



Transforming **lives**
Revitalising **neighbourhoods**



Policy: **Neighbourhood and Estate and Management Policy**

Ref No: **19**

Date Approved: September 11

Approved By: Housing Services Committee

Applicable to: Riverside excluding Scotland

Lead Director: Steve Ward

In Consultation with: Divisional Boards, The Tenants Panel, The Group Tenant and Residents Federation

HCA : Tenancy Standard
Neighbourhood and Community Standard

Associated Procedure: Refer to Policy Framework

Associated Leaflet/s: Dealing with crime and nuisance; Resident involvement; Your new

home, what to expect; Your services,
your way; Your service charge
explained; Adaptations to your home

Review Date: September 2014



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GROUP OPERATIONAL POLICY

Neighbourhood and Estate and Management Policy

September 2011

1. Policy Statement

This policy applies to all tenancies managed by the Registered Social Landlord subsidiaries of the Riverside Group (referred to in this document as Riverside).

The policy reflects a broad concern with the management of wider neighbourhoods and Riverside's role in shaping outcomes for its customers in these larger geographical areas.

The policy allows for the introduction of Fixed Term (or Flexible) Tenancies that will normally run for five years in addition to a starter period of twelve months. In exceptional circumstances, as outlined in our Tenancy Policy, a shorter term of a minimum of two years may be offered. The policy objective is to provide tenants with the highest possible degree of security of tenure and service standards, whilst making best use of the stock. It is also to provide properties that are well maintained, and in neighbourhoods which are perceived as safe and inclusive places to live.

In pursuit of this objective Riverside will;

- Offer a flexible tenancy management service which will be responsive to the needs of residents and meet minimum requirements on access to property and services
- Use tenancy agreements with appropriate rights and obligations, suitable to the purpose of the dwelling and which contain no unfair terms
- Ensure that all tenants receive a copy of their tenancy agreement at the commencement of their tenancy and that they are made aware of their rights and responsibilities and that as tenants their obligation to fully comply with their responsibilities set out in the document
- Uphold the right to quiet enjoyment but deal with breaches of tenancy conditions proportionately, and where appropriate, take steps leading to

the eviction of tenants for serious and/or persistent breaches of their tenancy agreement

- Where appropriate working with other relevant agencies, and subject to resources, adopt a neighbourhood management approach to facilitate neighbourhood renewal and to sustain communities
- Promote community cohesion within our neighbourhoods and take positive action to reduce the effects of social exclusion and create mixed sustainable communities
- Where relevant provide effective, efficient and value for money neighbourhood and estate management services with particular reference to caretaking, cleaning, grounds maintenance and security
- Work in partnership with other agencies and have protocols in place for sharing information particularly with regard to support requirements or the reduction of crime and disorder
- Make use of effective management tools such as Local Lettings Policies, Starter Tenancies, Fixed Term, Flexible and Demoted Tenancies where they will assist with sustainability
- Keep properties in good repair so that they are safe and fit to live in
- Respect the privacy of individuals and uphold the principles of the Data Protection Act 1998
- In certain extenuating circumstances, offer tenancies to 16 and 17 year olds but ensure they are offered appropriate support where required
- React swiftly, effectively and legally to remove unauthorized occupiers
- Advise tenants on the financial impact of under-occupying their home if they are benefit reliant, and where practical, assist them with down-sizing to more appropriate accommodation
- Encourage and provide opportunities for tenants to influence the design and delivery of services to their homes
- Ensure that when necessary, decanting is carried out in a timely, efficient and well-organised manner, ensuring that the tenant is supported at all times.
- Operate in accordance with agreed policies and procedures in key tenancy management areas such as Rent Setting; Income Management including rent and service charge arrears; Tackling Anti-Social Behaviour including harassment; Repairs; Lettings; Resident Involvement and Void Management

The Housing Services Committee must agree any changes to this policy statement.

2. Description of the general issues surrounding the policy subject

Housing management is the core business of all social landlords and central to a number of government policy initiatives such as developing sustainability, tackling anti-social behaviour, raising service standards and dealing with equality and diversity issues.

The majority of services to customers are delivered within the landlord/tenant relationship and should be of a good standard and in accordance with industry good practice. The types of occupancy offered include secure, assured, assured shorthold, starter, fixed term and flexible tenancies, and licenses in sole or joint names. Occasionally, some tenants will have additional or preserved rights negotiated as part of special transfer or allocation arrangements.

If tenancy management is done well, it will have a major impact on a number of key measures including void rates; arrears levels; neighbour problems and anti-social behaviour; tenant satisfaction and lower unit management costs. These key areas are what we are judged by – whether by tenants, regulators or central and local government.

The policy reflects Riverside's approach to the wider management of neighbourhoods, not just concerning itself with individual matters of tenancy management, but going beyond this to address broader issues which impact on the quality of life of our residents and tenants and which Riverside can influence to positive effect.

For the purposes of this policy neighbourhood management is defined in the following terms:

“... a way of working to improve some of the most deprived neighbourhoods in the country. It brings together a wide range of people who are already delivering services, working for organisations such as the Police, Health, the Council or the voluntary sector in order that they can work in a more cohesive and co-ordinated manner.

It involves communities working with local agencies to improve services at neighbourhood level.”

Neighbourhood management will see Riverside acting in partnership with a variety of local and national government and voluntary agencies, and is concerned with using resources that are already available more effectively to achieve lasting change.

A neighbourhood management approach acknowledges that “one solution” is unlikely to suit all neighbourhoods, so that services need to be flexible enough to meet the needs of local residents and local operating conditions.

3.	<p>Legal context and HCA Regulatory Framework</p> <p>Tenancy law is a complex area. There are distinctions between common law and statutory rights and responsibilities which must apply, and contractual rights and responsibilities which the landlord can choose to apply to a particular tenancy or group of tenancies. In some instances regulators may require certain rights and responsibilities to apply and these requirements may have the effect of statute.</p> <p>Matrimonial Causes Act 1973 covers Property Transfer Orders on relationship breakdown.</p> <p>The Protection From Eviction Act 1977 includes provisions to protect tenants from harassment and unfair eviction and requires landlords to get a court order to end residential tenancies.</p> <p>The Mental Health Act 1983 gives a definition of incapacity to enter into a tenancy agreement.</p> <p>The Housing Act 1985 (Secure tenants) and the Housing Act 1988 (Assured tenants), as amended by the Housing Act 1996 set out the relevant tenancy terms, rights and responsibilities. They also outline the legal procedures to be followed if Court action is to be taken to end a tenancy.</p> <p>The Landlord and Tenant Act 1985 sets out the repairing obligations of landlords.</p> <p>The Housing Act 1996 sets out the terms, rights and responsibilities of Introductory tenancies.</p> <p>The Data Protection Act 1998 controls how information received is held and managed.</p> <p>The Anti Social Behaviour Act 2003 outlines the terms, rights and responsibilities of demoted tenancies.</p> <p>The Housing Act 2004 which replaces fitness standard with the Housing Health and Safety Rating System</p> <p>The Civil Partnership Act 2004 gives the same rights to same sex couples as to heterosexual couples.</p> <p>Clean Neighbourhoods and Environment Act 2005 which introduces a range of extended powers for dealing with environmental issues</p>

	<p>In addition the Riverside Group will adhere to the spirit of the Human Rights Act 1998 where relevant to the organisation.</p> <p>The HCA Tenancy and Neighbourhood and Community Standard (April 2011) prescribe out the outcomes the government expects landlords to deliver</p> <p>The Homes and Community Agency's Affordable Rent Framework offers Riverside the opportunity to introduce Flexible Tenancies for a minimum fixed term of two years should it wish to pursue this option.</p> <p>Localism Act 2011</p> <p>Sections 154 and 155 of the Localism Act 2011 make a range of provisions that create a new regime of flexible tenancies. The new arrangement applies to local authority landlords only as housing associations do not require new legislative authority to enter into tenancy agreements with fixed terms. However the Homes and Communities Agency's regulatory framework permits housing associations to adopt a similar regime with a view to making best use of stock.</p>
4.	<p>Standards and Effective Practices</p> <p>Tenancy management starts at tenancy sign up and terminates when the tenancy ends for whatever reason.</p> <p>At every stage in between, Riverside will be aware of, and put into practice the law on tenancy management, and adopt principles that will promote sustainable tenancies and support initiatives to improve the local neighbourhood.</p> <p>Effective relationships with new tenants will be established and maintained by conducting tenancy sign ups and settling in visits during the critical first 4 weeks of a tenancy commencing in a way which provides new tenants with clear information that they want and need. This will include ensuring access to good quality advice on benefits and managing debt.</p> <p>Starter tenants and flexible tenants will be visited at key stages of their tenancy in advance of any decision about the future of the tenancy.</p> <p>Individual tenants support needs if identified will be assessed and appropriate support packages put in place including translation and interpreting facilities if required. Subject to budgetary restraints and Occupational Therapists recommendations, Riverside will undertake adaptations to properties occupied by chronically sick, elderly and disabled persons where it is not feasible or realistic for that person and their family to move to alternative accommodation.</p>

	<p>Early action will be taken to deal with breaches of tenancy but in all circumstances <i>eviction will only be considered as a final resort</i> after Riverside has taken all reasonable steps to sustain the tenancy. Procedures for early intervention will include personal contact, access to support agencies and specialist advice agencies, housing advice, mediation, and where eviction is considered with the local authority homelessness section.</p> <p>Repairs will be carried out in accordance with Riverside’s Repairs Promise which aims to provide a responsive, value for money repair service which meets our legal obligations.</p> <p>General environmental matters such as litter, street cleaning and lighting, abandoned cars, communal areas and graffiti will be monitored and appropriate action taken, if necessary in partnership with other agencies. Landscaped and communal areas in Riverside’s ownership will be maintained and kept tidy.</p> <p>Residents will be offered a range of opportunities to become involved in decision making about service delivery improvements and their own tenancy. They will be consulted and provided with regular communication and feedback through newsletters, leaflets, letters and personal contact.</p> <p>Tenancy agreements will be regularly reviewed to ensure they are up to date with statutory and regulatory requirements and any changes to policies and procedures.</p>
5.	<p>Performance reporting: standards and requirements</p> <p>There are 2 relevant HCA standards for this operational area. These are the Tenancy and Neighbourhood and Community standards</p> <p>Riverside seeks to fully comply with all the elements set out in the standards and report progress against them to its customers in the Annual Report to its tenants each year</p> <p>The broad nature of the neighbourhood management agenda is reflected in all four of Riverside’s strategic themes to be found in the Riverside Plan</p> <ul style="list-style-type: none"> • S1 As good as the best: excellent, consistent services for all • S2 Customers facing tough times: sustaining tenancies for the vulnerable • S3 Maintaining decent, sustainable homes • S4 The Shape of Riverside to Come: Growth and rationalisation for an efficient footprint

	<p>The Monthly Performance Report (MPR) will monitor performance against a range of targets as part of Riversides “top 10 KPI’s” which collectively impact on the subject of neighbourhood and estate management</p> <p>The most relevant KPIs being:</p> <ul style="list-style-type: none"> • Relet periods • Appointments Made and Kept • First Tenancy visits • Stock void
6.	<p>Procedure for Implementation</p> <p>Tenancy management is a complex area both legally and in terms of the range of issues that staff has to deal with.</p> <p>Staff will receive relevant competency training and be given to opportunity pursue formal training leading to BTEC housing qualifications and/or membership of appropriate professional bodies such as the Chartered Institute of Housing.</p> <p>All training will be aimed at enabling staff to offer a high level of customer service, advice on tenancy, leasehold and general housing matters, and to signpost customers to other services where necessary.</p> <p>Riverside will ensure it has a comprehensive range of tenancy management policies and procedures in place. To ensure that all tenants receive a consistent standard of service these procedures will be mandatory across the Group and include such things as dealing with successions, assignments, mutual exchanges, starter, fixed term and flexible tenancies, abandoned properties and tenancy termination.</p> <p>Local housing plans will be created from Divisional Neighbourhood Investment Strategies which will outline how various housing management tools will be used to promote sustainability, and deal with such issues as difficult to let properties, demolitions, and anti-social behaviour. Starter and Demoted Tenancies will be used as part of a co-ordinated approach to prevent or tackle anti-social behaviour on an estate/neighbourhood.</p> <p>Riverside will assist local authority partners in delivering their strategic housing objectives</p> <p>A range of opportunities will be provided for consulting and involving residents and encouraging participation particularly by under-represented and hard-to-reach groups.</p> <p>Regular patch inspections will be undertaken in partnership with other organisations such as the Police, other landlord’s, and tenants and residents, and</p>

	<p>include checks on the fabric and cleanliness of common areas. Actions taken to resolve problems will be recorded and communicated back to the tenants and residents concerned.</p> <p>Where appropriate, specific “local offers” or divisional initiatives such as Riverside’s “Your Place” approach will be adopted.</p> <p>Tenants Inspectors are also used to independently assess the quality of housing services being provided at the local level.</p>
7.	<h3>Impact Assessment</h3> <p>Tenancy management is the core business of the association and as such is of vital importance. It is potentially a high risk area for a number of reasons.</p> <p>Ineffective tenancy management and a lack of concern with wider neighbourhood perspectives can impact on the lettable of estates, dissatisfaction from our customers and give a poor impression to other partners and stakeholders and damage Riverside’s reputation in the local community and the housing sector in general.</p> <p>Ineffective tenancy management could lead to residents and staff being put at risk from the anti-social behaviour of some residents.</p> <p>Financially, robust tenancy management enables the organisation to deliver services which demonstrate better value for money.</p> <p>Housing Management is provided to all tenants on an equal basis. Information about services will be provided in a range of languages and formats on request. All main customer access points will comply with the Disability Discrimination Act.</p> <p>Applicants and tenants will be offered assistance to complete forms if required.</p>