

Waverley Borough Council

Report to: Landlord Services Advisory Board

Date: 30 November 2023

Ward(s) affected: All

Report of Director: Community Wellbeing

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Report Status: Open

Housing Decant Policy

1. Executive Summary

To introduce the purpose for a decant policy and review the draft updated version following lessons learnt from experience and a complaint and new financial thresholds.

2. Recommendation to LSAB

It is recommended that the Board:

- review the decant policy and make any comments to Joint Executive Head of Housing Services and Co-Portfolio Holder for Housing (Operations and Services),
- supports the adoption and implementation of the policy, and
- to consider and advise, the Service Improvement Manager, on the procedural queries raised.

3. Reason for the recommendations

To provide the Board members the opportunity to comment on the updated policy and support the implementation of the policy. To seek views on procedure options.

4. Purpose of Report

To raise awareness of the policy and promote commitment to quality services and positive tenant/landlord relationships.

Report to Landlord Services Advisory Board for comments. Policy to be adopted by Executive Head of Housing in consultation with Co-Portfolio Holder for Housing.

5. Strategic Priorities

The report supports the Council's Corporate commitment to promote "*Good quality housing for all income levels and age groups*" and aim to "*be the best council landlord in the South East and to be acknowledged so by our tenants.*"

6. Background

6.1 The process of having to move a tenant out of their home on a temporary or permanent basis is known as a decant. On average there are approximately five cases a year.

6.2 Waverley housing has a generic decant policy last updated in 2013. In addition, there was a specific local letting plan for the Ockford Ridge redevelopment. The service recognised that the Decant Policy needs to be updated to reflect lessons learnt and new financial thresholds.

6.3 The service recognises that decants, as with any move, can be challenging and should be treated with care and sensitivity. The policy lays out the commitments that made to tenants who must move home. Fundamental to this is that each decant is treated on an individual basis with a designated member of staff identified who will consult and visit with the tenant to discuss expectations and requirements. Tenant's needs will be at the heart of the decision making.

6.4 The policy outlines what compensations and financial assistance a tenant may be entitled to depending on the circumstances of the decant.

6.5 The policy explains the impact of decants on tenancy type – permanent decant tenants will retain the type of tenancy they held in their original home (introductory or secure). Temporary decants tenants will retain the tenancy they hold at their original home and be issued a temporary license at the temporary home.

6.6 The policy also outlines the Council's right to pursue legal action where the tenant refuses to be accommodated elsewhere and reserves the right to offset payments against any debt to the Council.

6.7 On approval of the revised policy, information on the website will be updated.

6.8 To adopt the policy a project team has been set up to review and improve the decant procedure and communications. The Tenants Panel were invited

to be involved in the project, and experiences of recently decanted tenants were included in the review, in the spirit of co-creation.

6.9 The project team have drafted new letters, leaflets for clear communication and improved the procedure guide. However there were a couple of points that the team would like the Boards thoughts on:

6.9.1 Gesture of goodwill - One off payment to all decanting tenants
Suggested payment in recognition that decants are stressful, distributive and the process can take a lot of tenant's time which we do not compensate for. Counter thought was that as a landlord it is our responsibility to update / keep our stock safe and decent and decants can be required to ensure that this happens, as with any responsive or planned works. The cost of the gesture, due to the small number of temporary decants in any year, wasn't seen to be a major issue. However the potential impact on benefits may need to be considered.

6.9.2 Payments in advance for subsistence
Where tenants are decanted to hotel accommodation reasonable costs for foods are reimbursed the project team were divided on when these payments should be made. Options a) set amount in advance per person, or b) payment on receipt of receipts.

7. Consultations

Project lead attended the Tenants Panel meeting on 7 September to discuss the policy and procedure, seeking views and suggestions for service improvement in line with regulations. The policy was also updated in consultation with Housing Development and Property Services Teams and reflects lessons learnt from tenant complaints.

8. Key Risks

Failure to adopt or adhere to the Decant Policy could result in service delivery, legal/regulatory, reputational and financial risks to the Council.

9. Financial Implications

Any impacts as a result of this policy update will be funded from within existing budgets and delivered by existing resources.

10. Legal Implications

The Council as landlord, will from time to time have to undertake decants in order to undertake works or for other related reasons. This Policy supports the Council in conducting this in a fair and appropriate way, having regard to the landlord

obligations under Land Compensation Act 1973 (Section 30, 37 and 38), Landlord and Tenant Act 1985, Home Loss Payments Regulations 2008, Housing Act 1996 Part VI and Homelessness Act 2002.

11. Human Resource Implications

Procedure confirms that Housing Officers are responsible for implementing the decant policy for emergency or redevelopment/regeneration cases and the Resident Liaison Officer is responsible for all decants for planned works.

12. Equality and Diversity Implications

An Equality Impact Assessment has been completed, ensuring the policy includes the requirement to identify and accommodate the individual need(s) of tenant(s).

13. Climate Change/Sustainability Implications

The Decant Policy may support the delivery of energy efficient initiatives, to reduce carbon emissions from energy use, where tenants are required to move whilst works completed.

14. Summary of Options

To support adoption of updated policy or not.

15. Conclusion

The team have fully reviewed the limitations and problems with current policy and drafted a new policy which reflects tenants needs and good practice to provide a quality service.

16. Background Papers

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

17. Appendices

Annexe One – Draft Decant Policy

Please ensure the following service areas have signed off your report. Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	CK 9 Nov 2023
Legal / Governance	RT 8 Nov 2023
HR	n/a
Equalities	n/a
Lead Councillor	30 Oct 2023
CMB	7 Nov 2023
Executive Briefing/Liaison	14 Nov 2023
Committee Services	