants who are living in over crowded conditions and under-occupying large homes. Officers now have the task of matching those who have expressed interest before we can publicise any successful moves arising out of the event.

2.16 Housing and Corporate Anti Fraud staff appeared on the BBC Sunday Politics show to demonstrate the actions we are taking in Harrow to tackle Housing Tenancy Fraud. The footage showed officers/managers knocking on doors very early in the morning to establish residence. Although many attempts were unsuccessful that morning, the exercise was successful in one case admitting to subletting. Investigations are continuing with this case.

2.17 We are in the process of recruiting two new Housing Investigation Officers using the government tenancy fraud funding that we were recently awarded.

2.18 The Tenancy Agreement Review Consultation ended on the 10th May 2013. Responses were received from 10% of our tenants which is statistically reasonable for consultation exercises.

2.19 Two main areas of concerns were raised by tenants. They are the ownership and management of dogs and parking. A summary of the feedback received and how this has been reflected in the new agreement can be found in **Appendix 1** of this report. We also plan to share aspects of the summary in the next edition of Homing In.

2.20 We are working towards Crystal Mark Accreditation for our revised Tenancy Agreement before we circulate the final copy of the agreement to tenants with a Notice of Variation. We are still on target to launch the agreement in July.

2.21 Sheltered Housing Modernisation

2.22 We are now in a transitional period as we are changing over to the new service and some staff are already in their new roles. During the transitional period staff inductions to new schemes will be phased across the service. We expect to have all new staff in situ in June. Service plans and staff development plans are in place to ensure that staff have the information and support they need to undertake the new posts. We are keeping tenants updated with regular newsletters and briefings and will arrange for them to be introduced to all new staff as soon as we can.

2.23 Separate Staff and Tenant Focus Groups have now been running for the past few months and their purpose is to review practice, policies and procedures to ensure that these are fit for purpose in the new service and that the Sheltered & Helpline services are working well together. A Service Review Working Group has now been established and will meet on a bi-monthly basis to address issues and concerns regarding the new service. This group will include Staff and Tenant Reps and will monitor the service from implementation for 12 months to ensure that it is operating effectively.

2.24 Resident Involvement and Activities

2.25 Summer Event

2.26 The Resident Involvement Team are proposing to hold a summer event, to help promote the work of the active TRAs' in the borough. The aim is to invite TRA's to either have their own table to sell goods to raise funds, or present an activity organised by residents. Further details will be provided once the feasibility plan is submitted and approved.

2.27 Estates In Bloom

2.28 The Resident Involvement Team are organising this year's competition. All active TRA's and sheltered blocks have been invited to take part. This

year, there will be 5 TRA's and 10 sheltered blocks participating in the competition. Plants will be delivered to all sites in the first week of June. It is anticipated that shortlisting will take place at the end of July, with final judging in early August.

2.29 Leasehold Support Group

2.30 The Resident Involvement Team leader has been liaising with the chair of the LSG, regarding the group AGM which is now overdue. The proposed time & date for the AGM is Monday 10 June 2013 at 7.00pm and the Resident Involvement Team has offered to assist in facilitating the meeting.

Section 3 –Report Back from Resident Involvement Activities

3. Estates Services Steering Group (ESSG)

3.1 Draft revised terms of reference will be written and taken to the next meeting for consultation and discussion prior to new terms of reference being agreed.

3.2 The next meeting of the ESSG is on the 12th June 2013.

3.3 Value for Money Group

3.4 The last meeting of the group took place on the 21st May 2013 when the focus was a discussion paper on prioritising Capital Projects for Assets other than Homes. The next meeting will take place on the 18th June.

3.5 Developing Tenant Scrutiny

3.6 The panel are currently reviewing the new tenant 6 week visit. The panel has completed their interviews with housing management staff, and are currently drafting the panel report. As this is the first review undertaken by the panel, the report will be sent to a "Critical Friend" to provide feedback on the report prior to it being submitted.

3.7 HFTRA Scrutiny and Challenge Panel

3.8 Over the last several meetings, attendance has been sporadic with on occasion only one representative in attendance and other meetings having been cancelled due to apologies having been received. Consideration needs to be given to the other forums that receive the same level of performance information, whether there is an element of duplication and if the panel is indeed value for money based upon the level of senior officer input.

Section 4 - Financial Implications

Any financial issues are contained within the body of the report and any service improvement issues that arise as a result of residents' ideas and suggestions will be considered within the relevant service area budget.

Section 5 - Equalities Implications

There are no equalities implications associated with this report.
No Equality Impact Assessments have been carried out.

Section 6– Corporate Priorities

All of the above contribute to the corporate priorities, in particular:

- Keeping neighbourhoods clean, green and safe.
- United and involved communities: A Council that listens and leads.
- Supporting and protecting people who are most in need.

| | | |
|--------------------|-------------------------------------|---|
| Name: Dave Roberts | <input checked="" type="checkbox"/> | on behalf of the Chief Financial Officer |
| Date: 5 June 2013 | | |

Section 8 - Contact Details and Background Papers

Contact:

Toni Burke
Interim Head of Resident Services
Tel: 020 8420 9638
Email: Toni.burke@harrow.gov.uk

Background Papers:

None

Appendix 1

Revised Tenancy Agreement Consultation

This table provides a summary of comments received on the proposed changes to the tenancy agreement and conditions along with how they have been considered in finalising the document.

| | Responses received | Action/outcome |
|--|---|---|
| Section 1 Introduction | <p>We received many positive comments about using introductory tenancies for new tenants, including a tenant who comments that “I think this is a brilliant scheme as tenants should behave and respect their home as the majority do” and another who states “clear and fair”</p> <p>Some tenants expressed concerns about the use of introductory and flexible tenancies.</p> | <p>We have tried to simplify the Introduction as far as possible and have altered some of the wording to remove confusion.</p> <p>The use of introductory and flexible tenancies was considered in a previous consultation with a majority of those consulted in favour of these new tenancy types.</p> |
| Section 2 Rent and other charges | <p>This section produced little comment as there were very few changes proposed. The majority of replies agreed that the clauses on rent and other charges were fair and reasonable.</p> <p>We received one comment saying that we should not be able to increase the rent only by giving 4 weeks’ notice.</p> | <p>This section has remained as written in the proposed tenancy conditions.</p> <p>This comment was considered, but we have retained this clause as this is a statutory timescale.</p> |
| Section 3 Repairs | <p>Some comments were received saying that it is unfair to expect tenants to take responsibility for fences surrounding their homes.</p> | <p>We have amended the tenancy conditions in line with the Repairs Charter so that the tenancy conditions correctly reflect the repairs that are tenant responsibility.</p> |

| | | |
|---|---|---|
| <p>Section 4 Access</p> | <p>The majority of tenants commenting on this section believed that it was acceptable for council staff and contractors to have entry to their homes with reasonable notice.</p> <p>Some respondents commented that clause 4.1 was contradictory by saying that we will give 48 hours notice in writing if we want to come into your home and seven days' written notice if we are coming to carry out repairs.</p> <p>Some respondents noted that clause 4.4, relating to access to carry out repairs was contradictory.</p> | <p>We are pleased to note that the majority of respondents are happy to allow us access to their homes with reasonable notice.</p> <p>However, some tenants are reluctant to or refuse to allow us access to their home and without this clause, we would not be able to go to court to get an injunction or for breach of tenancy. So although it may appear that this clause is contradictory, the two separate rights of entry are necessary to allow the housing service to carry out its functions.</p> <p>We have revised clause 4.4 to remove any confusion.</p> |
| <p>Section 5 Using your home</p> | <p>The majority of respondents agreed with the changes proposed in this section including that tenants should not take on another tenancy while a council tenant.</p> | <p>We have reworded some clauses in this section to make sure that all clauses were as clear as possible.</p> <p>This section was amended to include new conditions for flexible and introductory tenancies, many of the sections remained unaltered from the previous tenancy conditions.</p> |
| <p>Section 6 Flats, maisonettes and shared areas</p> | <p>Positive comments were received, including "Pleased to see the upgraded changes to this section" and "I am registered disabled and cannot clean communal area,</p> | <p>The main change to this section was to make it clear that some tenants are not expected to clean the communal areas. The majority of clauses</p> |

| | | |
|---|--|---|
| | so pleased this is not expected of me”. | were taken directly from the previous tenancy conditions and have not been altered following the consultation. |
| Section 7 Nuisance and harassment | <p>Many positive comments were received, including one reply saying “Excellent” and another saying “Proposed changes agreed and welcomed”.</p> <p>Some respondents felt that clause 7.4 on hate crime should include hate crime committed through social media.</p> | <p>We did not receive any negative comments about this section.</p> <p>We have taken up this suggestion and amended clause 7.4 to include hate crime committed through social media.</p> |
| Section 8 Animals | <p>This section produced the highest number of comments, both positive and negative. 5.7% of tenants did not agree with tenants in flats being allowed to keep a dog. This included comments that tenants did not take responsibility for cleaning up dogs’ mess; allowing dogs to be off leads in communal or shared areas; dogs not being kept under control. 6.97% of respondents positively agreed that tenants living in flats should be allowed to have dogs as pets. 87% of respondents did not comment on this section.</p> <p>One tenant comments “I am glad that the rules have changed regarding animals in flats, most people have an animal for company, so this is good news.”</p> | <p>This was the most controversial section of the proposed changes to the tenancy conditions. We considered all the comments we received and reached the decision that the majority of respondents (94%) were either expressly in favour of being allowed to keep dogs as pets in flats (6.97%) or did not express any opinion. We feel that changing our rules on allowing tenants in flats to have dogs will help us to take action against tenants who are irresponsible dog owners. We also considered the comments we received that we were discriminating against tenants living in sheltered blocks and have decided that as a compromise, pet ownership will be regulated on an individual block basis.</p> |
| Section 9 Parking and | We received comments that our parking restrictions placed | We considered all replies and reached the decision |

| | | |
|---|---|--|
| vehicles | unfair conditions on council tenants that could not be enforced against freeholders or the tenants of leaseholders. | <p>that our conditions under this section were fair and enforceable. The parking restrictions only apply to land owned by the housing department. It does not apply to roads that are managed by the Highways department, as we have no control over parking arrangements on such roads.</p> <p>Where anyone parks a vehicle in contravention of our parking restrictions, on estate car parks or estate roads, our rules will be similar to clauses contained in leases and in covenants for freeholders.</p> |
| Section 10 Consulting and Involving tenants | Very few respondents made any comments about this section. One respondent said “helps to come up with well-informed decisions” | This section contained very few changes from the previous tenancy condition. A change was made following consultation to update the title of the Resident Involvement Strategy to the Customer Involvement Strategy. No further changes were made following the consultation. |
| Section 11 Leaving your home | Some tenants commented that this section was confusing. | We have tried to make it as simple as possible while reflecting the legal position for ending a tenancy according to the type of tenancy. |
| Section 12 Succession | Although some tenants raised questions relevant to their own circumstances, there was no overall concern about this section, with most tenants agreeing that the conditions were fair and reasonable, | We hope that this section clearly explains the law regarding succession for the different types of tenancy that we will use in the future. We have taken into account comments and |

| | | |
|------------------------------|--|---|
| | although some respondents felt that this section was not easy to understand. | tried to make this section as simple as possible while still reflecting the correct legal position. |
| Section 13 Notices | | There were no changes to this section. |