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TENANCY STRATEGY

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1 Introduction

1.1 The Government's key housing policy is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. Through the Localism Act 2011 and the Government's new national housing strategy for England called; *Laying the Foundations* the Government is seeking to:

- Make the social housing system fairer by striking a proper balance between the needs of new and existing tenants
- Ensure that the support which social housing provides is focussed on those who need it most, for as long as they need it
- Give Local Authorities and Registered Providers new powers so that they can make best use of their housing, in a way that best meets the needs of individual households in their local area
- Promote a thriving, active but stable housing market that offers choice, flexibility and affordable housing

Link to the Laying the Foundations Housing

Strategy: <http://www.communities.gov.uk/publications/housing/housingstrategy2011>

The Localism Act places a duty on all Local Authorities to produce a Tenancy Strategy¹. The key aims of a Tenancy Strategy are to:

- Fulfil the Local Authorities legal duties as set out in the Localism Act and in the Housing Act Part VI and VII (as amended by the Homelessness Act 2002)
- Set out clear expectations for Registered Providers operating in the district
- Make the best use of the Local Authorities housing stock and wider social and affordable housing² in the district
- Choose to introduce the use of fixed term and flexible tenancies³
- Choose to introduce affordable rents for new or a number of existing social rented homes
- Limit those who can join the housing register and offer additional preference to priority groups
- Offer tenancies which are in the interest of the individual household to create and maintain sustainable communities
- Prevent homelessness and enable housing to be offered to those in the greatest need
- Maximise the use of private rented sector tenancies, particularly in relation to the new power to discharge homelessness through this tenure

The Tenancy Strategy been developed within the context of all relevant objectives from the following documents:

¹ Section 150 – Localism Act

² National Planning Policy (June 2011) defines and includes 3 types of affordable housing:

a) Social housing up until the introduction of affordable rents was the main model provided by Registered Providers and refers to housing that is subject to strict rent controls, which are around 50% of the market rents. b) The new affordable rents which is up to a maximum of 80% of market rent. c) Intermediate housing, which includes shared ownership.

³ Existing tenants of the Council or Registered Providers security of tenure will be protected

- Area Housing Strategy 2011 – 2014
- Choice Based Lettings (CBL) Policy
- Homelessness Strategy (revised version)

The Act requires every local housing authority to publish its policies in a tenancy strategy within 12 months of the Act coming into force. The strategy must be provided to the district's Registered Providers for their guidance and be reviewed from time to time.

1.2 Registered Providers (RPs)

RP's are independent housing organisations registered with the Homes & Communities Agency⁴ (HCA) under the Housing Act 1996. Most are housing (also all Councils are RPs) associations, but there are also trusts, co-operatives and companies and provide access to a range of rented homes including houses, flats and bungalows to suit the needs of the individual.

The Tenancy Strategy will set out the areas that RPs are to have *regard* to when formulating policies relating to;

- The kind of tenancies they grant
- The circumstances in which they will grant a tenancy of a particular kind,
- Where they grant tenancies for a fixed term, the lengths of the terms
- The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy

Some RPs may have already signed HCA contracts concerning the development of new affordable rent products for the delivery of affordable housing until 2015. Within this document we will be requesting RPs operating in Bassetlaw ensure that their policies compliment and do not contradict this tenancy strategy.

1.3 Other Factors Influencing Housing

There are other changes that are likely to affect the supply and demand for affordable housing in the future. Local Authorities (under self-financing) will be able to decide how to spend the rental income from their stock, which may or may not result in additional housing developments. At the same time the decent homes standard must be maintained in all social housing across the district to ensure there is an adequate supply of decent, affordable housing. In addition, the Welfare Reform Act, changes to Right to Buy Scheme and Right to manage may result in an increase in demand for affordable social housing.

2 Bassetlaw District Council – Local Context

- 2.1** Bassetlaw is predominately a rural district characterised by a large number of hamlets and villages. Worksop and Retford are the key market towns and service centres in the district, both with populations in excess of 30,000. The population for the district as a whole is 111,800. Tables relating to () are contained within the appendices.
- 2.2** The Council is part of the North Derbyshire and Nottingham housing market area (HMA) which includes Chesterfield, Bolsover and North East Derbyshire District

⁴ The Homes and Communities Agency is the national housing and regeneration agency for England

Councils. It allows for partnership work across the districts, sharing of best practice and joint procurement of services. In terms of population and geographical area, the district is the largest in the HMA. Whilst the other three authorities are located within Derbyshire County, Bassetlaw is located within Nottinghamshire.

Bassetlaw developed a Local Investment Plan with the HMA which was agreed in November 2010. This provides strategic information regarding the Council's principles and priorities relating to housing, planning, economic development and regeneration.

Bassetlaw remains a relatively self-contained area, with a strong local housing market. The western part of the district has the closest links to the HMA, with the northern, eastern and southern areas more influenced by Sheffield, Doncaster, Lincoln and Nottingham.

- 2.3** The Council is also part of the Sheffield City Region (SCR) which brings together a larger number of local authorities from South Yorkshire, North Nottinghamshire and Derbyshire. This forum works collaboratively with the HCA to improve housing across the region which includes sharing of best practice, sourcing funding and joint procurement of services.
- 2.4** Bassetlaw District Council's Core Strategy was adopted in December 2011. This identifies the settlements to which new development will be directed and the amount of new housing and employment land that will be provided in these areas up to 2028. Most significantly, it has a fundamental role to play in delivering the Council's long-term vision for sustainable growth in the District. Outlined within the Core Strategy is the provision of affordable housing across a range of small and medium sites in the district. Affordability is a prominent issue in the more affluent rural areas where young people, in particular, are unable to access housing and are relocating to lower cost urban areas.

Link to the Core Strategy:

<http://www.bassetlaw.gov.uk/pdf/Bassetlaw%20Adopted%20Core%20Strategy%20DEC%202011.pdf>

- 2.5** Bassetlaw has retained ownership of its social housing stock with its management functions contracted to an Arm's Length Management Organisation, A1 Housing (Bassetlaw) Ltd. In addition, the Council is also looking towards the private rented sector to support affordable housing delivery, and interventions such as bringing back empty homes into use as affordable housing and the development of a new private sector leasing scheme.

3 Current Housing Processes

3.1 Local Authority Tenures

The rules governing the management of social housing are set by legislation, case law and the Local Authorities own policies.

Local Authority tenures are generally let on a secure tenancy which is set by the Housing Act 1980 and consolidated by the Housing Act 1985.

Security of tenure allows tenants the following rights:

- Right to Buy

- Right of succession / assignment by way of exchange
- Right to sub-let / take in lodgers
- Right to repair
- Right to be consulted on with regards to changes to tenancy conditions
- Right to manage

However, some tenancies or licences can be awarded which are not secure e.g.

- Introductory Tenancy – For all new tenants of the Local Authority normally lasts for 12 months, but can be extended to 18 months.
- Temporary accommodation - for homeless applicants

A1 Housing is the Council's managing agent in ensuring that these rules and legislative powers are followed and implemented. A1 Housing does not have direct contractual agreement with tenants; therefore they grant tenancies on behalf of the Council, to all new and transfer applicants.

3.2 Housing Management

A1 Housing provides the Housing Management service to the Council's 6935 homes. The services they provide are:

- Managing estates
- Managing the waiting list and the CBL scheme "Home finder"
- Enforcing tenancy agreements, including dealing with low level anti-social behaviour and rent arrears
- Carrying out planned and emergency repairs
- Working with leaseholders
- Helping vulnerable and elderly people to stay in their homes and live in their community
- Helping provide the Decent Homes programme to improve all Council homes to a high standard

3.3 Allocations

A1 Housing also carries out the allocations function on behalf of the Council under part VI of the Housing Act 1996 which applies to:

- Any allocation of a secure tenancy or introductory tenancy in its own stock by a local authority
- Any nomination to an RP made by a local authority

The Council has nomination agreements in place with the RPs giving 50% nomination rights to their properties in the Bassetlaw area. A1 Housing also advertises RP's properties through the Home Finder Choice Based Lettings scheme.

Link to the Choice Based Lettings Allocations Policy:

<http://www.a1homefinder.org.uk/Data/ASPPages/1/477.aspx>

3.4 Transfers

Transfer applicants are existing Bassetlaw District Council tenants and are currently allocated through the single housing register via the Home Finder Choice Based Lettings Scheme.

The position on the housing register is determined by the housing need and length of time on the list of the transfer applicant.

3.5 Succession

A1 Housing awards succession to a tenant under a secure tenancy if he/she occupied the dwelling house as his/her principle home at the time of the tenants death (Housing Act 1985 - s87) and either:-

- He/she is the tenants spouse or civil partner
- 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. The potential successor should demonstrate that he/she has resided with the tenant for 12 months preceding the tenant's death

Where a successor tenant is a single person and the succession is to a property which is too large for their needs, for example a house, A1 Housing will offer the successor tenant alternative accommodation suitable for their particular circumstances.

3.6 Homelessness

The Homelessness Act 2002 sets out a duty for Local Housing Authorities to review homelessness then develop and publish a strategy to address homelessness issues. The Council's Homelessness Strategy has taken account of this new national housing strategy and our plans reflect opportunities it may present.

It is best practice to review the Homelessness Strategy every five years in order to meet the 2002 Act's requirements. Bassetlaw has just completed a review of their Homeless Strategy to take into account aspects of the Localism Act and the National Housing strategy.

The Homelessness function has been retained by the Council and applications are assessed under parts 6 and 7 of the Housing Act 1996.

Where the local authority accepts that an applicant is unintentionally homeless and in priority need, it must secure accommodation for the applicant and their family. In Bassetlaw, this duty is discharged in the following ways:

- Offer of an introductory tenancy through the Choice Based Lettings Allocations Policy
- Offer of a secure tenancy from an RP
- Offer of a private rented tenancy
- Referral to another local authority in accordance with Section 198 of the above Act

Prior to the Localism Act discharge into the Private Sector was at the discretion of the applicant. If an offer of Private accommodation was refused this could not be held against the applicant as their one offer of accommodation.

Changes brought about by the Localism Act to succession, transfers, allocations and discharge of homeless duty are covered in more detail in chapter 5

3.5 Private Sector within Bassetlaw

The Government's guidance 'The Strategic Housing Role of Local Authorities' sets out the context in which Councils should operate in order to make best use of the housing stock in their districts in order to meet the needs of its local population.

Link to the Strategic Role of Local Authorities:

<http://www.communities.gov.uk/documents/housing/pdf/strategichousingrole.pdf>

The Council recognise the importance of the private rented sector and how it can assist the council in meeting the housing needs within the district. The Council is developing a Private Sector Housing Strategy; however we already have a number of initiatives in place which includes liaison with private landlords and dealing with empty homes.

Private landlords play an essential role in the provision of accommodation across the Bassetlaw District. To actively engage with Landlords the Council have developed and published a Private Landlords Newsletter, which goes out bi-annually and hold regular Landlord Forums.

3.6 Landlords Accreditation Scheme

The Council is keen to raise standards within the private rented sector and we have entered into an agreement with the East Midlands Landlord Accreditation Scheme (EMLAS).

EMLAS has been developed in partnership with local landlords, letting agents and local councils. The scheme is a new region-wide accreditation scheme that encourages and rewards good property standards and management practice in the private rented sector.

It is acknowledged that many private landlords provide and maintain properties to a high standard, often above the standard required by law. However, we are also aware that some landlords may have become landlords by default, or may not understand their role and responsibilities as a landlord. EMLAS aims to support all landlords in improving both the landlord service and property standards.

Bassetlaw has also signed up to the Sheffield City Region Code of Practice for the private rented sector, which aims to improve standards in the private rented sector and supports landlord's accreditation.

We currently have 15 Landlords accredited which amounts to 32 accredited properties within the district.

3.7 Empty Homes

Tackling empty homes is one of the Coalition Government's priorities. It is providing a financial incentive to Local Authorities to tackle long term empty homes through the New Homes Bonus. The bonus, which commenced in April 2011 will match fund the additional council tax raised for both new homes and properties brought back into use. This bonus is paid as an unringfenced grant.

In response to the Government's priority the Council launched its Empty Homes strategy in September 2011. The strategy outlines the Council's approach to how it will work with owners to reduce the number of empty properties in the district and harness the potential to meet pressing housing need.

Link to the Empty Homes Strategy:

[www.bassetlaw.gov.uk/docs/Empty Homes Strategy FINAL.doc](http://www.bassetlaw.gov.uk/docs/Empty_Homes_Strategy_FINAL.doc)

According to council tax data, in May 2012 there were 695 long term empty homes in Bassetlaw, representing 1.4 % of all residential properties, however this figure excludes both void council housing stock and exemptions (e.g. previous resident deceased, property awaiting probate).

Within the Council's own housing stock there are two long term empty properties which represents 0.03% of the total stock. Challenging targets are agreed between the Council and A1 Housing to ensure void periods are kept to a minimum and, where possible, avoid them becoming 'long term' i.e. in excess of 6 months.

3.8 Private Sector Leasing Scheme / Managing Agency Agreement

The above schemes have been developed as part of the Council's empty homes initiative. Some owners of empty properties are keen to let their property but do not want to take on the role of landlord. By offering these schemes the Council can provide the a housing management service on behalf of private owners whilst at the same time increasing the number of properties available to meet the needs of the housing waiting list and /or homeless applicants.

4 Proposals on New Reforms

4.1 Fixed Term Tenancies

The Localism Act 2011 gives local authorities the power to offer fixed term tenancies to new social tenants. Existing social tenants will keep their security of tenure and councils will continue to offer lifetime tenancies to certain client groups. All new tenants will continue to be placed on a year's introductory tenancy.

Fixed term tenancies are tenancies which would last for a minimum of 5 years however, government minimum guidance figure in exceptional cases can be 2 years. Councils can choose whether or not to utilise fixed term tenancies or to use a mixture of secure and fixed term tenancies.

The purpose of this reform is to enable better targeting of the social housing stock to those in most need. It is expected that by giving shorter tenancies to those that are able to move on and access other housing options, stock will be freed up and made available to households in greater need who are currently waiting for accommodation on the housing register.

4.2 Allocations

The Act gives the Secretary of State the authority to give direction on the use of the powers contained within the Act, in particular how it envisages protecting access to social housing for vulnerable people and other groups in housing need.

The Government will still set out the main priority groups (homeless households, others owed a housing duty, people occupying insanitary or overcrowded housing, those needing to move on medical or welfare grounds or those who need to move to a particular locality) but the council are now able to decide the degree of priority suitable for these priority groups whilst taking into account local conditions.

Councils are free to manage their waiting list in a way that addresses local priorities. The Act will allow them to abolish open waiting lists and determine which classes of people are, or are not, qualifying persons for housing under their own allocation policies.

The new qualification test will take priority over standard measures of housing need. It means that, while “qualifying” people with urgent housing needs will still be entitled to receive reasonable preference over other qualifying applicants, those considered not to have qualified in the first place are unlikely to be offered social housing.

4.3 Transfers

The Act requires councils to count transfers separately from new allocations, the operation of a separate list for transfer applicants within the CBL policy enables them to allocate specific properties to eligible applicants only. This can assist in tackling under occupation and utilising stock to address local need and demand.

The proposed housing benefit restrictions on bedroom size coming into force from April 2013 for working age households will add further pressure to ensure that properties are not under occupied.

4.4 Exchanges

Tenants with fixed term or assured short hold tenancies can now exchange with secure or assured tenants this is designed to facilitate movement between RP's and Local Authorities.

The Act allows the Government to direct the social housing regulator to set a standard for RP's on the assistance they are expected to give tenants to help them exchange tenancies. This extension of central regulation will enable the Government to establish a new National Affordable Home Swap Scheme that will facilitate movement for tenants to be able to move to be closer to work and for family support and allow tenants to see the details of every council and RP tenant looking to exchange homes - not just in their area but across the country.

The Council and A1 Housing are already part of the scheme.

4.5 Succession

Succession allows secure tenants to pass on their tenancy to a partner or relative following their death.

Councils can now be more restrictive when considering succession of a secure tenancy. There will remain only one statutory succession to spouse, civil partner or cohabitee; no other family members are eligible for succession rights. This change applies to all new tenancies and amends the existing law relating to succession, the impact primarily will be on sons and daughters living with elderly parents who are tenants. However, councils will have discretion to allow further succession where appropriate.

4.6 Homelessness

The Localism Act has made significant changes to the way in which councils will be able to deal with applications for social housing and homeless applications in accordance with parts 6 and 7 of the Housing Act 1996.

Councils will be able to fully discharge the homelessness duty in accordance with Section 193 of the Housing Act 1996 by offering a private rented sector property; crucially this can be with or without the applicant's agreement.

The Act also allows councils to make an offer of private or social housing properties outside the district. Any placement in the private rented sector needs to be for a fixed term of at least 12 months. Councils would owe a duty to any applicant representing as homeless if they became unintentionally homeless within two years of the duty being discharged. Any applicant being housed outside of the district would need to re-apply to the authority that accepted the initial duty, if the tenancy is lost by no fault of their own e.g. sale of property, within 2 years of a duty being accepted.

4.7 Affordable Rents

Registered Providers can charge up to 80% market rents which are higher than the social rents currently charged. These are called affordable rents and can be charged in new properties and on a proportion of re-let homes. Affordable rents will be eligible for housing benefit.

Affordable rents were introduced by the Coalition Government as a way to raise funds to build new affordable homes.

The Tenancy Strategy will support RP's in the following ways:

- Confirm the council's position of welcoming the development of affordable housing which meets local need
- Set out the council's position on the use of affordable rents (for new builds)
- Set out the relationship between affordable rents and Local Housing Allowance to ensure that properties remain affordable
- Set out the exceptions to affordable rents

The HCA have made it clear to RP's that new homes should be provided with a minimum of public subsidy. RP's are expected to use their income generated through the use of affordable rents together with their own resources to fund the building of new homes.

The HCA expects that all new homes and homes that are converted to affordable rent will be offered on fixed term tenancies. The Act also makes it possible for RP's to offer fixed term tenancies at social rent, for existing properties.

The use of affordable rent is also discretionary for Local Authorities who can chose to utilise the model.

4.8 Community Empowerment

The Act introduces a new duty for local authorities to maintain a list of private or public assets of community value. If the local authority proposes to dispose of any assets they must allow communities the opportunity to develop a bid and raise funds to purchase the asset in question.

The Act also introduces Community Right to Build as part of the broader measures on neighbourhood planning. It will give local communities the power to take forward development in their area without the need to apply for planning permission, subject to meeting certain safeguards and securing 50% support of the community through a referendum. Communities will have to identify suitable land, sources of finance and secure support for their proposals.

4.9 Regulatory Reforms

Under the Act regulatory responsibilities will pass to the HCA. They will continue to be service standards for social landlords but the external regulator will intervene only if there is 'actual or potential serious detriment to tenants or potential tenants' and inspection will be used only in exceptional circumstances. The Act requires the regulator to set out guidance on how it will apply the serious detriment test. This means that the regulator will no longer be concerned with routine monitoring of compliance or driving service improvements.

5 Bassetlaw District Council - Framework for Reforms

5.1 The Council recognises that social housing is a scarce resource - and that the provision of accommodation from new build and turnover from existing stock is insufficient to meet the need for it. The Act gives discretion to use fixed term tenancies to manage this resource.

5.2 How Bassetlaw propose to use Fixed Term Tenures

The Government expects that 5 years will be the minimum term for a fixed term tenure. The Council will need to amend the existing allocations policy to incorporate the circumstances where they would be granted and how they would be managed.

In addition the Government expects that fixed term tenancies are reviewed at least every five years, and that certain issues are reviewed in line with the regulations, which are:

- Household profile - whether a change in that profile merits a move to alternative accommodation (e.g. household is smaller, larger, requires adapted property);
- Household income and circumstances – the household income would enable the household to purchase a property outright (including opting to purchase under the right to acquire) or on a shared ownership/equity basis that meets their needs. Where the household is not working review work options, and as an authority we are working to have closer links with the job centre plus re training and volunteering options to increase opportunities for tenants.

The Council recognises the occasional benefits of using fixed term tenancies to make more efficient use of housing stock and to more effectively focus provision on those in most need.

In order to make best use of our stock in meeting the needs of the district we will reserve the right to use fixed term tenancies in the following circumstances:

- **Occupation of fully adapted properties**
Re-use of adapted properties where the disabled person is no longer resident.

The principle is that once unsuitability arises, the flexible tenancy would not be renewed on expiry.

▪ **Management of Stock or Tenancy Issues**

To be used in specific areas and property types to generate turnaround where there is a need and clear demand for general needs accommodation. Also to be used in cases where there is a previous record of criminal behaviour, Anti-Social Behaviour, drugs offences.

To be used where a tenant or a member of a tenants households has been previously evicted from a Council tenancy for: Anti-Social Behaviour, criminal activities or any convictions which are deemed serious.

▪ **Local Connection**

To be used when a tenant has secured the right to accommodation through having employment within the district but the length of the employment is for 2 years or less, the tenancy to be reviewed as part of routine flexible tenancy reviews.

▪ **Vulnerable Groups**

There are certain vulnerable groups where the use of fixed term tenures may not be considered appropriate. It is intended that older people and other vulnerable adults with high level support or care needs will continue to be granted lifetime (secure) tenancies.

5.3 Affordable Rents

Affordable rents and social rents do not vary too much in Bassetlaw. As illustrated in the following table:

Comparative Rents (All Tenures) per week				
	RP	Council	Private Rented	80% Affordable Rent
1 Bed	£71.90	£62.25	£85.00	£68.00
2 Bed	£79.49	£70.23	£101.00	£80.80
3 Bed	£81.95	£73.86	£118.00	£94.40

Source: A1 Housing, Right-Move, CORE data

The Council acknowledges that affordable rents could help in broadening housing diversity and choice to our residents, also generating additional funds to support new-build programmes within the district.

In order to make best use of our stock in meeting the needs of the district the Council reserves the right to use affordable rents in the following circumstances:

- New build
- Acquired properties for e.g. disposals from another RP
- Empty properties managed under the Private Sector Leasing Scheme
- Properties the Council manage on behalf of another landlord or RP

The Council will advertise all affordable rent properties through the Home finder choice based lettings scheme and the rent level will be clearly indicated on the advert.

5.4 Mobility / Transfer List

The Council supports greater mobility in the social housing sector as a means of reducing levels of overcrowding and under-occupancy and facilitating moves to access employment or for health / support reasons.

The Council currently participates in a sub-regional scheme with our partners in the HMA (Chesterfield, North East Derbyshire, and Bolsover) where 10% of relets are available to applicants in the sub region.

The Government is committed to introducing a nationwide social home swap scheme which will also encourage more mobility. (See 4.4 for outline of the National Home swapper Scheme)

Applicants are able to apply to Home Finder from anywhere within the United Kingdom. However, in order to ensure that Home Finder meets the needs of the local community, reduced priority will be given to those applicants without a local connection to the Bassetlaw. (See 3.3 for link to Allocations Policy)

5.5 Under Occupation / Best use of Stock

We accept that a large percentage of those under occupying are older households where children have grown up and left the family home. We appreciate that many older tenants will only move to what they consider to be the right home in the right location and this at times can be difficult to facilitate. This is because demand is primarily for 2 bedroomed bungalows which outstrip supply.

The Council will continue to encourage and negotiate the development and / or accusation of properties that will meet the needs of the waiting list including under occupying tenants. The Council will continue also to give discretionary priority where there is the possibility of “domino” allocations being achieved.

5.6 Succession

The Council recognises that some cases of succession can result in under occupation in general needs stock. The Council therefore will make best use of its stock by reserving the right to:

- Continue to grant the right of statutory succession to the spouse/partner of the deceased tenant.
- Limit the right of statutory succession to only the spouse/partner of the deceased tenant.
- Use its discretion to grant additional rights of succession where appropriate
- Use its discretion to engage with any potential successor if the council feels the accommodation is unsuitable as defined in fixed term tenancies (*above*) with a view to offering more suitable accommodation. Based on their actual needs in accordance with our CBL policy

The Council will continue to ensure that adequate and appropriate advice and assistance is provided to the householder to enable them to secure alternative accommodation where succession is not granted.

5.7 Vulnerability

The Council will take into account any vulnerable households or applicants they have when determining the approach to the new reforms. Vulnerability can include older people with support or care needs; adults with learning difficulties or disabilities etc.

We will support these household and client's types by not applying the new reforms including using fixed term tenancies.

5.8 Homelessness Discharge into the Private Rented Sector

The Council accept that we need to increase our utilisation of the private rented sector for discharge of homeless duty. This will assist in the reduction of cost and usage of temporary accommodation and reduce the pressure from the waiting list.

To ensure that a consistent approach is taken when discharging out of the area an SLA with all neighbouring local authorities is in the process of being set up and to assist in the housing and monitoring of homeless clients. The Council will:

- Only use the private rented sector to discharge the homelessness duty when we have assessed the household as being suitable for private sector housing and where an appropriate property is available on a minimum of a 12-month tenancy
- Encourage landlords to offer tenancies of a minimum of 12 months or more using a range of incentives – for example, advice and support, private sector leasing schemes, deposit bonds and rent in advance
- Closely monitor the effect of placing people into the private rented sector and whether the households present as homeless again after the 12-month tenancy. If this happens, we will consider reviewing our approach
- Monitor the impact of welfare benefit changes on the supply of private rented housing as well as on those presenting as homeless due to receiving a notice of seeking possession

5.9 Waiting List

Under the Localism Act the Council no longer has to operate an open waiting list. The purpose of this is to ensure that priority is given to applicants with the greatest need.

In Bassetlaw applicants will have to satisfy the criteria set out in the revised CBL policy before being accepted on to the waiting list. The criteria will focus on local connection and need rather than desire. In this way we can make best use of our housing stock.

5.10 Local Lettings

Local lettings plans are currently used across the district in order to facilitate community sustainability and good housing management.

The Council supports the use of local lettings plans in the following situations:

- Where there is clear and robust evidence to support discretionary use of the CBL process to create a balanced and sustainable community.
- Where there is clear and robust evidence of Anti-Social Behaviour

The Council is clear that all local lettings plans should be based on the needs of the areas and have clear and robust evidence to support those needs.

All plans have a set review date, at which time, the Council should assess whether the objectives have been achieved and whether the plan should be extended or amended.

5.11 Applying the Reforms

The detail of how we will apply these reforms will be contained within the revised CBL policy.

6 BDC Guidance to RP's Tenancy Policies

6.1 Use of Fixed Term Tenures

The Council supports the continued use of introductory and assured tenancies that are currently being offered alongside the new fixed term tenancies.

The reason for this is:

- Address under occupancy
- Ensure adapted properties are available to meet the needs of disabled applicants
- Management of stock and generate turnaround in areas of high demand
- Affordability – To ensure that properties are available for those less able to meet their needs in the private sector

In applying fixed term tenancies the Council expects RPs to consider the following factors:

- The Council considers that where the uses of fixed term tenures are to be utilised these should be for a minimum term of five years in order to provide stability and security to our communities
- In order to ensure the best possible use of stock, the Council in particular supports the use of fixed terms tenancies for properties with specialist adaptations
- The Council considers that all fixed term tenancies should be renewed unless the household's circumstances have changed to such an extent that the property is no longer suitable for their needs or have improved to the extent that they are able to meet their needs through alternative housing options such as, home ownership or private sector housing
- Where a tenancy is renewed the rent may change as the property should be subject to a new rent assessment based on market rents
- Where a tenancy is not renewed at the end of a fixed term, the RP should ensure that adequate and appropriate advice and assistance is provided to the tenant to enable them to secure alternative accommodation. This may include assisting them to move within the RP's own stock (either rented or shared ownership) or moving into the private sector

- The tenant should be given a notice period of at least 6 months and the RP should also notify the Council's Housing Needs Team of any intended tenancy terminations as soon as notice is given
- For all tenancies coming to an end RPs should ensure that tenants are provided with clear and adequate information about the reasons why their tenancy has been terminated and clear guidance should be provided on the way in which they can appeal any tenancy termination decision
- The Council expects that very few, if any, homeless approaches should be generated by an RP terminating a fixed term tenancy, as appropriate advice should have been provided to the tenant to enable them to meet their own needs

6.2 Use of Affordable Rents

The Council supports the use of affordable rent to allow RP's to raise the funds to build new affordable homes and accepts that they will increasingly be part of 'the housing offer'

The Council requires clear guidelines and agreements with each RP as to the use of affordable rent within the district. In particular there needs to be a clear understanding of the number of conversions that the Council wishes to see within the district; it is suggested that no more than 50% of all dwellings be converted, provided that this does not exceed 50% of their total stock within the district, as a means of supporting RP's to generate funding to develop more homes.

RPs are expected to publish its criteria for determining which of its existing stock it intends to let at affordable rent levels and the valuation information it uses to determine the affordable rent level.

The Council accepts that for new HCA developments there is an expectation that these would be let at the affordable rent model.

6.3 Mobility

The Council expects that all RPs operating in the district should participate in a national mutual exchange scheme to enable tenants to move more easily. In order to encourage and facilitate mobility, existing social tenants should be allowed to retain their security when they move to a new property.

The Council expects that RPs should publish a mutual exchange policy, setting out any conditions it may apply to tenants who wish to exchange.

It is important that a robust system is in place to manage requests for mutual exchanges to ensure that tenants are not disadvantaged for e.g. losing their security of tenure.

The Council would expect that RP's clearly explain how tenants' exchange rights will be affected by different tenancy types.

6.4 Under & Over Occupation

The Council expects RPs to offer flexibility to tenants who need to move due to under-occupation and / or reduction in housing benefit. This may mean relaxing conditions around the ability to exchange with rent arrears, if this will resolve the household's affordability issues and prevent further arrears from accruing.

The Council would encourage RP's where possible to work with the Council to address the issue of under occupancy.

6.5 Vulnerability

It is expected that RP's to take into account any vulnerable households or applicants they have when determining their Tenancy Policies and to exempt certain client groups from fixed term tenures.

6.6 Disposal of Stock

The Council do not wish to see the disposal of housing stock to the private sector although the Council supports stock transfers between RP's as this enables social housing to remain in the social sector. However, it is recognised that in certain circumstances this may be justifiable providing it allows for future investment within the district, providing more appropriate housing. Agreement would have to be gained from the Council for any disposal of stock in accordance with legislative requirements and stock transfer agreements. This would include any payment in respect of the disposals claw back agreement.

The Council expects that RPs should have a disposal strategy which clearly sets out their approach to the disposal of stock and how this benefits the organisation and the district. The Council also expects that all disposal decisions should be taken at RP Board level. If RP's choose to dispose of stock within the district we will require them to provide the following information to the Council with any request for support for disposal:

- Address of property
- Type and size of property
- Whether the property is currently tenanted and if so, how the current tenant will be assisted to find suitable alternative accommodation
- The projected income from the disposal
- How and where this income will be used
- Any housing grant linked to the properties

6.7 Local Lettings Plans

The Council supports the use of local lettings plans by RPs. These should be developed in partnership with the local Council and should set out how and why particular properties will be let at affordable rent or offered on a fixed term basis.

All local lettings plans should be needs based and have clear and robust evidence to support this need. The plan should clearly set out what the RP is aiming to achieve in applying restrictions on allocations and how these restrictions will assist to meet these objectives. The plan should also have a set review date, at which time, the RP should assess whether the objectives have been achieved and whether the plan should be extended or amended.

7 Monitoring

The Councils Tenancy Strategy will be reviewed annually by the Councils Strategic Housing Team to ensure that it remains consistent with the sub regional allocations policy and all relevant strategies such as the homelessness strategy.

The Council will establish a steering group which will include representatives of RP's. This group will support the Council in its role of monitoring and reviewing the effectiveness of this strategy.

Monitoring will need to include trends in:

- Housing needs
- Welfare reform
- Homelessness (align with Homeless strategy)
- Reviewing the effectiveness of the CBL allocations policy, including lettings of affordable rents
- Rent levels across all tenures, including affordable rents
- Registered providers activity
- Number of new homes built including affordable housing, and which tenure(s)

The individual RP's are responsible for their tenancy policies which will be published to provide transparency, enabling local communities to understand clearly how social landlords are responding to local needs and priorities.

The Council are developing closer working relationships with all RP's across the district by holding regular meetings.

7.1 Regulation of Social Housing

The Homes and Community Agency (HCA) is responsible for registering and regulating providers of social housing. Any eligible provider, or intending provider, of social housing can be registered with the TSA and only registered providers are subject to the TSA's regulation. All Local Authorities are considered to be registered providers and as such are covered by the TSA Service Standard requirements.

The TSA have replaced the previous inspection regime operated by the Audit Commission and there is no longer a programmed approach to inspecting housing organisations.

The TSA is the regulator of social housing and in April 2012 produced the regulatory framework. This document sets out the new framework that social housing providers have to meet. At its heart are six standards.

The six standards cover:

Tenant involvement and empowerment – relates to customer service, choice and complaints; involvement and empowerment; and understanding and responding to diverse needs of tenants

Home – relates to quality of accommodation; and repairs and maintenance

Tenancy* – relates to allocations; rent; and tenure

Neighbourhood and community – relates to neighbourhood management; local area co-operation; and anti-social behaviour

Value for money

Governance and financial viability*

* This standard or part of standard does not apply to local authorities as they are covered by other legislation.

The tenancy standard has been revised to enable RP's of social housing to participate in the 2011-15 Affordable Homes Programme, to deliver homes on affordable rent terms

To make sure that landlords are meeting the six standards they monitor how registered providers are performing and base their approach to performance monitoring on the following;

- Annual reports
- Performance outcomes promised to tenants
- Exiting information sources
- Analysis of complaints
- External validation
- Negative assurance
- Requests for further information

An inspection is carried out in the main where they believe that a provider may be failing to meet one or more standards, or the affairs of a provider may have been mismanaged. They will identify the focus and specification for an inspection through a bespoke brief and will tell the provider why they think an inspection is necessary.

Link to TSA website:

<http://www.tenantservicesauthority.org/server/show/ConWebDoc.20175>

7.2 Co-Regulation

Co-regulation is the TSA's approach in expecting boards and councilors to self-regulate the delivery of housing services including the effective use of tenant involvement. Local Authorities and RP's are expected to work together to improve services locally.

The TSA have set some key principles, which are:

- Providers should agree local service standards with their tenants
- Providers should respond to the needs of their tenants and demonstrate how they have taken into account the needs of the diverse range of tenants
- Promote transparency by enabling tenants, landlords and councils to assess performance of providers in their area
- Good governance is a universal principle and is essential to the quality of service delivery, financial robustness and value for money
- Independent validation, audit and benchmarking of performance to encourage providers to improve continually and free the best from unnecessary red tape

A1 Housing are the Council's agent in ensuring that these principles are delivered and that service standards have been agreed and set with tenants. There are a number of RP's that operate in the district and it is difficult to ensure that they all have locally set service standards as the majority of the organisations are not based in just one local authority area.

The RP's manage over a 1,000 properties within the district which is nearly 10% of the rented accommodation and 15% of social housing; they are therefore a key sector in the provision of affordable housing for local residents.

7.3 Housing Ombudsman

The Localism Act changes the jurisdiction of the Housing Ombudsman as well as the way social housing complaints are handled, with effect from 1 April 2013. The main provisions of the Act are:

A single mandatory Ombudsman - Local housing authorities will become 'registered providers', which is the legal status of housing associations and other bodies registered with the regulator of social housing. As a result, complaints against local authorities in their role as social landlords, including homeless and strategic housing functions with decisions made by Cabinet or scrutiny committees are also covered (as well as in respect of their ownership and management of leasehold housing) will, from 1 April 2013 onwards, be considered by the Housing Ombudsman.

A power for the Ombudsman to enforce decisions - The Secretary of State will have the ability to enable the Housing Ombudsman to apply to a court to have any determinations enforced when necessary.

A new role for MPs, Councillors, and Tenant Panels - Tenants of registered providers will be able to request that their complaints be considered by a 'designated person' once they complete the internal procedure of their landlord. Such a person can be an MP, a local Councillor, or a recognised Tenant Panel. The designated person may help resolve the complaint directly, may refer the complaint to the Ombudsman, or may decline doing either. In the latter case the complainant may approach the Ombudsman for his consideration of the complaint.

The Housing Ombudsman is implementing the provisions in the Act which affect the way the Service will operate. The Service will continue to deliver its mission in support of impartial dispute resolution in housing – and its values in working with others to increase trust in dispute resolution and to improve landlord and tenant relations.

The Ombudsman is working with the Department for Communities and Local Government (DCLG) to assist in the implementation of the government's reform.

8 Appendix

Registered Provider Stock Profile 2011

Registered Provider	Total Number of Stock	Total Number of Social Rent	Total Number of Shared Ownership
ACIS	8	3	5
Advance	4	4	0
Anchor	98	98	0
Chevin	45	45	0
Derwent Living	62	44	18
Dimensions	7	7	0
East Midlands Housing Association	20	20	0
Framework (Supported Housing)	21	21	0
Jephson	20	20	0
Jonnie Johnson	11	11	0
Leicester Housing Association	17	17	0
Longhurst and Havelock Homes	204	192	12
NACRO	1	1	0
Northern Counties	72	72	0
Nottinghamshire Community Housing	323	323	0
Places for People	10	10	0
Progress Care (Supported Housing)	58	58	0
Sloswicks	40	40	0
South Yorkshire Housing	17	17	0
Spirita	27	26	1
Waterloo	3	3	0
Total	1065	1032	36

Resident Population

Total Population (2010)			
	Bassetlaw	East Midlands %	Great Britain %
All People	111,800	4,481,400	60,462,600
Males	55,700	2,214,100	29,758,900
Females	56,100	2,267,300	30,703,700

Source: ONS Mid-Year Population Estimates

Population Aged 16 – 64 Years (2010)				
	Bassetlaw	Bassetlaw %	East Midlands %	Great Britain %
All People	100,900	63.4	64.6	64.8
Males	35,900	64.4	65.4	65.8
Females	65,000	64.2	63.8	63.8

Source: ONS Mid-Year Population Estimates

Notes: % is a proportion of total population

Labour Supply

Employment and Unemployment (October 2010 – September 2011)				
	Bassetlaw	Bassetlaw %	East Midlands %	Great Britain %
All People				
Economically Active	54,500	74.7	76.9	76.1
In Employment	51,900	71.0	70.9	70.0
Employees	46,100	64.3	61.8	60.5
Self Employed	5,800	6.7	8.7	9.1
Unemployed	4,400	7.8	7.6	7.9

Source: ONS Annual Population Survey

Economic Inactivity (October 2010 – September 2011) Aged 16 – 64 Years				
	Bassetlaw	Bassetlaw %	East Midlands %	Great Britain %
All People				
Total	17,9100	25.3	23.1	23.9
Student	3,800	21.4	26.5	24.3
Looking after Family/Home	#	#	22.9	25.1
Temp. Sick	#	#	1.7	1.9
Long-term Sick	5,800	32.6	21.8	22.4
Discouraged	#	#	0.6	0.8
Retired	#	#	19.0	16.9
Other	#	#	7.5	8.5
Wants a Job				
Wants a Job	6,400	35.5	20.2	23.9
Does not want a Job				
Does not want a Job	11,500	64.5	79.8	76.1

Source: ONS Annual Population Survey

#: Sample size is too small for reliable estimate

Notes: % is a proportion of those economically inactive, except total, which is a proportion of those aged 16 – 64 years

Homelessness Statistics

	2009/10	2010/11	2011/12
No. of Homeless Applications Received	51	135	234
No. of Homeless Applications Accepted	19	28	47
Percentage of Homeless Applications Accepted	57%	21%	20%
No. of Advice Cases Received	371	232	294

Tenure

Tenure Type of Households in Bassetlaw				
	Total No. of Households	Total No. of Owner-Occupiers	Total No. of Privately Rented	Total No. in Social Rented Sector
Bassetlaw	46,700	34,978	3,715	8,007

Source: Hi4EM (Experian Data 2009)

Rents

Comparative Rents (All Tenures) per week				
	RSL	Council	Private Rented	80% Affordable Rent
1 Bed	£64.75	£62.25	£85.00	£68.00
2 Bed	£71.29	£70.23	£101.00	£80.80
3 Bed	£73.45	£73.86	£118.00	£94.40

Source: A1 Housing, Right-Move, CORE data