

## Aelod Portffolio Eiddo, Adeiladau a Thai

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Man Cyfarfod

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Dyddiad y Cyfarfod  
**Dydd Llun, 8 Mai 2017**

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Amser y Cyfarfod  
**Amser heb ei nodi**

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I gael rhagor o wybodaeth cysylltwch â  
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03/05/17

### AGENDA

1.	<b>GWASANAETH TAI - POLISI TRWSIO A CHYNNAL A CHADW</b>
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(Tudalennau 1 - 40)

2.	<b>GWASANAETH TAI - POLISI DIOGELWCH TÂN TAI CYNGOR</b>
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(Tudalennau 41 - 80)

3.	<b>GWASANAETH TAI - POLISI RHEOLI STADAU</b>
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(Tudalennau 81 - 132)

4.	<b>POLISI YMDDYGIAD GWRTHGYMDEITHASOL (TAI)</b>
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(Tudalennau 133 - 174)

5.	<b>GWASANAETH TAI - POLISI CASGLU INCWM AC ADFER DYLEDION</b>
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(Tudalennau 175 - 210)

6.	<b>GWASANAETH TAI - POLISI ADDASIADAU I DENANTIAID Y CYNGOR</b>
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(Tudalennau 211 - 256)

7.	<b>PRYNU EIDDO, Y TRALLWNG</b>
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(Tudalennau 257 - 264)



**CYNGOR SIR POWYS COUNTY COUNCIL**

**REPORT FOR DELEGATED DECISION BY  
Portfolio Holder for Property, Buildings and Housing Cllr Rosemarie Harris  
May 2017**

**REPORT AUTHOR: Simon Inkson - Head of Housing**

**SUBJECT: Housing Service – Repairs and Maintenance Policy**

**REPORT FOR: Decision**

## **1 Summary**

- 1.1 This report seeks approval for a Repairs and Maintenance Policy which will apply to all property owned and managed by the Housing Revenue Account (HRA).
- 1.2 The report is supported by the following appendices:
- A The proposed policy
  - B Consultation response summary
  - C Impact Assessment (IA)

## **2 Background**

- 2.1 The Council's Housing Service (the Service) is landlord of around 5,400 Council homes, 110 leasehold flats, 2,000 garages, 2 Gypsy and Traveller sites and several other assets. The Service aims to provide an effective repairs and maintenance service to ensure high levels of resident satisfaction and to protect the value of its housing stock.
- 2.2 This policy describes how the Service plans maintenance programmes and deals with requests for repairs. The policy provides clarity about responsibilities of tenants and the landlord, describing who is responsible for which maintenance. The policy also includes rechargeable repairs, repairs to vacant properties, the Right to Repair, tenants improving the property, adaptations and accessibility and how the Service will carry out quality control.
- 2.3 The policy provides support to officers when taking management decisions. It also includes the opportunity for residents and other stakeholders to input in improving the estate environment during inspection visits. These estate visits take place at least once a year and will be gradually introduced.
- 2.5 Draft versions of the policy have been discussed with:
- Policies sub-group of the Tenants' Liaison Forum
  - Legal Services
  - Relevant Housing staff
- 2.6 A public consultation was carried out. The key findings are attached to this report. The respondents support the policy. They find it easy to read. No one indicates that the policy discriminates.

- 2.7 The impact assessment, which is attached to this report, does not highlighted any risks or negative impacts. The policy will contribute to more clarity for staff and the public.

### **3 Proposal**

- 3.13.1. This report seeks approval for a Repairs and Maintenance Policy which will apply to all property owned and managed by the Housing Revenue Account (HRA).

### **4 One Powys Plan**

- 4.1 When this policy is implemented it will provide a consistent approach across the whole County.

### **5 Preferred Choice and Reasons**

- 5.1 The preferred choice is to approve the policy to ensure consistency across the County.
- 5.2 The second choice is not to approve the policy. This would mean that there is a small risk for inconsistency across the County.

### **6 Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

- 6.1 The policy formalises current practice. Therefore the policy does not have an impact.

### **7 Children and Young People's Impact Statement - Safeguarding and Wellbeing**

- 7.1 The policy does not have an impact.

### **8 Local Member(s)**

- 8.1 This policy applies to all HRA property and assets in Powys.

### **9 Other Front Line Services**

- 9.1 There will be no changes for other front line services.

### **10 Support Services (Legal, Finance, HR, ICT, BPU)**

- 10.1 Legal - The Professional Lead – Legal recognises that it is important to have a policy in place to support this issue and confirms that the legal services will advise and assist where required.

10.2 Finance – The Finance Business Partner notes the content of the report and if the policy is implemented it will ensure consistency across the County to achieve well maintained property and an effective repairs service. This will have to be undertaken within the current financial envelope.

10.3 There will be no changes to support services.

## 11 Local Service Board/Partnerships/Stakeholders etc

11.1. The following stakeholders have been invited to read the policy and provide comments as part of the public consultation.

- all Housing staff
- Heads of Service
- Tenants’ Liaison Forum members
- Housing Services Group 100
- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru

11.2. Consultation responses are detailed in the consultation report, appendix B.

## 12 Communications

12.1 The new policy will be published on the corporate website. Individual council tenants and leaseholders will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants’ Liaison Forum Members will be informed. There will be a link on the Council’s Housing Service intranet page to the corporate website.

## 13 Statutory Officers

13.1 The Deputy Monitoring Officer notes the content of the report and Support Service comments and has nothing further to add.

13.2 The Strategic Director Resources (S151 Officer) notes the comment made by Finance that the policy will be delivered within the current financial envelope.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Council Housing Repairs and Maintenance Policy.</b>	<b>The policy and its implementation ensures consistency across the County to achieve well maintained property and an effective repairs service.</b>

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>Philip Dark</b>
<b>Date By When Decision To Be Implemented:</b>	<b>1 March 2017</b>

Contact Officer Name:	Tel:	Fax:	Email:
Henk Jan Kuipers	07917172854	-	henk.jan.kuipers@powys.gov.uk

### **Background Papers used to prepare Report:**

- Powys County Council Secure tenancy agreement 2008 and Introductory tenancy agreement 2015
- Powys Property Services Joint Venture; Housing Repairs and Maintenance Specification; May 2016
- CIH practice online

### **Appendices**

Appendix A: Proposed policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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**Appendix A**

**CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Repairs and Maintenance Policy

Version	For Portfolio Holder decision (19-12-2016)
Reference	POL LL Maintenance

# **Housing Services**

## **Housing Repairs and Maintenance Policy**

### **Contents**

1. Introduction
2. Responsive repairs service
3. Planned cyclical maintenance
4. Right to Repair
5. Recharging repairs
6. Repairs to empty properties
7. Right for tenants to improve the property
8. Adaptations and accessibility
9. Quality control
10. Equalities
11. Reviewing decisions, complaints and compliments
12. Review of this policy

### **1. Introduction**

#### **1.1. Policy background and coverage**

- 1.1.1. Powys County Council Housing Service (the Council) is committed to providing an effective repairs and maintenance service to ensure high levels of resident satisfaction and to protect the value of its housing stock.
- 1.1.2. The Council will ensure that it provides a repairs and maintenance service in accordance with best practice and relevant policy, legislation, regulatory compliance and Council housing service standards.
- 1.1.3. The Council will where it has discretion, exercise it in a reasonable, fair and equitable manner.

#### **1.2. Responsibilities**

- 1.2.1. The Council is responsible for the maintenance, repair, servicing and replacement of the structure and common parts of its properties, as set out in the tenancy, leasehold or licence agreement.
- 1.2.2. The tenant is responsible for reporting repairs to the Council and must allow access to their property in order for works to be carried out.
- 1.2.3. The tenant is responsible for the maintenance, repair and replacement of certain minor items within the home, as set out in the agreement with the Council.
- 1.2.4. The tenant is responsible for maintaining, repairing and servicing of alterations that are carried out by the tenant.



## **2. Responsive repairs service**

### **2.1. Objective**

- 2.1.1. The Council will ensure there is an effective responsive repairs service for its tenants and leaseholders. This will ensure that they are able to enjoy their homes and estate environment. It also maintains the value of the Council's assets.
- 2.1.2. The Council's aim is to ensure that the right work is done at the right time and right the first time.

### **2.2. Reporting defects**

- 2.2.1. The Council will ensure that defects can be reported in any of the following ways:

- by telephone
- on-line through the Powys County Council website
- in writing
- by e-mail
- via any member of Housing staff

- 2.2.2. The Council will ensure that sufficient advisors are available to answer calls between 08:00 – 17:00 Monday to Friday excluding public holidays.

- 2.2.3. Emergency repair requests can be reported out of hours, 24 hours a day, seven days a week by telephone, except for gas leaks.

- 2.2.4. Gas leaks need to be reported to the National Gas Emergency Service on 0800 111 999. An engineer will normally attend to all gas leaks within two hours.

### **2.3. Repair categories and target times**

- 2.3.1. The Council has established three categories of responsive repair:

- emergency repairs
- urgent repairs under the Right to Repair
- other repairs

- 2.3.2. Emergency repairs are repairs that need to be carried out to avoid serious danger to the health and safety of the occupants or where a failure to carry out the repair could cause extensive damage to buildings and property. Examples of emergency repairs are major water pipe leaks; total power failure; serious roof defects; lightning, storm or flood damage; complete lack of usable toilet facilities; loss of all heating and hot water in the property; unable to secure main entrance to property. The Council or a suitable appointed contractor will attend emergency repairs within two hours of receipt of the call.

- 2.3.3. Urgent repairs under the Right to Repair are defined in “The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994”, and are not emergency repairs. These repairs will be carried out within the specified time laid down unless by the express agreement of the tenant. The “Right to Repair” chapter details these repairs including required response times.
- 2.3.4. Other repairs will be attended to at a time suitable to the tenant, this will usually be within seven calendar days of receipt of the repair request, unless a longer delay is expressly requested by the tenant. This does not mean that all repairs must be completed within seven days, but that at least one visit will have been made to commence work.
- 2.3.5. Repairs will be carried out in as few visits as possible, with the expectation that the majority are carried out on the first visit.
- 2.3.6. If a repair cannot be completed on the first visit, a further appointment is to be arranged with the tenant before the Operative leaves the property. This appointment will be within seven calendar days of the visit unless a longer delay is expressly requested by the tenant or if specialist materials or plant are required that cannot be sourced within the timescale. In the latter case the next visit will be at the earliest possible opportunity.

## **2.4. Appointments**

- 2.4.1. Where reports are received by telephone, a specific timed appointment will be arranged and agreed with the tenant during the call.
- 2.4.2. For repair requests reported by other means, the tenant will be contacted to arrange a timed appointment within 24 hours of receipt of the report.
- 2.4.3. The Council or their appointed contractor will offer an appointment as soon as possible, within the target times. If the tenant prefers an appointment at a later date, then this will be agreed, unless the repair is needed urgently to avoid further damage or on health and safety grounds.
- 2.4.4. If it becomes necessary to rearrange an appointment, the tenant will be informed as soon as possible by telephone or text, and in any event within two hours of staff becoming aware of the situation.
- 2.4.5. Where the Council or their contractor is not able to speak with the tenant on the phone, written confirmation will be provided to the tenant.
- 2.4.6. As a minimum service, appointments will be offered from Monday to Friday between 08.00 and 15.30. There needs to be sufficient time to finish the job by 16.00.
- 2.4.7. If the tenant needs to rearrange an appointment, the tenant is expected to inform the Council as soon as possible. This will reduce the number of missed appointments, wasted officer time and unnecessary costs.

## **2.5. Contracts**

The Council may achieve value for money in delivering a responsive maintenance service by tendering contracts and entering into framework agreements with contractors. Information about contracts awarded and partnering arrangements will be published in the tenants' newsletter and on the Council's website.

### **3. Planned cyclical maintenance**

#### **3.1. Introduction**

- 3.1.1. The Council will develop an annual planned cyclical maintenance programme, to ensure that its homes are maintained in a good condition.
- 3.1.2. The Council will have a Welsh Housing Quality Standard compliance policy, setting out in detail the Council's interpretation of the standard and covering planned improvements.

#### **3.2. Cyclical maintenance – no service charge**

- 3.2.1. Cyclical maintenance is carried out at regular intervals. The Council will undertake the following programmes on a cyclical basis:
- all statutory servicing requirements
    - heating and gas installation
    - electrical installation
    - fire detection systems
    - sewage systems provided by the Housing Service
  - external surfaces of the property that require an applied finish to maintain its weather tightness.
- 3.2.2. Tenants will not be charged for these services.
- 3.2.3. Leaseholders will receive the service they are entitled to and be recharged according the terms of their lease agreement.

#### **3.3. Cyclical maintenance – service charge**

- 3.3.1. The Council will ensure that:
- communal areas within blocks of flats and sheltered schemes are regularly cleaned
  - grounds maintenance takes place
  - communal installations, like lifts, stair lifts and door entry systems are serviced
- 3.3.2. Tenants and leaseholders will have to pay a service charge for these services in addition to the rent. The Council may charge home owners – not being leaseholders.
- 3.3.3. Where the use of a communal room and facilities in sheltered schemes is open to others, the cleaning costs will be shared, and charged to all users.

#### **3.4. Annual programme**

- 3.4.1. Annually, the Council will agree a schedule of planned cyclical maintenance for its properties. The schedule will be developed from the Councils property

management information system and will be prioritised against the following factors:

- the impact to the resident
- the current condition of the property
- statutory requirements
- long term impact of not servicing the property or equipment
- budgetary constraints
- the impact on other maintenance or improvement work streams

3.4.2. The Council will publish details of the properties that will benefit from the cyclical maintenance programme. This will include details of the works to be undertaken and the properties which will benefit from the work. The information will be published in the tenants' newsletter and on the Council's website.

3.4.3. The Council will seek to achieve value for money in delivering cyclical maintenance programmes by tendering contracts on a regular basis and entering into framework arrangements with service providers.

3.4.4. The contracts will be agreed for a specified period of time, ensuring a balance of quality and cost with the successful contractor is achieved.

3.4.5. All statutory service contracts will be carried out in accordance with the relevant legislation. The Council will keep records of inspections and verification.

3.4.6. The Council will inspect communal areas and grounds on a regular basis to monitor the quality of the services.

3.4.7. Once the schedules have been set, the Council will manage the service contracts appropriately to ensure compliance and high levels of customer satisfaction.

3.4.8. The council will investigate complaints about the quality of the services.

### **3.5. Informing residents**

3.5.1. The Council will contact the affected residents, providing them with advance notice of the intended commencement of the work, its anticipated impact on the tenant and the contact details of the contractor who will be undertaking the work.

3.5.2. Where access to the home is required, the contractor will arrange any appointments with the tenant.

3.5.3. The Council will provide details of the specifications and schedules to residents, who pay service charges. The information will include:

- contact details of the contractor providing the service
- the regularity that works are to be undertaken
- the specification that the contractor is required to work to

## 4. Right to Repair

### 4.1. Objective

The Council will comply with the Right to Repair regulations.

### 4.2. Qualifying repairs

4.2.1. Qualifying repairs are detailed in the Right to Repairs Regulation. It includes certain defects that need urgent repair up to a value of £250.

4.2.2. Defects to be repaired within the **next working day**:

- total loss of electric power
- unsafe power or lighting socket, or electrical fitting
- total loss of water supply
- total or partial loss of gas supply
- blocked flue to open fire or boiler
- total or partial loss of space or water heating between 31st October and 1st May
- blocked or leaking foul drain, soil stack, or (where there is no other working toilet in the dwelling-house) toilet pan
- toilet not flushing (where there is no other working toilet in the dwelling-house)
- leaking from water or heating pipe, tank or cistern
- insecure external window, door or lock

4.2.3. Defects to be repaired within the **next three working days**:

- partial loss of electric power
- partial loss of water supply
- total or partial loss of space or water heating between 30th April and 1st November
- blocked sink, bath or basin
- tap which cannot be turned
- loose or detached bannister or hand rail
- rotten timber flooring or stair tread

4.2.4. Defects to be repaired within the **next seven working days**:

- leaking roof
- door entry phone not working
- mechanical extractor fan in internal kitchen or bathroom not working

### 4.3. Advice and compensation

4.3.1. The Council will offer an appointment service or send an external contractor as detailed in the chapter "*Responsive repairs service*".

4.3.2. A tenant that reports a qualifying repair will be informed of this and given a date by which the defect should be repaired.

- 4.3.3. An appointment will be offered within the prescribed target times.
- 4.3.4. The tenant will be informed they should contact the Council if a repair does not take place within the prescribed timescale.
- 4.3.5. Where the tenant informs that the defect has not been repaired within the timescale, the Council will ensure the tenant is offered a second appointment, within the prescribed number of working days after the tenant reports the defect has not been repaired.
- 4.3.6. Where the qualifying repair has not been repaired for the second time, tenants are entitled to claim compensation of £10 plus £2 for every day up to a maximum of £50. This does not apply where the tenant could not provide access or if there are exceptional circumstances outside the control of the Council.
- 4.3.7. The Council will ensure that information about the Right to Repair Scheme is available to tenants on the Council's website and in the Tenants' Handbook.

## **5. Recharging repairs**

### **5.1. Objective**

The Council will ensure that tenants pay the costs of repairs they are responsible for.

### **5.2. Rechargeable repairs**

- 5.2.1. The Tenancy Agreement sets out tenants' responsibilities for maintenance and repairs at their expense. These include:
- replacing damaged door handles, latches and door knockers
  - replacing locks and keys where lost or damaged
  - replacing broken locks and hinges (including outhouses)
  - unblocking sink, bath and lavatory waste pipes, and cleaning gullies, where blockage is caused by household waste
  - replacing window and door glazing as a result of damage or breakage; the tenant is not responsible for breakage caused by the Council or its contractors (including breakage caused by poorly fitted glazing)
  - replacement of internal doors where wilfully damaged
  - trimming of doors to clear floor coverings
  - plugs and chains to baths, sinks and basins
  - toilet seats and covers
  - replacement of cracked and broken wall tiles
  - electrical fuses, bulbs, tubes and plug tops
  - shelving, coat hooks etc.
  - pelmets and curtain fittings
  - internal decoration, including any minor making good to walls
  - replacement of fire baskets, frets, bars, fire bricks and glass strips to heating appliances where these are less than 2 years old
  - inter-property fencing (this is fencing between neighbours at the side of a property)
  - flexible gas tubes to gas cookers
  - paths (except for main paths leading to front and back doors)
  - dustbins and clothes drying facilities (except where these are provided by the Council in communal areas)
  - maintaining the interior of the premises to a reasonable standard of decoration, repair, safety and cleanliness
  - keeping the garden for which the tenant is responsible, in a safe condition
  - trimming hedges for which the tenant is responsible, to a reasonable height and width, having regard to the neighbouring environment and the proximity of footpaths, roads and public highways
  - maintaining, repairing and servicing of equipment and alterations installed or carried out by the tenant
  - repairing damage caused by the tenant, members of their household, or their visitors, either on purpose or by neglect. This includes repairs that could have been prevented if the tenant would have informed the



Council earlier of an existing issue or where a tenant refused entry to carry out maintenance or checks

- repairing damage by frost, fire or water, when no reasonable precautions were taken by the tenant

5.2.2. The Council may carry out tenant's repairs on the tenant's behalf. Payment will be required in full before any tenant's' repair work is carried out.

### **5.3. Recharging for repairs**

5.3.1. The Council will charge tenants for repair works carried out on their behalf where this expenditure has been caused either by damage which is not the result of fair wear and tear, or by unauthorised alterations to the property.

5.3.2. Payment will be required in full before any re-chargeable repair work is carried out, with the following exceptions where:

- an emergency response is required
- the property has to be made secure at the direction of the police where they have forced entry (costs will be recharged as appropriate to either the resident or the police)
- the repair is prejudicial to the health and safety of the household (for example a blocked WC)
- the disrepair could cause or is causing damage to other parts of the property or to other properties
- the Council considers that the disrepair could lead to deterioration in the appearance of the area
- the Council is satisfied that genuine hardship exists

5.3.3. In the above circumstances, an affordable repayment plan will be agreed in writing between the tenant and the Council.

5.3.4. The tenant will be advised they are free to hire a qualified suitable private contractor to carry out repairs that are the responsibility of the tenant where it is safe and reasonable to use a private contractor. The tenant will remain responsible that a tenant's repair is carried out to the same standard that the Council would have achieved.

### **5.4. Rechargeable repairs during a tenancy**

5.4.1. All requests for repairs reported by tenants will be assessed against the Council's repairing obligations, as outlined in the tenancy agreement.

5.4.2. Where a requested repair is deemed to be the responsibility of the tenant, the tenant will be informed that they are responsible for that repair under the terms of their tenancy agreement. This includes damage that may have been caused accidentally, for instance a window that was broken during a storm.

5.4.3. Where a repair is needed as a result of criminal activity that has not been caused by the tenant, a member of their family or a visitor to their home, the

resident will not be charged for the cost of any works, providing written confirmation with a crime reference number is obtained from the police.

- 5.4.4. Where a repair is needed as a result of criminal activity that has been caused by the tenant, a member of their family or a visitor to their home, the resident will be charged for the cost of any works. Where appropriate, the police will also be informed of any criminal activity that has taken place. This includes instances of suspected criminal damage.
- 5.4.5. Where damage is caused by the police whilst executing a warrant and no conviction is secured against the tenant or a member of their household or a visitor to their home, the resident will not be held liable for the cost of the repair and the Council may seek to recover the cost of the repair from the police.
- 5.4.6. Where damage is caused by the police whilst executing a warrant and a conviction is secured against the tenant or a member of their household or a visitor to their home, the resident will be held liable for the cost of the repair.

## **5.5. Rechargeable repairs at the end of a tenancy**

- 5.5.1. On receipt of a notice to end a tenancy, arrangements will be made with the tenant to inspect the home. Following this inspection, the tenant will be informed in writing of any repair work for which they are responsible prior to leaving the property.
- 5.5.2. Any rechargeable works not carried out by the tenant before they leave the home, will be undertaken by the Council and the cost of the works will be recharged to the former tenant.
- 5.5.3. It will not always be possible to carry out an end of tenancy inspection in the presence of the tenant, for example where the property has been abandoned. Also, some repairs for which the tenant is responsible may occur after the end of tenancy inspection has taken place. In these circumstances an empty home inspection will identify any outstanding rechargeable repairs and note any remedial work required resulting from resident damage. Photographic evidence of the condition of the property will be recorded.
- 5.5.4. Where the Council is aware of a forwarding address, the former tenant will be advised in writing that they will be recharged any costs incurred by the Council and the debt will be pursued.
- 5.5.5. Where no forwarding address is known, a record will be kept of any outstanding rechargeable repairs. The Council will pursue the debt from the former tenant should their new address become known.

## **6. Repairs to empty properties**

### **6.1. Objective**

The Council will make effective use of its housing stock to maximise rental income, meet housing need and maintain good estate management.

### **6.2. Managing empty properties**

6.2.1. The Council will ensure that empty properties do not significantly detract from a neighbourhood's appearance, security or sustainability.

6.2.1. In managing its empty properties, the Council aims to:

- minimise the length of time a property remains unoccupied
- minimise rental loss
- minimise empty property repair costs
- ensure that all empty properties comply with legal and health and safety requirements

### **6.3. Repairing empty properties**

6.3.1. The Council will deem a property to be empty in the following circumstances, where:

- the tenant has formally terminated the tenancy
- the tenant has died and there is no successor
- the tenant has abandoned the tenancy, where the appropriate action has been taken to end the tenancy
- the tenant has been evicted, following court action for possession

6.3.2. The Council will ensure that all empty void properties are repaired and re-let in accordance with target timescales. The target is to relet within 10 working days after receiving the keys after the tenancy has ended.

6.3.3. The Council will ensure that all empty void homes are repaired according to the "Quality of Accommodation Service Standard" of repair and cleanliness for empty properties.

6.3.4. The Council will undertake the following tests in all empty properties:

- test all fuel appliances and pipework to ensure that they are safe
- test the electrical circuitry to ensure compliance with the latest regulations
- test the water supply and drainage system.

6.3.5. Appropriate security measures will be put in place where this is considered necessary.

- 6.3.6. A post inspection will be carried out following the completion of repairs on all properties before re-letting, to ensure the works have been completed to a satisfactory standard.
- 6.3.7. In recognition of the need to minimise re-let timescales the Council might agree to undertake some minor repairs after occupation. The new tenant will be advised of any outstanding works at the sign-up interview.
- 6.3.8. The Council will not decorate general needs properties. If a property does not meet the Council's standard for decoration, the Council will provide the tenant with decoration vouchers when signing the tenancy to help to pay for the redecoration work the tenant needs to do. In exceptional circumstances where the tenant and their family are unable to decorate, the Council will decorate properties. Where the Council decorates, it will try to do this before the tenant moves in.
- 6.3.9. The Council will decorate homes designated for older people if a property does not meet the Council's standard for decoration. The Council will paint the interior of the property white or magnolia.
- 6.3.10. The Council will ensure maintenance of the garden and common areas during the period the property is empty.

## **7. Right for tenants to improve the property**

### **7.1. Objective**

The Council will assist tenants to exercise their right to improve the property themselves.

### **7.2. The right to carry out improvements**

7.2.1. All tenants have the right to carry out improvements to their homes, on condition that they have been given prior written consent from the Council.

7.2.2. On receipt of a written request to undertake an improvement, the tenant will be visited in their home by a member of the Housing team.

7.2.3. Within 10 working days of the visit, the tenant will receive notice if consent has been granted to their request to carry out improvements.

7.2.4. Where the Council gives written consent, this permission will include conditions to which the tenant needs to adhere.

7.2.5. Permission to carry out improvements will not be unreasonably withheld, but the Council will refuse permission if the proposed works:

- make the property, or any other premises, less safe for occupiers, or
- cause the landlord to incur additional expenditure which it would be unlikely to incur if the improvement were not made' or
- reduce the price that the property would fetch if sold on the open market or reduce the rent the Council would be able to charge on letting the dwelling-house, or
- include major alterations proposed by introductory tenants

7.2.6. Permission may be withheld if the requested improvement will:

- be unduly expensive to maintain
- make the dwelling difficult to let in the future
- be unsuitable for possible future occupants

7.2.7. Tenants who undertake improvements to their home will be responsible for the maintenance, throughout the lifetime of their tenancy.

### **7.3. The right to compensation**

7.3.1. The Council will pay compensation according to the "*Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994 Statutory Instrument 1994*".

7.3.2. Compensation payments for consented improvements are not payable until the tenancy comes to an end.

## **8. Adaptations and accessibility**

### **8.1. Introduction**

- 8.1.1. The Council will ensure that its housing stock meets the needs of disabled, older, frail and long term sick people.
- 8.1.2. The Council will have a specific policy regarding adaptations for Council tenants.

### **8.2. Assessment**

- 8.2.1. The Council will accept requests from tenants for adaptations to their homes, to meet their needs. The Council will require all applicants to be visited in their home by a Powys Council Social Services Occupational Therapist or Housing staff who are qualified as Trusted Assessor. They will assess the work that requires to be completed to the property to meet the tenant's needs.
- 8.2.2. The Council will consider whether the extent of the recommended works are reasonable and practicable.
- 8.2.3. Following the assessment it will be agreed between the tenant, Housing staff and where necessary Occupational Therapist which adaptations will be carried out.
- 8.2.4. Tenant and Council will agree a timescale for carrying out the adaptation and any actions that need to be undertaken, for example the process before appointing a contractor or obtaining planning permission.
- 8.2.5. The Council will inform the tenant which contractor(s) will carry out the adaptation(s) and provide contact details of the contractor.
- 8.2.6. Where the Council considers that it is not reasonable and practicable to undertake an adaptation to a property, the tenant will be informed in writing within 21 days of the decision being made. In addition the Council will arrange to meet the tenant at their home to discuss other housing options that may be available to meet their needs.

## **9. Quality control**

### **9.1. Introduction**

The Council will monitor the quality of the maintenance and repairs service to ensure the health, safety, comfort and satisfaction of residents and to protect the fabric and value of the property.

### **9.2. Quality and service standards**

- 9.2.1. The Council requires all staff and contractors working in residents' homes to comply with its service standards.
- 9.2.2. A sample of surveys will be carried out to help assess the performance and tenant satisfaction.
- 9.2.3. The Council will ensure that a proportion of all works are inspected after completion. Any performance issues arising from these post-inspections will be discussed with relevant staff or the appointed contractor.
- 9.2.4. Where the Council will be informed of dissatisfaction with any service or work carried out, this will be investigated and any necessary remedial works are carried out.

## **10. Equalities**

### **10.1. Introduction**

The Council is committed to giving an equal service to all.

### **10.2. Procedures and practices**

10.2.1. The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.

10.2.2. Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **10.3. Information**

10.3.1. The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:

- Braille
- large print
- audio tape

10.3.2. Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.



## **11. Reviewing decisions, complaints and compliments**

### **11.1. Introduction**

The Council is committed to improve service delivery and put right any mistakes.

### **11.2. Review**

Anyone that is affected by a decision of the Council's Housing Service is entitled to ask an independent review from a manager or team leader that was not involved in making the decision.

### **11.3. Complaints and compliments**

- 11.3.1. The Council welcomes all feedback from customers, because it helps to improve services.
- 11.3.2. When the Council receives a complaint, the Corporate Complaints Procedure will be followed.
- 11.3.3. The Council will aim to clarify any issues that are deemed unclear.
- 11.3.4. Where possible, the Council will put right any mistakes it may have made.
- 11.3.5. Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- 11.3.6. The Council will aim to learn from good practice and mistakes and use the information gained to improve services.

## **12. Review of this policy**

- 12.1. This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
- 12.2. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Repairs and Maintenance Policy  
Public Consultation

Date of report : 27 September 2016  
Report author : Henk Jan Kuipers  
Housing Service Improvement Officer

## **1. Key Findings and conclusion**

The respondents give support to the policy. They find it easy to read and no one indicates that any part of the policy discriminates. Comments and suggestions have led to improving the policy. The main issue that it is ensured the policy is in line with the specifications required from the Joint Venture Company.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Council) is landlord of 5,400 Council homes and 110 leasehold flats. It aims to provide an effective repairs and maintenance service to ensure high levels of resident satisfaction and to protect the value of its housing stock.

This policy describes how the Council plans maintenance and deals with requests for repairs. The policy aims to provide clarity about responsibilities of tenants and the Council, describing who is responsible for which maintenance. The policy also includes rechargeable repairs, repairs to vacant properties, the Right to Repair, tenants improving the property, adaptations and accessibility and how the Council will carry out quality control.

The policy should enable tenants to exercise their rights as Council tenants. It should provide Housing Staff with a reference on which they can base their decisions.

The consultation enabled Housing staff, tenant representatives and external stakeholders to provide comments.

### **2.2. Background to the consultation and engagement**

A draft policy was discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group, prior to the public consultation. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The proposed policy and a survey response form were sent to all Housing staff, Tenants' Liaison Forum members and Housing Services Group 100.

The following external stakeholders have been sent the proposed policy and response form:

- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru.

In addition the consultation was advertised on the Powys County Council Tenant Engagement Facebook page.

There was a four week response period.

The consultation process was agreed with the Corporate Consultation Officer.

The Housing Service consults with Tenants Service Monitors and Tenants' Liaison Policies Sub Group to improve the consultation process.

Feed back has been that it should be considered to offer the option to fill in a questionnaire on line. Previously, an on line survey was used for the WHQS compliance policy. The WHQS compliance consultation was published on the Council's "Have your say" page. Developing this facility required additional staff resource, including staff from other services than the Housing Service. The response rates were very low and it was considered not worth the extra effort to have an on line survey in addition to the e-mailed questionnaire. People can opt for questionnaires on paper instead of e-mail.

### **2.3. Response rate**

Ten completed questionnaires have been received. Nine are from Council tenants and one from a County Councillor.

In addition one e-mail response indicated support for the policy. One member of Housing staff responded also by e-mail.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any additional issues.

### **2.4. Profile data**

#### *Sex*

Female	8
Male	2

#### *Age*

Under 18	0
18-35 years	0
35-59 years	2
60 or over	8

#### *Disability*

day-to-day activities limited a lot	0
day-to-day activities limited a little	5
day-to-day activities not limited	5

#### *Welsh*

Speak Welsh	2
Speak, read and write Welsh	0

The response numbers are small, but it stands out no people under the age of 35 have responded.

## 2.5. A note about market research and consultations

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## 3. Question by question analysis

**Question 1: Do you find the policy easy or difficult to understand?**

### Answers

easy	10
difficult	0

**Question 2: Please tell us if you find anything unclear**

**Question 3: Do you feel there is something missing in the policy? Does anything needs changing?**

The following comments were received. Below each comment are the Council's Housing Service responses.

- A. 3.4.b Surely a broken window during a storm would be covered by PCC insurance?

Response: repairing of damaged external broken windows is a responsibility of the tenant. The Council is not insured for broken windows. Council tenants can take out the Council's Home Content Insurance which covers damaged external windows. The example relating to storm damaged broken windows has been removed from the policy. The Council will normally not recharge tenants in the event of storm damage.

- B. 5.2.d if defect to be repaired within 7 working days – why have I been waiting since January for my leaking roof to be retiled?

Response: It might be more cost effective to postpone certain repair works until planned works are carried out in the area. Housing staff will need to make a judgement if a defect requires immediate repair, or if it is acceptable to wait for a more cost effective repair job. If this is the case tenants will be informed of this decision.

- C. The repair and maintenance policy/repair standard will form part of the contract with the JVC so once this is approved, the specification will need to be amended.

Response: the Housing Service will work with the JVC to ensure consistency. The Service Standards will not change as part of this policy.

- D. The proposed policy talks about reporting repairs to the council when in fact they will be reported in the main direct to the JVC. Might it not be a better idea to wait until the partner has been appointed and include them in the process so that the wording reflects what will actually happen?

Response: the Housing Service will work with the JVC to ensure consistency.

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

No responses were recorded, other than that there would be no discrimination.



# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Cllr Rosemarie Harris
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<b>Policy / Change Objective / Budget Saving</b>	Council Housing Repairs and Maintenance Policy
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#### Outline Summary

The Council's Housing Service is landlord of approximately 5,400 Council homes, 110 leasehold flats and 2,000 garages. It aims to provide an effective repairs and maintenance service to ensure high levels of resident satisfaction and to protect the value of its housing stock.

This policy describes how the Service plans maintenance and deals with requests for repairs. The policy provides clarity about responsibilities of tenants and the landlord, describing who is responsible for which maintenance. The policy also includes rechargeable repairs, repairs to vacant properties, the Right to Repair, tenants improving the property, adaptations and accessibility and how the Service will carry out quality control.

This policy is bringing together several existing policies in one document. The policy enables tenants to exercise their rights as Council tenants. It provides Housing staff a document which they can refer to when taking decisions.

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Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Henk Jan Kuipers	Service Improvement Officer	05-01-2017
2	Henk Jan Kuipers	Service Improvement Officer	10-01-2017

2. How does your policy / change objective / budget saving impact on the council's strategic vision?

Council Priority	How does the policy / change objective impact on this priority?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below	Source of Outline Evidence to support judgement

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<b>Council Priority</b>	<b>How does the policy / change objective impact on this priority?</b>	<b>IMPACT</b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Services delivered for less</b>	This policy is bringing together several existing policies in one document. This will not deliver efficiencies. However it will put focus on policy areas that could be improved.	Neutral		Choose an item.	
<b>Supporting people in the community</b>	No expected impact.	Choose an item.		Choose an item.	
<b>Developing the economy</b>	No expected impact.	Choose an item.		Choose an item.	
<b>Learning</b>	No expected impact.	Choose an item.		Choose an item.	

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3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>A prosperous Wales:</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	No expected impact.	Choose an item.		Choose an item.	
<b>A resilient Wales:</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	No expected impact.	Choose an item.		Choose an item.	
<b>A healthier Wales:</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.	No expected impact.	Choose an item.		Choose an item.	
<b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected Communities.	No expected impact.	Choose an item.		Choose an item.	

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<p><b>A globally responsible Wales:</b>  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The following articles in the Human Rights Act are most relevant to Council Housing  Article 6: Right to a fair trial  Article 8: Right to respect for private life, family life and the home  Article 14: Prohibition of Discrimination</p> <p>The policy gives individuals more clarity about their rights and obligations. The policy helps ensure individual's human rights. Until now there is no set of published policies available.</p>	<p>Good</p>		<p>Choose an item.</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>					
<p><i>Opportunities for persons to use the Welsh language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Treating the Welsh language no less favourable than the English language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Opportunities to promote the Welsh language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Welsh Language impact on staff</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>People are encouraged to do sport, art and recreation.</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>					
<p><b>The public consultation has not indicated the policy discriminate against the protected characteristics.</b></p>					
<p><i>Age</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Disability</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Gender reassignment</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<i>Marriage or civil partnership</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Race</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Religion or belief</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Sex</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Sexual Orientation</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Pregnancy and Maternity</i>	No expected impact.	Choose an item.		Choose an item.	

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4. How does your policy / change objective / budget saving impact on the council's other key guiding principles?

Principle	How does the policy / change objective impact on this principle?	<u>IMPACT</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>IMPACT AFTER MITIGATION</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Sustainable Development Principle (5 ways of working)</b>					
<i><b>Long Term:</b> Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i>	No expected impact.	Choose an item.		Choose an item.	
<i><b>Collaboration:</b> Working with others in a collaborative way to find shared sustainable solutions.</i>	No expected impact.	Choose an item.		Choose an item.	
<i><b>Involvement (including Communication and Engagement):</b> Involving a diversity of the population in the decisions that affect them.</i>	A public consultation took place regarding this policy. Staff and relevant external stakeholders have been asked to comment on the draft policy. Tenant representatives have discussed the draft policy.	Good		Choose an item.	
<i><b>Prevention:</b> Understanding the root causes of issues to prevent them from occurring.</i>	No expected impact.	Choose an item.		Choose an item.	
<i><b>Integration:</b> Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i>	No expected impact.	Choose an item.		Choose an item.	
<b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.	No expected impact.	Choose an item.		Choose an item.	

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Principle	How does the policy / change objective impact on this principle?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No expected impact.	Choose an item.		Choose an item.	
<b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.	No expected impact.	Choose an item.		Choose an item.	
<b>Impact on PCC Workforce</b>	The policy provides clarity about all issues regarding maintenance and repairs. This will assist staff when taking decisions by referring to the policy.	Very Good		Choose an item.	

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Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget Saving	Inherent Risk
Low	Low	Low

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks			
None identified			
Judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			Low
Mitigating Actions			Residual Risk (after mitigation)

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None needed	Choose an item.
	Choose an item.
	Choose an item.
<b>Does the Policy / Change Objective / Budget Saving have potential to impact on another service area? PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY</b>	
Not expected.	

7. Overall Summary and Judgement of this Impact Assessment?

<b>Outline Assessment (to be inserted in cabinet report)</b>	<b>Cabinet Report Reference:</b>
The proposed policy bundles many issues relating to estate management and increases accountability, transparency. It provides a document officers can refer to when taking decisions. It provides tenants with a written document explaining their rights and obligations.	

8. Is there additional evidence to support the Impact Assessment (IA)?

<b>What additional evidence and data has informed the development of your proposal?</b>
None.

9. On-going monitoring arrangements?

<b>What arrangements will be put in place to monitor the impact over time?</b>
Service standards require the Service to report on: <ul style="list-style-type: none"> <li>1. number and type of responsive repairs</li> <li>2. number and type of improvements</li> <li>3. number and type of planned maintenance</li> <li>4. % of tenants satisfied with our responsive repairs service</li> <li>5. % of tenants satisfied with our planned maintenance service</li> <li>6. % of tenants satisfied with our improvements service</li> <li>7. % of repairs completed at the first visit</li> <li>8. % of applicants who refuse an offer of accommodation because of the condition of the property</li> <li>9. the average number of days taken to relet accommodation</li> <li>10. % of rental income lost because properties were empty.</li> </ul> <p>The policy will be reviewed in 3 years' time or when legislation changes.</p>
<b>Please state when this Impact Assessment will be reviewed.</b>
When reviewing the policy.

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10. Sign Off

Position	Name	Signature	Date
Service Manager:	Philip Dark		
Head of Service:	Simon Inkson		
Strategic Director:	Paul Griffiths		
Portfolio Holder:	Cllr Rosemarie Harris		

**FORM ENDS**

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Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

## CYNGOR SIR POWYS COUNTY COUNCIL

Portfolio Holder for Property, Buildings and Housing Cllr Rosemarie Harris  
May 2017

**REPORT AUTHOR:** Simon Inkson - Head of Housing

**SUBJECT:** Housing Service – Council Housing Fire Safety Policy

**REPORT FOR:** Decision

## 1. Summary

- 1.1 This report seeks approval for a Housing Fire Safety Policy which will apply to all homes owned and managed by the Housing Revenue Account (HRA).
- 1.2 The report is supported by the following appendices:
- A The policy
  - B Consultation response summary
  - C Impact Assessment (IA)

## 2. Background

- 2.1 The Council's Housing Service (the Service) is landlord of around 5,400 Council homes and, 110 leasehold flats. This policy describes how the Council will ensure it complies with fire safety legislation, including fire risk assessments in communal areas of blocks of flats and fire safety in Council homes in general.
- 2.2 The Housing Service has engaged its staff, corporate Health & Safety Advisors and the Fire Service to address the lack of clarity about fire safety. A joint working group was formed and one of the issues highlighted was the lack of a fire safety policy. The policy details responsibilities of staff and the Service's approach to ensure compliance with fire safety legislation.
- 2.3 The Service needs to ensure it is compliant with fire safety legislation and prevent fires from occurring. Where they do occur tenants need to know what to do and what not to do to minimise health risks.
- 2.3 The policy is new and has been developed in conjunction with the Council Housing Fire Safety Working Group. The Service is working with the Fire Service to minimise risks.
- 2.4 The policy's contents are as follows:
- 1 Fire Risk Assessments
  - 2 Tenants and leaseholders at risk
  - 3 Responsibilities
  - 4 Tenants and Leaseholders
  - 5 Equalities
  - 6 Reviewing decisions, complaints and compliments
  - 7 Review of this policy
- The appendix with the policy contains a detailed list of responsibilities of Housing staff.

2.5 Draft versions of the policy have been discussed with:

- Policies sub-group of the Tenants' Liaison Forum
- Legal Services
- Relevant Housing staff
- Fire Safety Working Group

2.6 A public consultation was carried out. The key findings are attached to this report.

### **3. Proposal**

3.1 This report seeks approval for a Housing Fire Safety Policy which will apply to all homes owned and managed by the Housing Revenue Account (HRA).

### **4. One Powys Plan**

4.1 When this policy is implemented the Service will be able to easily identify persons who are most at risk in Council properties and act accordingly to support and prevent harm. This enables the Service to support these people to remain safe in their home. Where necessary the Service will support tenants to move to more suitable accommodation. The majority of those at risk are vulnerable older people.

### **5. Preferred Choice and Reasons**

5.1 The preferred choice is to approve the policy to ensure consistency across the County.

5.2 The second choice is not to approve the policy. This would mean that there is a risk that the Service is not completely compliant and preventable fires may occur.

### **6. Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

6.1 The policy does not have an impact.

### **7. Children and Young People's Impact Statement - Safeguarding and Wellbeing**

7.1 The policy does not have an impact.

### **8. Local Member(s)**

8.1 This policy applies to all HRA properties in Powys.

### **9. Other Front Line Services**

9.1 There will be no changes for other front line services.

## **10. Support Services (Legal, Finance, HR, ICT, BPU)**

10.1 Legal - The Professional Lead-Legal considers the recommendation in this report as one of good estate management and a necessity for Health and safety Purposes

10.2 Finance - The Finance Business Partner notes the content of the report and the policy and its implementation will ensure compliance with fire safety legislation, supports tenants to remain safe in their home and ensure consistency across the county.

10.3 There will be no changes to support services.

## **11. Local Service Board/Partnerships/Stakeholders etc**

11.1. The following stakeholders have been invited to read the policy and provide comments as part of the public consultation.

- all Housing staff
- Heads of Service
- Tenants' Liaison Forum members
- Housing Services Group 100
- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru

11.2. Consultation responses are detailed in the consultation report, appendix B.

11.3. The policy has been agreed by the Council Housing Fires Safety Working Group.

## **12. Communications**

12.1 The new policy will be published on the corporate website. Individual council tenants will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

## **13. Statutory Officers**

13.1 The Deputy Monitoring Officer notes the content of the report, the proposal and has nothing further to add.

13.2 The Strategic Director Resources (S151 Officer) notes the comments made by Finance.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Council Housing Fire</b>	<b>The policy and its implementation</b>

<b>Safety Policy.</b>	<b>ensures compliance with fire safety legislation and supports tenants to remain safe in their home.</b>
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<b>Relevant Policy (ies):</b>	
<b>Within Policy:</b>	<b>Y</b>
<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>Simon Inkson</b>
<b>Date By When Decision To Be Implemented:</b>	<b>1 March 2017</b>

<b>Contact Officer Name:</b>	<b>Tel:</b>	<b>Fax:</b>	<b>Email:</b>
Henk Jan Kuipers	07917172854	-	henk.jan.kuipers@powys.gov.uk

**Background Papers used to prepare Report:**

- CIH practice online
- Fire safety risk assessment: sleeping accommodation; Home Office, June 2006
- Fire safety risk assessment: means of escape for disabled people; Home Office, March 2007
- Fire safety risk assessment: small and medium places of assembly; Home Office, June 2006
- Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing; LACORS ; August 2008
- Fire safety in purpose-built blocks of flats, Local Government Association; May 2012

**Appendices**

Appendix A: Proposed Fire Safety Policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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**Appendix A**

**CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Fire Safety in Council Housing Policy

Version	For Portfolio Holder decision (10-01-2017)
Reference	POL LL Fire Safety

## **Housing Services Fire Safety Policy**

### **Contents**

- 1 Fire Risk Assessments
- 2 Tenants and leaseholders at risk
- 3 Responsibilities
- 4 Tenants and Leaseholders
- 5 Equalities
- 6 Reviewing decisions, complaints and compliments
- 7 Review of this policy

### **Policy background and coverage**

- a. This policy applies to all residential properties in ownership of Powys Council Housing Revenue Account (HRA).
- b. All HRA properties should provide a safe and healthy environment for occupiers and visitors.
- c. Powys County Council's Housing Service (the Council) aims to minimize the risk of fires starting and spreading in HRA properties and safeguard residents, staff, contractors and visitors in the event of fire.
- d. The Council will ensure that it manages fire safety in accordance with best practice and relevant policy, legislation and Council housing service standards.
- e. The Council will ensure that, where it has discretion, this is exercised in a reasonable, fair and equitable manner.
- f. The implementation of this policy will be monitored by the "Council Housing Fire Safety Working Group" and "Housing Health and Safety Forum".



## **1 Assessing fire risk and managing fire safety**

### **1.1 Objective**

- a. The Council will ensure Fire Risk Assessments are undertaken to comply with legislation.
- b. The Council will ensure that recommendations in the assessments are followed up.

### **1.2 Assessing premises**

- a. The Council will complete Fire Risk Assessments annually, or sooner if circumstances change, in:
  - I. blocks of flats, including communal areas
  - II. communal rooms and facilities
  - III. shared accommodation
  - IV. residential accommodation on mixed use premises
  - V. gypsies and travellers sites
  - VI. homeless accommodation
- b. Changed circumstances, including new tenants, maintenance or improvement works, should lead to a review of the Fire Risk assessment.

### **1.3 Approach**

- a. The Council will adopt a fire safety approach that provides early warning of any fire to all occupiers and to ensure that they can safely evacuate the building to a place of permanent safety (total evacuation).
- b. Accommodation designated for older people will be fitted with smoke detectors that are linked with Powys Careline.
- c. Blocks of flats which were constructed or converted in compliance with the Building Regulations 1991, approved document B or equivalent may adopt a different approach, such as 'safe to stay'. The level of compartmentalisation means there will be a low risk of fire spreading beyond its unit of origin.
- d. The Council will ensure that blocks of flats meet the fire safety requirements as set out in Building Regulations. The Council will follow the guidance "Housing – Fire Safety, Guidance on fire safety provisions for certain types of existing housing", August 2008, published by LACORS and "Fire safety in purpose-built blocks of flats", May 2012, published by the Local Government Association.
- e. The guidance includes:
  - I. protected escape routes
  - II. fire resistance of wall, ceilings, floors and doors

- III. automatic fire detection and alarm systems
  - IV. lighting of escape routes
  - V. fire fighting equipment
  - VI. sprinklers
  - VII. fire safety signs
  - VIII. surface finishes and floor coverings
- f. The Council will ensure that all domestic premises meet the Welsh Housing Quality Standard (WHQS) on fire safety. This includes:
- I. Dwellings must have a suitably located, mains powered (with a backup secondary power source such as a sealed lithium battery) smoke alarm on each floor.
  - II. Common areas of flats must have adequate fire alarms and equipment as defined in current Building Regulations Part B.
  - III. The dwelling should have an external fire escape where there is habitable space more than 7.5m above ground level and there is only one protected stairway or route, or comply with Fire Officer's alternative recommendations for an additional fire escape route.
  - IV. Dwellings should be easy to escape from by having an escape route from the rooms used for sleeping to an external door which may be via a landing and staircase to a front door, back door or fire escape. Rooms used for sleeping which cannot be normally exited except by passing through another room should be capable of providing an alternative means of escape as agreed with the Fire Officer.
  - V. The dwelling should not have windows fitted with locks with an automatic locking action in rooms used for sleeping.
  - VI. The gas, solid fuel or oil service and safety inspection certificate must be current. All heating installations and appliances provided by the Council must be checked and certified safe by an appropriately qualified person at least annually and as required by law.
  - VII. Electrical lighting and power installations must be checked and certified safe by an appropriately qualified person at least every 10 years as a minimum.
  - VIII. Electric appliances provided by the Council should be inspected:
    - when first supplied
    - annually
    - at the beginning of each new tenancy

#### **1.4 The five steps of a Fire Risk Assessment**

The Council will carry out Fire Risk Assessments and comply with the following duties:

- I. Identifying fire hazards:
  - Sources of ignition
  - Sources of fuel
  - Sources of oxygen
- II. Identifying people at risk:
  - people in and around the premises

- people especially at risk
- III. Evaluating, removing, reducing and protecting from risk:
    - evaluating the risk of a fire occurring
    - evaluating the risk to people from fire
    - removing or reducing fire hazards
    - removing or reducing the risks to people
      - detection and warning
      - fire-fighting
      - escape routes
      - lighting
      - signs and notices
      - maintenance
  - IV. Recording, planning, informing, instructing and training:
    - recording significant findings and action taken
    - preparing an emergency plan
    - informing and instructing relevant people; co-operate and co-ordinate with others
    - providing training
  - V. Reviewing
    - keeping assessment under review
    - revising where necessary

## **1.5 Significant findings**

Each assessment will record any significant findings. These will include details of:

- I. the fire hazards that have been identified
- II. the actions taken, or which will be taken, to remove or reduce the chance of a fire occurring (preventive measures)
- III. persons who may be at risk, particularly those especially at risk
- IV. the actions taken, or which will be taken, to reduce the risk to people from the spread of fire and smoke (protective measures)
- V. the actions people need to take if a fire occurs. This will include any special arrangements made with staff such as housekeepers or others (the emergency plan)
- VI. any information, instruction and training identified as being needed, and how it will be given
- VII. any discussions that have taken place with residents

## **1.6 Management and maintenance**

The Fire Risk Assessment will include recommendations on management and maintenance of fire safety, including, where applicable:

- I. keeping escape routes clear from obstruction
- II. checking fire doors and smoke seals are not damaged and doors not propped open

- III. testing fire detection and warning systems
- IV. checking:
  - fire blankets and extinguishers
  - artificial lighting
  - sprinkler systems
  - gas installations
  - electrical installations and appliances
  - furniture and furnishings.

### **1.7 Fire Safety Logbook**

- a. All premises that need periodic Fire Risk Assessments, will have a Fire Safety Logbook.
- b. The logbook will be situated in a locked metal cupboard which is located internally by the front entrance door.
- c. The logbook will contain the following:
  - I. named responsible and competent persons, including contact details;
  - II. fire safety guidance
  - III. location and contact details of Fire Station;
  - IV. name and contact details of the responsible Fire Officer
  - V. notes on test procedures and frequencies
  - VI. records of tests
  - VII. fire Instructions and drills
  - VIII. record of false alarms
  - IX. planner for Tests and Inspections
  - X. Fire Risk Assessment review record
  - XI. visits by the Fire Officer
  - XII. a short guide to making the premises safe from fire

### **1.8 Plan of action**

- a. The Council will agree a plan of action to bring together all the identified issues from fire risk assessments.
- b. The plan of action will include how the Council intends to reduce the hazards and risks that are identified and how to implement the necessary protection measures.
- c. These actions will be prioritised to ensure that any findings which identify people in immediate danger are dealt with straightaway.
- d. In other cases where people are not in immediate danger but action is necessary, it may be acceptable to plan this over a period of time.

### **1.9 Performance**

The Fire Risk Assessment will be used as a measure of fire safety performance, with the number of outstanding issues measured on a periodic basis. The aim is to achieve a “clean sheet” of Fire Risk Assessment actions within a maximum time span of:

- I. 1 year for all high risks identified, this is before 01-07-2017
- II. 2 years of all medium risks identified, this is before 01-07-2018
- III. 3 years for all low risks identified, this is before 01-07-2019

## **2 Tenants and leaseholders at risk**

### **2.1 Objective**

The Council will identify all tenants and leaseholders that are at risk and those especially at risk. The Council will provide personal advice to those at risk.

### **2.2 Information and training**

- a. Each household will be given advice on fire prevention and fire safety in the home. This will be provided at the start of each new tenancy and reviewed periodically.
- b. The advice will include, where applicable:
  - I. an explanation of the escape routes, particularly where secondary means of escape is provided
  - II. how the fire detection and alarm system operates and what to do if it activates
  - III. avoidance of false alarms
  - IV. how and when to call the fire brigade
  - V. how to report defects
  - VI. the importance of maintaining clear escape routes, free of obstruction
  - VII. the importance of keeping fire doors closed, not propped or wedged open
  - VIII. smoking and cooking safety
  - IX. gas safety advice
  - X. safe storage and disposal of refuse
  - XI. the safe use of escape windows where appropriate
  - XII. the importance of switching off appliances when leaving the house

### **2.3 People especially at risk**

- a. The Council will aim to identify people that are potentially especially at risk. This might include:
  - I. people with disabilities, including mobility, hearing or vision impairment
  - II. people who are sensory impaired due to alcohol, drugs or medication
  - III. people that might find it difficult to escape unaided
- b. The Council will discuss a Home Fire Safety Check by the Fire Service with occupiers; particular those especially at risk.
- c. Where the home is above ground floor and tenants are unable to leave the home without assistance of another person, the Housing Management & Options Officer will discuss the possibility, and provide assistance, to move to suitable alternative ground floor accommodation.

### **3 Responsibilities**

#### **3.1 Objective**

The Council will ensure that all its employees understand their role with regard to fire prevention and fire safety management.

#### **3.2 Roles and responsibilities**

- a. A detailed list of responsibilities is included in appendix A. Below is a list with the key responsibilities.
- b. The following roles have specific responsibilities regarding fire safety.

##### **Head of Housing**

- ensuring this policy is implemented

##### **Service Manager Asset Management**

- ensuring there are nominated persons to carry out fire risk assessments
- ensuring that staff under their control are adequately trained

##### **Service Manager Tenancy Services**

- ensuring that staff under their control are adequately trained

##### **Client Services Team Leader**

- ensuring there is a fire safety management system operated
- addressing notices from the Fire Service
- developing a plan of action to follow up any recommendations

##### **Planned maintenance and Improvements Team Leader**

- ensuring that programmes of works are carried out to improve fire safety

##### **Housing Surveyor**

- carrying out fire risk assessments, unless the Senior Housing Manager has nominated others
- managing day to day fire safety

##### **Housing Management and Options Team Leader**

- monitoring periodically that fire safety checks are carried out

##### **Housing Management & Options Officer**

- giving basic fire safety advice to tenants
- identifying vulnerable tenants that are especially at risk

##### **Project Officers**

- developing and piloting fire safety procedures in conjunction with Fire Officers and Housing staff

**Contracts Officers**

- ensuring fire safety is not compromised by any works

**All staff**

- taking action if there is a concern regarding a fire safety issue



## **4 Tenants and Leaseholders**

### **4.1 Objective**

**Tenants and leaseholders** will act responsible in managing fire safety in the home and premises they occupy.

### **4.2 Changes to the premises by tenants and leaseholders**

- a. Tenants will need to obtain written permission from the Council before they can carry out works to improve the home they live in.
- b. Leaseholders will need to obtain written permission from the Council before they can make structural changes to the premises, including entrance doors.
- c. The Council will give permission to all reasonable requests from tenants and leaseholders. The Council will take fire safety into account and will always require that works comply with Building Regulations.
- d. Where the Council becomes aware of tenants or leaseholders that have changed the property and the works do not comply with Building Regulations and/or Fire Safety Regulations, they will be contacted and given the opportunity to rectify the situation within a reasonable timescale.
- e. Where the unsafe situation continues the Council will take appropriate action to remedy the situation and any incurred costs will normally be recharged.

### **4.3 Items in communal areas inside buildings**

- a. It is the responsibility of the tenants and leaseholders not to use communal areas for storage of goods. The communal areas will need to be free from obstruction, trip hazards and significant fire hazard or additional fire loading.
- b. Items that are not permissible include, among other things:
  - I. rugs, runners and carpet tiles
  - II. furniture
  - III. plastic flowers and plants
  - IV. large plants such as „cheese“ plants, yucca plants
  - V. plastic containers, vegetable racks or other storage containers
  - VI. shoes
  - VII. pictures and other wall ornaments
  - VIII. bicycles, prams, pushchairs and scooters
  - IX. recycling and rubbish bins
- c. A doormat will be acceptable as long as they are:
  - I. specifically intended to be a door mat

- II. with a non-slip backing material
  - III. in good condition and free from curling edges
  - IV. placed directly in front of the front door
  - V. not oversized (max width of door x 18 inch/45 cm)
  - VI. Not located at the top of stairs
- d. Housing staff or Fire Service staff will decide if a mat causes a risk.
  - e. Storage of any items must especially not occur in means of escape or escape routes. These items will be removed immediately.
  - f. Where a member of Housing staff becomes aware of items in communal areas, not being in means of escape or escape routes or creating a health and safety risk, residents will be contacted and given the opportunity to remove the items within a reasonable timescale, typically 24 hours.
  - g. If the items are not removed or if there is a situation that needs immediate action, the Council will remove and may dispose of the items. Photographic evidence will be taken and any incurred costs for removal will normally be recharged.

#### **4.4 Mobility scooters**

Where a communal area is used for storage of a mobility scooter, the scooter user will be informed that this is not allowed and that the scooter must be removed to a safe location. The Council will look to provide safe storage and charging points, where possible, for blocks of flats. In such instances the Council will charge the scooter owner a service charge for the use of a dedicated scooter store and charging point.

## **5 Equalities**

### **5.1 Introduction**

The Council is committed to giving an equal service to all.

### **5.2 Procedures and practices**

- a. The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.
- b. Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **5.3 Information**

- a. The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:
  - I. Braille
  - II. large print
  - III. audio tape
- b. Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.

## **6 Reviewing decisions, complaints and compliments**

### **6.1 Introduction**

The Council is committed to improve service delivery and put right any mistakes.

### **6.2 Review**

Anyone that is affected by a decision of the Council's Housing Service is entitled to ask an independent review from a manager or team leader that was not involved in making the decision.

### **6.3 Complaints and compliments**

- a. The Council welcomes all feedback from customers, because it helps to improve services.
- b. When the Council receives a complaint, the Corporate Complaints Procedure will be followed.
- c. The Council will aim to clarify any issues that are deemed unclear.
- d. Where possible, the Council will put right any mistakes it may have made.
- e. Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- f. The Council will aim to learn from good practice and mistakes and use the information gained to improve services.

**7 Review of this policy**

- a. This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
- b. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

## **Appendix A – roles and responsibilities**

1. The **Head of Housing** as Council Housing Landlord will act as a deputy to the Chief Executive, and will be responsible for ensuring that:
  - a. the Fire Safety Policy is implemented in buildings under the control of the Housing Service.
  
2. The **Service Manager Asset Management** will be responsible for ensuring that:
  - a. nominated persons are appointed to carry out the statutory fire safety assessments, checks and tests and the recording of all such actions in the Fire Safety Logbook.
  - b. nominated persons undertake any training deemed necessary to ensure they are competent to carry out their duties with regard to fire safety.
  - c. the fire safety management system is implemented correctly and monitored, including the Fire Risk Assessments.
  - d. competent nominated persons are appointed for each building and to ensure that staff know and understand their duties in relation to fire safety.
  - e. Housing staff are trained and competent to carry out their duties with regard to fire safety.
  - f. if it is decided to change responsibilities or procedures this is documented and communicated to all staff who have a responsibility in Fire Safety.
  
3. The **Service Manager Tenancy Services** will be responsible for :
  - a. ensuring that staff under their control are adequately trained and competent to carry out their duties with regard to fire safety.
  
4. The **Client Services Team Leader** will be responsible for:
  - a. implementing the fire safety management system and ensure its effectiveness.
  - b. advising on the implementation of fire safety legislation and other guidance.
  - c. ensuring that notices and advice issued by the Fire Service are complied with in a timely manner.
  - d. establishing a framework of competent contractors and consultants that can be appointed by Housing Surveyors.
  - e. ensuring that staff under their control are adequately trained and competent to carry out their duties with regard to fire safety.
  - f. developing and implementing the plan of action to address all the findings from the Fire Risk Assessments.
  
5. The **Planned maintenance and Improvements Team Leader** will be responsible for:
  - b. developing and implementing the programmes works that follow from the plan of action, including procuring competent contractors and consultants.
  - c. ensuring that staff under their control are adequately trained and competent to carry out their duties with regard to fire safety.
  
6. The **Housing Surveyor** will be responsible for:

- a. addressing significant findings from the assessments
  - b. ensuring that fire safety devices and systems are in place and that all the statutory safety checks are carried out and recorded in the Fire Safety Logbook.
  - c. carrying out fire safety checks and tests and record the results in the Fire Safety Logbook on a periodic basis as recommended in the Fire Risk Assessment and ensure that any deviations are dealt with in an appropriate manner, unless the Senior Housing Manager has nominated others.
  - d. arranging for the maintenance and inspection of fire safety equipment in accordance with the relevant British Standards.
  - e. arranging for repairs and remedial measures relevant to fire safety to be undertaken in a timely manner.
  - f. liaising with the Fire Service on repair and maintenance matters relevant to fire safety.
  - g. ensuring that changes to the property by tenants are not compromising fire safety.
  - h. reporting near misses, incidents and accidents within five days, in line with the Powys County Council incident report procedure.
7. The **Housing Management and Options Team Leader** will be responsible for:
- a. monitoring the statutory fire safety checks, tests and logbooks on a 3 monthly basis and report deviations to the Responsive Repairs Team Leader.
  - b. ensuring that staff under their control are trained and competent to carry out their duties with regard to fire safety.
8. The **Housing Management & Options Officer** will be responsible for:
- a. giving specific advice on fire prevention and fire safety in the home at the start of the tenancy or “settling in visit”.
  - b. identifying tenants that are especially at risk or are vulnerable at the start of the tenancy and refer tenants that are especially at risk for a Home Fire Safety Check by the Fire Service.
  - c. providing tenants that are especially at risk with a Personal Emergency Evacuation Plan (PEEP).
  - d. visiting tenants after concerns are raised, like:
    - I. rubbish bags accumulating outside a property;
    - II. hoarding;
    - III. disconnected water or electricity supply;
    - IV. abandonment;
    - V. unauthorised occupants.
9. The **Project Officers** will be responsible for:
- a. developing and piloting fire safety procedures in conjunction with Fire Officers and Fire Safety Working Group, including:
    - I. tenant profiling;
    - II. fire safety advice to tenants;
    - III. personal emergency and evacuation plans (peeps);
    - IV. fire safety logbooks.

- b. ensuring procedures work, before rolling them out county wide and handing responsibility over to other Housing Surveyors and Housing Management & Options Officers.
10. The **Contracts Officers** will be responsible for:
- a. ensuring fire safety is not compromised by any works
  - b. considering fire safety when ordering works or developing framework agreements
  - c. ensuring risks will be assessed after improvement works have been carried out in individual flats or blocks of flats
  - d. liaising with the Fire Service on matters relevant to fire safety.
11. **All staff** that becomes aware of a fire safety issue or a potential issue is responsible for taking action by:
- a. remedying the situation themselves and making a note in the Fire Safety Logbook, if there is one, and/or registering on QL; or
  - b. informing the person that is able to remedy the situation and making a note in the Fire Safety Logbook, if there is one, and/or registering on QL.



# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Fire Safety in Council Housing Policy  
Public Consultation

Date of report : 5 December 2016  
Report author : Henk Jan Kuipers  
Housing Service Improvement Officer

## **1. Key Findings and conclusion**

The respondents give support to the policy. They find it easy to read. No one indicates that the policy discriminates.

As a result of the comments made several small improvements have been made to the policy.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Council) is landlord of 5,400 Council homes and 110 leasehold flats. This policy describes how the Council will ensure it complies with fire safety legislation. This includes fire risk assessments of communal areas in blocks of flats and fire safety in the home.

The policy details who is responsible for which activity to increase fire safety and complying with legislation. It provides Housing Staff with a reference on which they can base their decisions and actions. The policy should enable tenants to exercise their rights as Council tenants.

The consultation enabled Housing staff, tenant representatives and external stakeholders to provide comments.

### **2.2. Background to the consultation and engagement**

Prior to the public consultation a draft policy was discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The draft policy was also discussed by the Fire Safety Working Group, which include Housing staff, the Corporate Health and Safety Adviser and representatives of the Fire Service.

The proposed policy and a survey response form were sent to:

- all Housing staff
- Heads of Service
- Health & Safety Adviser
- Team Manager Reablement Service
- Tenants' Liaison Forum members
- Housing Services Group 100

The following external stakeholders have been sent the proposed policy and response form:

- Mid and West Wales Fire and Rescue Service

- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Care & Repair in Powys
- Tai Pawb
- Chartered Institute of Housing Cymru

In addition the consultation was advertised on the Powys County Council Tenant Engagement Facebook page.

There was a four week response period for staff and external stakeholders and a 19 day response period for Tenants' Liaison Forum members and Housing Services Group 100.

The consultation process was agreed with the Corporate Consultation Officer.

The Housing Service consults with Tenants Service Monitors and Tenants' Liaison Policies Sub Group to improve the consultation process.

Feed back has been that it should be considered to offer the option to fill in a questionnaire on line. Previously, an on line survey was used for the WHQS compliance policy. The WHQS compliance consultation was published on the Council's "Have your say" page. Developing this facility required additional staff resource, including staff from other services than the Housing Service. The response rates were very low and it was considered not worth the extra effort to have an on line survey in addition to the e-mailed questionnaire. People can opt for questionnaires on paper instead of e-mail.

### 2.3. Response rate

Ten completed questionnaires have been received. Eight are from Council tenants, one from a County Councillor and one from Housing staff.

In addition one supportive e-mail from one tenant has been received. Comments from the Fire Service have been received. Also five Housing staff members have responded via e-mail. All comment are included under "Question by Question analysis.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any additional issues.

### 2.4. Profile data

Sex

Female	7
Male	3

### Age

Under 18	0
18-35 years	0
35-59 years	2
60 or over	8

### Disability

day-to-day activities limited a lot	1
day-to-day activities limited a little	4
day-to-day activities not limited	5

### Welsh

Speak Welsh	3
Speak, read and write Welsh	0
No Welsh skills	7

The response numbers are small, but it stands out no people under the age of 35 have responded.

## 2.5. A note about market research and consultations

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## 3. Question by question analysis

**Question 1: Do you find the policy easy or difficult to understand?**

### Answers

easy	9
difficult	0
no response	1

**Question 2: Please tell us if you find anything unclear**

**Question 3: Do you feel there is something missing in the policy? Does anything needs changing?**

The following comments were received. Below each comment are the Council's Housing Service responses. These have been discussed and agreed at a meeting of the Council Housing Fire Safety Workgroup on 4 November 2016.

- A. 1.3.e: smoke alarm has been checked annually, plus twice by men in suits. It is September 2016. Smoke alarm says replace October 2012, so this statement is wrong.

Response: the policy is correct. The smoke alarm should have been replaced.

- B. Only a matter concerning mix of private/Council. My "rear escape route" crosses private. Already cleared once by Community Council.

Response: there will be situations where tenures are mixed. The Fire Service can be asked to visit vulnerable tenants to advise on fire safety and escape routes. Where neighbours are not able to solve issues, there is often little the Council can do.

- C. The only thing I think should be included is that appliances should be switched off before going to work or leaving the house.

Response: added the suggestion to 2.2 under advice.

- D. 1.3.e.VI.: does this include gas cookers installed by tenant especially those fuelled LPG?

Response: tenants are responsible for the safety and compliance of their own installations. If the Council becomes aware that a tenant's installation does not comply with regulation, the tenant should be asked to remedy the situation. If the situation is not remedied, ultimately the Council may enforce compliance through Court.

Where the Council gives permission to the tenant to improve the home themselves, the Council may add conditions to ensure safety.

- E. Only point I would like to raise is non locking windows in bedrooms? How do we help prevent falls from height involving young children?

Response: There should be restrictors on the windows to prevent falls.

- F. Would suggest you should add to 4.4 that this storage is not allowed and must be remove to a safe location.

Response: this suggestion has been added.

- G. I would like to comment on 1.3 e iv Bedrooms being inner rooms should not occur and the only solution would be to have a window escape.

Response: The Council will identify these flats and consult with the Fire Service how the situation can be improved.

H. 4.4 storage of any items must not occur in means of escape.

Response: added the following under communal areas 4.3:

“Storage of any items must not occur in means of escape or escape routes and these will be removed immediately.”

I. 1.3 - Approach Section that Fire Safety for blocks of flats meets the standards set out in Buildings Regulations and the guidance to follow is the LACORS guidance published August 2008 and not the LGA - Fire Safety in Purpose - Built Blocks of Flats document dated October 2011, perhaps we need to amend slightly?

Response: This guidance has been included.

J. Housing Surveyor responsibilities: b, reporting: this should be done by the person doing the assessment.

Response: This has been changed so that the Housing Surveyor is responsible for addressing findings in the Fire Risk Assessment.

K. Responsibilities: Contracts Officers seem to have no responsibilities even though their actions could affect the fire safety of the buildings – ie removing chimneys while re-roofing, but not fire stopping the area over the removed chimney and under the new roof.

Response: a section including contract officers and a general section for all staff have been added.

L. 4.3e: are there going to be timescales given, or just “reasonable”; what is the procedure for removing items?

Response: added that reasonable will be determined by the member of staff, typically 24 hours. If people refuse to cooperate and remove items, this can ultimately be remedied through a legal breach of tenancy procedure or an injunction.

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex

- sexual orientation

No responses were recorded, other than that there would be no discrimination.



# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Cllr Rosemarie Harris
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<b>Policy / Change Objective / Budget Saving</b>	Fire Safety in Council Housing Policy
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#### Outline Summary

The Council's Housing Service (the Service) is landlord of approximately 5,400 Council homes and 110 leasehold flats. This policy describes how the Council will ensure it complies with fire safety legislation. This includes fire risk assessments of communal areas in blocks of flats and fire safety in the home.

The Housing Service has engaged its staff, corporate Health & Safety Officer and the Fire Service to address the lack of clarity about fire safety. A joint working group was formed and one of the issues highlighted was the lack of a fire safety policy. A policy details responsibilities of staff and the Service's approach to ensure compliance with fire safety legislation.

The policy has been agreed by the Fire Safety Working Group and a public and staff consultation was carried out.

A separate mobility scooter policy has been developed to address the issue of storing and charging mobility scooters in communal areas, which should not happen.

Tudalen 74

Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Henk Jan Kuipers	Housing Service Improvement Officer	05-12-2016
2	Henk Jan Kuipers	Housing Service Improvement Officer	10-01-2017

2. How does your policy / change objective / budget saving impact on the council's strategic vision?

Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
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**Appendix C**  
**Cyngor Sir Powys County Council**  
**Impact Assessment (IA)**

*The integrated approach to support effective decision making*



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Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
Services delivered for less	<p>The policy ensures compliancy with fire safety legislation and other requirements. This policy is likely to lead to an increase of resources invested in fire safety. Fire safety measures should lead to a reduced number of preventable house fires, and where they do happen the consequences should be less severe. The Fire Service plays an important role by carrying out fire safety home visits and advising tenants and Housing staff. Investing in fire safety is expected to significantly avoid the risk of liability. A service charge is introduced for the maintenance and servicing of fire alarm systems in communal areas.</p>	Good		Choose an item.	Three serious Council house fires have been reported in 2016.
Supporting people in the community	<p>People that might have difficulties exiting their Council flat in case of a fire, will be provided with a personal emergency evacuation plan. Older and vulnerable people will be referred to the Fire Service for a Fire Safety Home check.</p> <p>If tenants are identified that have issues with accessing their flat, e.g. because they find it difficult to manage stairs, they will be asked if they would like to move to more accessible accommodation.</p> <p>Scooter stores will be provided for blocks of flats where mobility scooters are used and they are currently stored in communal areas.</p>	Good		Choose an item.	Around 20 people have been identified that have difficulty managing stairs and living above ground floor.

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**Impact Assessment (IA)**

*The integrated approach to support effective decision making*



Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
Developing the economy	No impact expected.	Choose an item.		Choose an item.	
Learning	No impact expected.	Choose an item.		Choose an item.	

3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>A prosperous Wales:</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	No impact expected.	Choose an item.		Choose an item.	
<b>A resilient Wales:</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	No impact expected.	Choose an item.		Choose an item.	

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Tudalen 74

<p><b>A healthier Wales:</b>  A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>Keeping people safe from fire in their homes should make people feel safe, knowing what to do in case of a fire and prevent fires and injuries.  This policy supports people, especially those living in Council flats, by identifying those tenants that might have difficulty escaping the flat in case of a fire and discussing an evacuation plan and potential moving to more suitable accessible accommodation.</p>	<p>Good</p>	<p>The Service develops a mobility scooter policy to mitigate where scooters have to be moved from communal areas. Stores will be provided for blocks of flats.</p>	<p>Very Good</p>	
<p><b>A Wales of cohesive communities:</b>  Attractive, viable, safe and well-connected Communities.</p>	<p>No impact expected.</p>	<p>Neutral</p>		<p>Choose an item.</p>	
<p><b>A globally responsible Wales:</b>  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The following articles in the Human Rights Act are most relevant to Council Housing  Article 6: Right to a fair trial  Article 8: Right to respect for private life, family life and the home  Article 14: Prohibition of Discrimination    The policy is not expected to breach any of the articles.    Discrimination is assessed as part of “a more equal Wales”.</p>	<p>Neutral</p>		<p>Choose an item.</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>					
<p><i>Opportunities for persons to use the Welsh language</i></p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<i>Treating the Welsh language no less favourable than the English language</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Opportunities to promote the Welsh language</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Welsh Language impact on staff</i>	No impact expected.	Choose an item.		Choose an item.	
<i>People are encouraged to do sport, art and recreation.</i>	No impact expected.	Choose an item.		Choose an item.	
<b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).					
<b>The public consultation has not indicated the policy discriminate against the protected characteristics.</b>					
<b>Tudalen 75</b>	<i>Age</i>	This policy supports people, especially those living in Council flats, by identifying those tenants that might have difficulty escaping the flat in case of a fire and discussing an evacuation plan and potential moving to more suitable accessible accommodation. Households living in blocks of flats, that include babies and young children, will also be advised about evacuation in the case of an emergency.	Good		Choose an item.
	<i>Disability</i>	This policy supports disabled people, especially those living in Council flats, by identifying those tenants that might have difficulty escaping the flat in case of a fire and discussing an evacuation plan and potentially moving to more suitable or accessible accommodation.	Good		Choose an item.
	<i>Gender reassignment</i>	No impact expected.	Choose an item.		Choose an item.
	<i>Marriage or civil partnership</i>	No impact expected.	Choose an item.		Choose an item.
	<i>Race</i>	No impact expected.	Choose an item.		Choose an item.
	<i>Religion or belief</i>	No impact expected.	Choose an item.		Choose an item.
	<i>Sex</i>	No impact expected.	Choose an item.		Choose an item.

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Sexual Orientation	No impact expected.	Choose an item.		Choose an item.	
Pregnancy and Maternity	No impact expected.	Choose an item.		Choose an item.	

4. How does your policy / change objective / budget saving impact on the council's other key guiding principles?

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Sustainable Development Principle (5 ways of working)</b>					
<b>Long Term:</b> <i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i>	This policy will lead to highlighting any fire safety issues or people at risk. Addressing identified issues should reduce the number of fires and tenants that have difficulty exiting their current Council flat.	Good		Choose an item.	
<b>Collaboration:</b> <i>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.</i>	The Service engages with the Fire Service, who have been very keen to support the Council to minimise fire risks.	Good		Choose an item.	
<b>Involvement (including Communication and Engagement):</b> <i>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</i>	A public consultation took place regarding this policy. Staff and relevant external stakeholders have been asked to comment on the draft policy. The Fire Safety Working Group has discussed the policy and implications on several occasions and support the policy. Tenant representatives have discussed the draft policy.	Good		Choose an item.	
<b>Prevention:</b> <i>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.</i>	Any fire prevented and any accident or damage prevented is an achievement. Not taking preventative measures might even lead to loss of life and property.	Very Good		Choose an item.	

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<b>Principle</b>	<b>How does the policy / change objective impact on this principle?</b>	<b><u>Inherent Judgement</u></b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b><u>Residual Judgement</u></b> <small>(after mitigation)</small> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Integration:</b> <i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i>	The main benefit is people will not have accidents or injury that could have been prevented by fire safety measures and will feel safer.	Good		Good	
<b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.	No impact expected.	Choose an item.		Choose an item.	
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No impact expected.	Choose an item.		Choose an item.	
<b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.	No impact expected.	Choose an item.		Choose an item.	

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Tudalen 78

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
Impact on PCC Workforce	<p>The policy includes a detailed list of responsibilities of Housing staff. While this provides clarity, not all staff might be appropriate trained. The policy aims to detail who is responsible for identifying training needs and making sure staff is capable and competent to carry out their tasks as part of fire safety.</p> <p>The Fire Risk Assessments are currently carried out by Housing Environmental Health Officers, who normally work with private sector landlords. This way we increase understanding of the fire safety in the Council's housing stock and use in house skills and expertise.</p>	Very Good		Choose an item.	

5. Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget Saving	Inherent Risk
Medium	Medium	Medium

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks
There will be some disruption on internal business: Housing staff will need to implement the policy. This means additional training, engaging with tenants, potentially enforcement of tenancies and a continuous process of assessing fire risk as an integral part of allocating accommodation, repairs, maintenance and improvements in blocks of flats.
Implementing the policy will stretch some staff, but this is achievable within existing arrangements.
The risk of not implementing the policy outweighs the risk of implementing. This is the risk of preventable fires occurring, by not having the policy and systems in place.
Judgement (to be included in service risk register)



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*The integrated approach to support effective decision making*



<b>Very High Risk</b>	<b>High Risk</b>	<b>Medium Risk</b>	<b>Low Risk</b>
			<b>Low (2)</b>
<b>Mitigating Actions</b>			<b>Residual Risk (after mitigation)</b>
The Fire Safety Working Group will monitor any fire safety issues			Low
			Choose an item.
			Choose an item.
<b>Does the Policy / Change Objective / Budget Saving have potential to impact on another service area?</b>			
It might, where it is advised people should consider moving to more suitable or accessible accommodation. It is likely this will lead to about 20 additional applications to move. Depending on the needs of these tenants there might be additional support necessary from Social Services.			

7. Overall Summary and Judgement of this Impact Assessment?

<b>Outline Assessment (to be inserted in cabinet report)</b>	<b>Cabinet Report Reference:</b>	
Approving and implementing the Council Housing Fire Safety policy will provide a clear framework for Housing staff. It sets out the Service's approach to fire safety and details which roles are responsible for what. If the policy is implemented the Service will comply with fire safety legislation and people that are especially at risk are identified and supported. Implementing the policy will mean additional tasks for Housing staff, but this is achievable within existing resources.		

8. Is there additional evidence to support the Impact Assessment (IA)?

<b>What additional evidence and data has informed the development of your proposal?</b>
None

9. On-going monitoring arrangements?

<b>What arrangements will be put in place to monitor the impact over time?</b>
The policy will be reviewed in 3 years' time or when legislation changes. The Fire Safety Working Group will advise if changes are required.
<b>Please state when this Impact Assessment will be reviewed.</b>
When reviewing the policy.

10. Sign Off

<b>Position</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
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**Appendix C**  
**Cyngor Sir Powys County Council**  
**Impact Assessment (IA)**

*The integrated approach to support effective decision making*



<b>Service Manager:</b>	TBC		
<b>Head of Service:</b>	Simon Inkson		
<b>Strategic Director:</b>	Paul Griffiths		
<b>Portfolio Holder:</b>	Clr Rosemarie Harris		

**FORM ENDS**

## CYNGOR SIR POWYS COUNTY COUNCIL

Portfolio Holder for Property, Buildings and Housing Cllr Rosemarie Harris  
May 2017

**REPORT AUTHOR:** Simon Inkson - Head of Housing

**SUBJECT:** Housing Service – Estate Management Policy

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**REPORT FOR:** Decision

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## 1 Summary

- 1.1 This report seeks approval for an Estate Management Policy which will apply to all estates owned and managed by the Housing Revenue Account (HRA).
- 1.2 The report is supported by the following appendices:
- A The proposed policy
  - B Consultation response summary
  - C Impact Assessment (IA)

## 2 Background

- 2.1 The Council's Housing Service (the Service) is landlord of around 5,400 Council homes, 110 leasehold flats and 2,000 garages. This policy describes how the Council will manage its estates, including hardscaped and landscaped areas, as well as the communal areas in buildings in mainly blocks of flats.
- 2.2 The Service has a responsibility as landlord to manage its estates. The policy brings together several policies in one document:
1. Estate environment
  2. Property visits after concerns
  3. Improvements, maintenance and cleaning
  4. Fire safety
  5. Resident involvement
  6. Litter and waste
  7. Vehicles
  8. Pest control
  9. Pets and animals
  10. Emergency access to homes
  11. Items left behind in vacant property
  12. Rented garages
  13. Lease and disposal of housing land
  14. Encroachment on housing land
  15. Unauthorised occupation
- 2.3 The policy provides support to officers when taking management decisions. It also includes the opportunity for residents and other stakeholders to input in improving the estate environment during inspection visits. These estate visits take place at least once a year and will be gradually introduced.

- 2.4 The policy does provide clarity about several issues. This includes parking on estates, which has been noted as a problem on some estates. The policy will not solve all problems, but gives clarity in relation to vehicles which are/are not permitted to be parked on the estates.
- 2.5 Draft versions of the policy have been discussed with:
- Policies sub-group of the Tenants' Liaison Forum
  - Legal Services
  - Relevant Housing staff
  - Relevant Highways staff regarding vehicles on estates
  - Senior Waste Awareness Officer regarding litter and waste
  - Commercial Property Manager regarding disposal of land.
- 2.6 A public consultation was carried out. The key findings are attached to this report. The respondents give support to the policy. They find it easy to read. No one indicates that the policy discriminates.
- 2.7 The impact assessment, which is attached to this report, does not highlighted any risks or negative impacts. The policy will contribute to more clarity for staff and the public and introduce annual estate inspection visits to which residents and other stakeholders will be invited. The policy includes a change in letting garages, by giving priority to people living on the estate.

### **3 Proposal**

- 3.1 That the report and appendices are considered and approved accordingly.

### **4 One Powys Plan**

- 4.1 When this policy is implemented it will provide support and well managed estates providing a pleasant environment to live in.

### **5 Preferred Choice and Reasons**

- 5.1 The preferred choice is to approve the policy to ensure consistency across the County.
- 5.2 The second choice is not to approve the policy. This would mean that management continues to be inconsistent across the County.

### **6 Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

- 6.1 The policy provides clarity about managing parking and vehicles on estates as well as dealing with litter and waste.

### **7 Children and Young People's Impact Statement - Safeguarding and Wellbeing**

- 7.1 The policy does not have an impact.

## **8 Local Member(s)**

8.1 This policy applies to all HRA owned estates in Powys.

## **9 Other Front Line Services**

9.1 There will be no changes for other front line services.

## **10 Support Services (Legal, Finance, HR, ICT, BPU)**

10.1 Legal - The Professional Lead –Legal recognises that it is important to have a policy in place to support this issue and for the sake of a consistent approach and confirms that the legal services will advise and assist where required.

10.2 Finance – the Finance Business Partner notes the content of the report which if the policy is adopted will ensure as the Service has a responsibility as landlord to manage its estates, that this will be consistent across the County. This will have to be undertaken within the current financial envelope.

10.3 There will be no changes to support services.

## **11 Local Service Board/Partnerships/Stakeholders etc**

11.1. The following stakeholders have been invited to read the policy and provide comments as part of the public consultation.

- all Housing staff
- Heads of Service
- Tenants' Liaison Forum members
- Housing Services Group 100
- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru

11.2. Consultation responses are detailed in the consultation report, appendix B.

## **12 Communications**

12.1 The new policy will be published on the corporate website. Individual council tenants and leaseholders will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

### 13 Statutory Officers

13.1 The Deputy Monitoring Officer notes the report and legal comment and has nothing further to add.

13.2 The Strategic Director Resources (S151 Officer) notes the comment made by Finance that the policy will be delivered within the current financial envelope.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Council Housing Estate Management Policy.</b>	<b>The policy and its implementation ensures consistency across the County to achieve well managed estates that provide a pleasant environment to live in.</b>

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>David Roffey</b>
<b>Date By When Decision To Be Implemented:</b>	<b>1 March 2017</b>

Contact Officer Name:	Tel:	Fax:	Email:
Henk Jan Kuipers	07917172854	-	henk.jan.kuipers@powys.gov.uk

#### Background Papers used to prepare Report:

- Powys County Council:
  - Secure tenancy agreement 2008
  - Introductory tenancy agreement 2015
  - Garage tenancy agreement
  - Standard Right to Buy lease agreement 1996
  - Rider Right to Buy precedent
- CIH practice online

#### Appendices

Appendix A: Proposed policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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**Appendix A**

**CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Council Housing Estate Management Policy

Version	For Portfolio Holder decision (24-01-2017)
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# **Housing Services**

## **Council Housing Estate Management Policy**

### **Contents**

1. Estate environment
2. Property visits
3. Improvements, maintenance and cleaning
4. Fire safety
5. Resident involvement
6. Litter and waste
7. Vehicles
8. Pest control
9. Pets and animals
10. Emergency access to homes
11. Items left behind in vacant property
12. Rented garages
13. Lease and disposal of Housing land
14. Encroachment on housing land
15. Unauthorised occupation
16. Equalities
17. Reviewing decisions, complaints and compliments
18. Review of this policy

### **Policy background and coverage**

- a. Powys County Council's Housing Service (the Council) will aim to manage its estates efficiently and effectively to ensure that Council estates provide a high quality living environment for Council tenants and others that live, work and visit the estates.
- b. This policy details the arrangements for the management of estates owned and managed by the Council's Housing Landlord Service. Management includes, in conjunction with residents, achieving and maintaining clean, tidy and well cared for estates.
- c. The estates include hardscaped and landscaped areas, as well as the communal areas in buildings, mainly blocks of flats and communal facilities, like communal rooms.
- d. In this policy the following tenures are used:
  - I. Tenants: Council housing tenants;
  - II. Leaseholders: Council housing leaseholders of flats;
  - III. Home owners: owners of (most times) Right to Buy homes;
  - IV. Residents: everyone living on the estate.



## **1. Estate environment**

### **1.1. Objective**

The Council will monitor the quality of the environment on Council housing estates.

### **1.2. Estate Inspections**

- a. The Council will organise at least once every 12 months a joint estate inspection. These planned inspections are open to residents and other stakeholders. The frequency of inspections depends on the severity and number of issues.
- b. Estate inspections monitor the condition of the estate, including:
  - I. outstanding repairs to communal areas, including entrances, landings, stairs and stairwells and paths
  - II. poorly maintained gardens and boundaries
  - III. abandoned or nuisance vehicles on communal land
  - IV. parking issues
  - V. performance of the grounds maintenance contractor
  - VI. performance of the cleaning contractor
  - VII. vandalism and graffiti
  - VIII. work required to trees and hedges on communal land
  - IX. the condition of garage areas, allotments, play areas etc.
  - X. the condition of lighting
  - XI. the existence of pest infestations on communal land
  - XII. the cleanliness and condition of bin stores and refuse collection points
  - XIII. accumulation of litter; rubbish and fly tipping
  - XIV. encroachments
  - XV. any other issues that have a negative impact on living on the estate.
- c. Those who take part in joint inspections, will be informed which actions the Council will take to address identified issues.
- d. In addition to the joint estate inspections, Council officers will undertake regular inspections and take action if required.

## **2. Property visits**

### **2.1. Objective**

The Council will ensure that tenants are complying with their tenancy conditions and prevent the deterioration of the premises.

### **2.2. New tenancy visit**

Within six weeks following the start of the tenancy, Housing Management & Options Officers will arrange a 'new-tenancy-visit'. This visit aims to establish how well the new tenant is settling in and to answer any questions they may have about their home, their tenancy and their neighbourhood.

### **2.3. Visiting after concerns**

- a. Where a serious concern has been raised, there will be a home visit to investigate any potential breaches of the tenancy, or identify support-need for the tenant.
- b. Examples of raised concerns are listed below; the list is not exhaustive:
  - I. rubbish accumulating outside a property or in a garden
  - II. hoarding
  - III. high levels of dog fouling in the garden
  - IV. disconnected water or electricity supply
  - V. neglected animals
  - VI. abandonment
  - VII. unauthorised changes made to the property
  - VIII. unauthorised occupants
- c. The Council will provide the tenant with advance notice of the intention to visit the property. Where the tenant fails to provide access to their home, following a written notice to inspect the property, the Council will take action to secure access to undertake an inspection.
- d. Where concerns are raised about alleged criminal activity on the premises, the police will be informed.

### **2.4. Deterioration of premises**

- a. Where it is found that the tenant is failing to comply with their conditions of the tenancy, in particular failing to maintain the premises in good condition, the Council will write to the tenant advising them of the work they need to carry out and the timescale for its completion.
- b. Where the tenant fails to comply with the request for work to be completed within the set timescale, follow up action may be taken. The action will be proportionate to the issues presented by the tenant, but could include one or more of the following:

- I. follow up visits
- II. referral to agencies, for example Social Services or support providers
- III. legal action, for example injunctions, possession proceedings or warrant of entry

### **3. Improvements, maintenance and cleaning**

#### **3.1. Objective**

The Council will ensure that the environment and communal areas on Council estates are maintained to a good standard and achieve at least the Welsh Housing Quality Standard (WHQS).

The Council will ensure that:

- I. communal areas within blocks of flats and sheltered schemes are regularly cleaned
- II. grounds maintenance takes place
- III. communal installations are serviced

#### **3.2. Cyclical maintenance**

- a. Cyclical maintenance works are programmes which are repeated at regular intervals. The Council's cyclical programmes include the following:
  - I. maintaining landscaping and grounds of communal areas
  - II. maintaining weather tightness of external surfaces
  - III. decorating external surfaces and internal surfaces in communal areas
- b. The Council will publish details of the properties that will benefit from the cyclical maintenance programme each year. The information will be published in the tenants' newsletter and on the Council's website.

#### **3.3. Responsive maintenance**

The Council will have a responsive maintenance service that deals with repair requests.

#### **3.4. Improvements**

- a. The Council will, each year, make provision within the capital and revenue programme to improve the environment on estates.
- b. The Council will undertake resident engagement activities to identify issues of concern to local residents on their estates and will develop a programme of works to address these issues.
- c. Where the Council plans to undertake environmental improvement works, there will be consultation with residents in the immediate area of the works, before the works start.

#### **3.5. Service Contracts**

- a. The Council will agree contracts for:

- I. the cleaning of communal areas, communal rooms and shared facilities
  - II. the maintenance of grounds, like: grass, shrubs and trees
  - III. the maintenance and servicing of installations, like: lifts, stair lifts and door entry systems
- b. The contracts will be agreed for a specified period of time, ensuring a balance of quality and cost with the successful contractor is achieved.
  - c. The Council will provide details of the specifications and schedules to residents, who pay for the services. The information will include:
    - I. contact details of the contractor providing the service
    - II. the regularity that works are to be undertaken
    - III. the specification that the contractor is required to work to
  - d. Tenants and leaseholders of flats will have to pay a service charge for services in addition to the rent. The Council may charge home owners, depending on the specific circumstances.
  - e. Where the use of a communal room and facilities in sheltered schemes is open to others, the cleaning costs will be shared, and charged to all users.
  - f. The Council will inspect communal areas and grounds on a regular basis to monitor the quality of the services.
  - g. The council will investigate complaints about the quality of the services.

#### **4. Fire safety**

- a. The Council will have a Fire Safety Policy and will ensure annual fire risk assessments are carried out in communal areas in blocks of flats and communal facilities.
- b. The Council will follow up on issues identified and recommendations in the assessment reports.
- c. The Council will identify tenants and leaseholders living in flats, who are especially at risk. The Council will agree the personal evacuation plan whilst carrying out the home visit. In addition a referral will be made to the Fire Service for a Home Fire Safety visit.

## **5. Resident involvement**

- a. The Council supports groups of residents, like tenants' and residents' associations, that would like to improve their Council estate.
- b. The Council organises activities, like for example garden competitions or litter picks, to encourage residents to improve the environment on estates.
- c. In addition the Council will, from time to time, organise estate based events to obtain the views of all residents on an estate about the strengths and weaknesses of their estate, and use the findings from these activities to develop its estate improvement programme.

## **6. Litter and waste**

### **6.1. Objective**

The Council will ensure that accumulations of litter and rubbish in communal areas, on estates is removed.

The Council will work with the Recycling Service to support tenants to recycle and reduce waste.

#### **1.1. Removal of litter, rubbish and fly tipping**

- a. Residents are responsible to keep communal areas, like stairways, hallway, landing, yard etc. free from litter and obstacles.
- b. Where the Council receives a complaint about a dangerous situation caused by littering, rubbish dumping or fly tipping on land managed by the Housing Service, the Council will aim to have this removed within one working day.
- c. The Council will aim to have other litter and waste, which can't be removed by residents, removed within 5 working days.
- d. Where the Council is aware of the person who deposited litter, dumped rubbish or fly tipped, the Council will contact the person and may recharge any incurred costs.

#### **1.2. Waste awareness and enforcement**

- a. The Council will work with Powys County Council's Waste Awareness and Enforcement Officers to assist residents in managing their waste, where issues arise.
- b. The Council will work with Powys County Council's Environmental Health Officers and Waste Awareness and Enforcement Officers, to carry out enforcement where:
  - I. waste is still disposed inappropriately, after raising awareness
  - II. non household waste is dumped
  - III. waste causes a danger to the public



## **7. Vehicles**

### **7.1. Objective**

The Council will have abandoned vehicles removed and deal with nuisance vehicles on Council estates. The Council will manage parking by encouraging residents to park their vehicles considerately and only allowing parking of certain vehicles on communal car parking areas.

### **7.2. Vehicle definition**

In this policy, vehicles include any vehicle. It includes, but is not limited to, cars and motorcycles for private use, commercial vehicles, builders vans, heavy goods vehicles, taxis, mini buses, tractors, ice-cream vans, the chassis of a car or motorbike, trailers, caravans, motorhomes, mobile food trailers, buses, boats etcetera.

### **7.3. Parking**

- a. There is no right for a tenant or other resident to a parking space on communal parking areas or estate roads.
- b. Areas used for communal parking, like residents car parks, parking bays or any other area used for communal parking should be used by residents and their visitors for parking of the following vehicles only:
  - I. cars and motorcycles for private use
  - II. a campervan that is below 3,500 kg gross vehicle weight and the only means of transport
  - III. a commercial vehicle that is below 3,500 kg gross vehicle weight and primarily for private use or the only means of transport
- c. It is the Council's policy not to give permission to park any other vehicles.
- d. Where unauthorised parking of vehicles takes place the HMOO may contact the vehicle owner asking to remove the vehicle within a reasonable timescale, typically 14 days.
- e. If the owner or their address is unknown a Vehicle Removal Notice will be attached to the vehicle.
- f. At locations where there are no defined on street parking bays or on street waiting/loading restrictions, drivers must consider the rules and guidance set out in the Highway Code before parking their vehicle at any location.
- g. Vehicles may be parked within the boundary of the premises if there is a properly constructed dropped kerb and driveway or garage.
- h. Any vehicle may be parked in a garage, whether the garage is located on the premises or elsewhere on the estate.

- i. The Council will not allow parking of vehicles which are untaxed, unroadworthy or unsafe on any of the Council's estate public areas.
- j. Parking offences may be dealt with by civil enforcement officers or the police.

#### **7.4. Abandoned and nuisance vehicles**

- a. Abandoned vehicles or vehicles causing a nuisance may be reported to the Council's civil enforcement officers (CEOs). They can be contacted by:
  - I. sending a report from [www.powys.gov.uk](http://www.powys.gov.uk)
  - II. e-mail: [tls.helpdesk@powys.gov.uk](mailto:tls.helpdesk@powys.gov.uk)
  - III. telephone 0845 6027035 or 01597 827465.
- b. It is likely a vehicle is abandoned if one of the following applies:
  - I. They have no keeper on the DVLA's database and are untaxed.
  - II. They're stationary for a significant amount of time.
  - III. They're significantly damaged, run down or unroadworthy; like flat tyres, wheels removed or broken windows.
  - IV. They're burned out.
  - V. They have number plates missing.
- c. It is likely a vehicle is a nuisance if one of the following applies:
  - VI. Nuisance caused by the presence of more than one vehicle offered for sale by the same person or business.
  - VII. Nuisance caused by repairing a vehicle on the roads as part of a business and which is attempting to use the road as a mock workshop.
- d. Residents should not carry out any repairs or maintenance to any vehicle, other than routine repairs to a vehicle belonging to the resident. Annoyance to persons in the vicinity caused by repairing, might be classified as a nuisance.

#### **7.5. Enforcement**

- a. The Council will consult with the Council's Legal Service and/or Civil Enforcement Officer to consider the best course of action. This may result in removing a vehicle or addressing a breach of a tenancy agreement or sale covenant.
- b. Where possible the Council will look to recover incurred costs in dealing with vehicle related issues from the registered keeper or owner.

## **8. Pest control**

### **8.1. Objective**

The Council will take action to address pest infestations in communal areas managed by the Housing Service and will work with tenants to address pest infestations in individual properties.

### **8.2. Pest infestations in communal areas**

- a. The Council will work with private contractors to address infestations on communal areas on housing estates, including:
  - I. rats
  - II. cockroaches
  - III. fleas
  - IV. wasp nests
  - V. bees nests
  - VI. any other animals that represents a risk to the health and safety of residents.
- b. The Council will aim to deal with pest infestations in communal areas within 2 working days or within 24 hours if the infestation represents a risk to the health and safety of residents.

### **8.3. Pest infestations in individual homes**

- a. Residents will be responsible for addressing pest infestations on their premises. Information leaflets are available on the Council's website. Residents that are enquiring treatment of pests will be advised they should look for a private pest control company and pay for it themselves.
- b. Only where an infestation in the home of a tenant or leaseholder is the result of a structural defect, the Council will repair the defect and cover the cost of removing the pest infestation.
- c. Where the behaviour of a resident is identified as a probable cause of a pest infestation the Council will contact the resident and advise them of this view and request that they take appropriate action to eradicate the infestation and prevent further occurrences.
- d. Where a resident has failed to act, the Council will take further action to remedy the situation and recharge the cost to the resident.

## **9. Pets and animals**

### **9.1. Objective**

The Council will support responsible pet ownership amongst tenants and outline the conditions under which tenants may keep animals.

### **9.2. Keeping pets**

- a. Tenants are responsible for the health and welfare of their pets, their day to day management and care. They are responsible for the control of their pets and any pets visiting.
- b. Tenants living in flats must seek written permission to keep pets. Permission will not be unreasonably withheld.
- c. Tenants of bungalows and houses - are allowed to keep one dog or up to two cats, without written permission.
- d. Tenants must seek written permission if they would like to keep more dogs or cats, farm animals, dangerous or undomesticated animals or other pets or animals that are likely to cause damage or nuisance. Permission will not be unreasonably withheld.

### **9.3. Alterations and improvements to meet the needs of pets**

- a. Tenants must seek the Council's permission before installing an aquarium above ground floor level.
- b. Tenants wishing to construct outside accommodation for their pet, other than a hutch and exercise pen for small mammals, must first seek written permission from the Council to change the premises.

### **9.4. Breaches**

- a. The Council will investigate reports of noise, fouling, damage or any other nuisance caused by pets. The Council will attempt to contact the pet owner, to discuss any issues.
- b. The Council will contact the RSPCA if there are concerns regarding animal welfare.
- c. Any tenant who exceeds the number of pets permitted by their tenancy agreement, will be contacted to remedy the situation if any concerns are raised. This means either obtaining written permission or reducing the number of animals.
- d. Where a breach of tenancy continuous to exist and creating an unwanted situation according the Council, enforcement action may be taken.

- e. Dogs listed in the Dangerous Dogs Act 1991 and any animal listed in the Schedule of the Dangerous Wild Animals Act 1976 may not be kept. The keeping of such animals will be viewed as a serious breach of the tenancy and will result in action being taken.

## **10. Emergency access to homes**

### **10.1. Objective**

The Council will ensure its officers or contractors do not access homes without consent of the tenant or leaseholder, unless there is a threat to the health and safety of people or a risk of significant damage to property.

### **10.2. Emergency access**

- a. The Council will arrange access to a property, to undertake a repair, with the tenant's or leaseholder's consent.
- b. In exceptional circumstances it may not be possible to contact the tenant or leaseholder to get permission to access to undertake an emergency repair to prevent a threat to the health and safety of people and/or significant damage to property.
- c. The police will be informed and they will be asked to be present when accessing emergency access.
- d. Where the police is unable to attend the Council will seek advice from the police on accessing the property.
- e. Where the Council has secured emergency access to a property, they will notify the tenant or leaseholder including the steps taken to contact them, the reasons why access was needed urgently and the repairs completed in the property.
- f. The property will be secured following the emergency access and the tenant or leaseholder will be advised of how they can regain access.
- g. Where the Council has gained emergency access, the Council will make good any damage to the property.
- h. Where the tenant could not have prevented the emergency repair the damage will be repaired at no cost to the tenant.
- i. Where the emergency repair could have been prevented by reasonable action of the tenant, the incurred costs may be recharged.
- j. Leaseholder will be recharged according the terms of their lease agreement.

## **11. Items left behind in vacant property**

### **11.1. Objective**

The Council will remove items left behind by tenants after the end of the tenancy.

### **11.2. Inspection**

- a. It is the tenant's responsibility to ensure that no goods are left behind in the premises after the tenancy ends. Where an inspection takes place before the tenant moves out, the tenant will be informed of this.
- b. After the tenancy has ended and the tenant has moved out, the Council officers will inspect the premises and make a list of goods left behind and the condition of those goods. The Council officer will take photographs of the goods.
- c. Following the death of the tenant who was the sole occupant of a dwelling the Council will liaise with the tenant's family, or the executor of the estate.

### **11.3. Removal of goods left behind**

- a. If the goods left behind in the property are perishable and/or of low value, the Council will arrange removal and disposal of the goods. The former tenant will be informed and recharged for the costs incurred.
- b. If the goods in the property are of a substantial value, the Council will store the goods for a period of 28 days. The former tenant will be informed that they can collect the goods, after paying incurred costs.
- c. Where the former tenant does not make arrangements within 28 days to collect the goods, the Council will arrange the sale of the goods by auction. The proceeds of the sale, less the Council's costs in establishing the former tenant's whereabouts, removal, storage and sale by auction, will be credited to the former rent account and the former tenant can claim any positive balance back.
- d. Where the whereabouts of the former tenant are unknown, and the goods left behind are of substantial value, a notice will be secured to the front door or other prominent place on the outside of the property. The notice will state that the Council will store the goods for a period of 3 months before selling at auction.
- e. During the 3 months the Council will take reasonable steps to establish the whereabouts of the former tenant, like for example:
  - I. asking neighbours and next of kin
  - II. carrying out a web search
  - III. looking in the phonebook

- IV. enquiring the Council Tax department
- V. searching the electoral register



## 12. Rented garages

### 12.1. Introduction

The Council will ensure Council owned garages on housing land are well managed, income is maximised and an effective service for garage tenants is provided.

### 12.2. Letting of garages

- a. The Council will operate a register with applicants who would like to rent a garage. Applicants who have any outstanding debt to the Housing Service will have their application suspended until the debt is repaid.
- b. The Council will determine who will be offered the tenancy of the vacant garage on the following basis.

Priority	
1	Council tenants and leaseholders living on the estate on which the garage is situated and who do not already rent a garage from the Council.
2	Other people who live on the estate on which the garage is situated and who do not already rent a garage from the Council.
3	Council tenants who do not live on the estate on which the garage is situated and who do not already rent a garage from the Council. Council tenants that already rent a garage from the Council and live on the estate.
4	Anyone else who qualifies.

- c. Applicants within the same band are prioritised by the date they have been accepted on the register.
- d. Each household will be limited to rent no more than two garages.
- e. If a garage tenant moves or has moved off the estate, the Council will end the garage tenancy to be able to re-allocate the garage in line with the priority categories, where there are applicants on the register in priority groups 1 & 2.

### 12.3. Management of garage sites

- a. All garage tenants will be required to sign the Council's garage tenancy agreement.
- b. The Council will charge tenants a rent, payable in advance. The Council decides annually if the rent will be increased.

- c. Garage sites are included into the programme of estate inspections. Where it comes to the Council's attention that the garage tenant has breached their tenancy agreement, the garage tenant will be contacted and requested to remedy the breach of tenancy.
- d. Where it comes to the Council's attention that the garage tenant has continued to breach their tenancy agreement, further action will be taken, which could include recovering possession of the garage.

#### **12.4. Future use of garage sites**

- a. The Council will decide on the future use of each garage site.
- b. The Council aims in every case to seek a solution that is both economically viable in the long term and adds benefit to the local community, either through the continued provision of garages or through an appropriate alternative use.
- c. For each site there are three main options:
  - VII. to retain the garage stock and continue to invest in it
  - VIII. to sell the garages off to a private provider with the understanding that the private provider would invest in the garage site
  - IX. to demolish the garages and use the land for an alternative use such as increased parking provision or new housing or general amenity land such as a grassed area to provide a green space
- d. Where demand is high and the costs of repairs are not prohibitive the Council will maintain and improve the garage stock.
- e. Where there are a significant number of empty garages caused by lack of demand and the costs of repair or improvement are such that the investment is not economically viable, the Council will consult with the local community about future use.
- f. In every case where the Council identifies a site for disposal or demolition the Council will produce a business case and put this, together with the results of community consultation to the Portfolio Holder for final decision.

## **13. Lease and disposal of Housing land**

### **13.1. Objective**

The Council will ensure it follows a clear and transparent process when leasing and disposing of land owned by the Council in line with the Corporate Asset Policy.

### **13.2. Lease of land**

- a. The Council may lease land to individuals and organisations for the use of allotments, car parking, play areas, self-constructed garages or other use.
- b. The Senior Management Team will decide on requests to lease out land, on a case by case basis.
- c. Lease agreements will be requested via the Council's Valuation Team. Legal Services will only act upon formal instructions from the Valuation Team. This will help to ensure that:
  - I. the Council commits only to fair and legally reliable lease agreements
  - II. the assets are properly managed
  - III. all the relevant Council teams are notified, including Finance, Valuation, Terrier, Revenues and Benefits
  - IV. the terms of the lease agreement are properly recorded in the Council's various databases including the Asset Register
  - V. the Council is not exposed to risk or liability
- c. The leaseholder is required to sign a lease agreement with the Council and the leaseholder will be charged.
- d. Where leaseholders breach their agreement, the Council will contact them and request that they remedy the breach.
- e. Where there is a continued breach, the Council will take further action which could include recovering possession of the land.

### **13.3. The disposal of Council homes**

- a. The Senior Management Team can determine that a residential property is no longer required to the Housing Service, due to:
  - I. absence of demand to rent a property and no foreseeable demand
  - II. it not being financially viable to achieve and maintain the Welsh Housing Quality Standard
- b. The Council's Valuation team will be consulted to determine how to best dispose of the asset.

- c. A decision to whether residential property should be disposed of is delegated to the Portfolio Holder responsible for Housing.

#### **13.4. The disposal of surplus land**

- a. The Senior Management Team can determine that Housing land is no longer required to the Housing Service.
- b. The land will then be declared surplus and Corporate Property will be informed. This also applies to an alternative use of the land.
- c. The procedure in the Corporate Assets Policy will be followed to dispose of the land. The options to dispose of land are:
  - I. internal transfer within the Council
  - II. sale to a registered social landlord or Local Health Board
  - III. community asset transfer
  - IV. sale on the open market

## **14. Encroachment on housing land**

### **14.1. Objective**

The Council will ensure encroachment on Housing land is addressed.

### **14.2. Definition**

Encroachment is defined as the unauthorised use and / or enclosure of Council property over a sustained period of time. Examples are:

- I. homeowners or organisations gradually incorporating strips of adjacent Council land for their gardens, lawns or dwelling curtilages
- II. land-owners enclosing an adjacent Council-owned land parcel and maintaining it for their own use

### **14.3. Addressing encroachment**

- a. Any suspected land encroachment will be investigated by the Council's Corporate Property Team.
- b. Where satisfied that an encroachment is being committed, the Corporate Property Team will notify Legal Services.
- c. Legal Services will advise what action the Council will take to remedy matters. Where costs are incurred by the Council to remedy the encroachment, the Council will seek to recover these costs from the perpetrator.

## **15. Unauthorised occupation**

### **15.1. Introduction**

The Council will remove unauthorised occupiers, like trespassers or squatters from the premises.

### **15.2. Remedies**

- a. The Council will investigate any suspicion of unauthorised occupation.
- b. Where the Council is satisfied that there is a case of unauthorised occupation, the Council will seek possession of the property.
- c. Where the court grants possession and the occupier fails to vacate the property, within a specified period, the Council will apply to the court for a warrant for the unauthorised occupier's eviction.

## **16. Equalities**

### **16.1. Introduction**

The Council is committed to giving an equal service to all.

### **16.2. Procedures and practices**

- a. The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.
- b. Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **16.3. Information**

- a. The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:
  - I. Braille
  - II. large print
  - III. audio tape
- b. Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.

## **17. Reviewing decisions, complaints and compliments**

### **17.1. Introduction**

The Council is committed to improve service delivery, and put right any mistakes.

### **17.2. Review**

Anyone that is affected by a decision of the Council's Housing Service is entitled to ask an independent review from a manager or team leader that was not involved in making the decision.

### **17.3. Complaints and compliments**

- a. The Council welcomes all feedback from customers, because it helps to improve services.
- b. When the Council receives a complaint, the Corporate Complaints Procedure will be followed.
- c. The Council will aim to clarify any issues which are deemed unclear.
- d. Where possible, the Council will put right any mistakes it may have made.
- e. Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- f. The Council will aim to learn from good practice and mistakes and use the information gained to improve services.



## **18. Review of this policy**

- a. This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
- b. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Council Housing Estate Management Policy  
Public Consultation

Date of report : 12 December 2016  
Report author : Henk Jan Kuipers  
Housing Service Improvement Officer

## **1. Key Findings and conclusion**

The respondents give support to the policy. They find it easy to read. No one indicates that the policy discriminates.

The comments and questions that were made have not lead to any changes in the policy.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Council) is landlord of 5,400 Council homes, 110 leasehold flats and 2,000 garages. This policy describes how the Council will manage its estates, including hardscaped and landscaped areas, as well as the communal areas in buildings in mainly blocks of flats.

The policy also describes how the Service maintains and improves the living environment on estates.

The consultation enabled Housing staff, tenant representatives and external stakeholders to provide comments.

### **2.2. Background to the consultation and engagement**

Prior to the public consultation a draft policy was discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The proposed policy and a survey response form were sent to:

- all Housing staff
- Heads of Service
- Tenants' Liaison Forum members
- Housing Services Group 100

The following external stakeholders have been sent the proposed policy and response form:

- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru

In addition the consultation was advertised on the Powys County Council Tenant Engagement Facebook page.

There was a four week response period.

The consultation process was agreed with the Corporate Consultation Officer.

### **2.3. Response rate**

Nine completed questionnaires have been received. Eight are from Council tenants, one from a County Councillor.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any additional issues.

### **2.4. Profile data**

#### *Gender*

Female	7
Male	2
Other	0

#### *Age*

Under 18	0
18-35 years	0
35-59 years	3
60 or over	6

#### *Disability*

day-to-day activities limited a lot	3
day-to-day activities limited a little	1
day-to-day activities not limited	5

#### *Welsh*

Speak only	2
Combination of speak, read or write	0
No Welsh skills	7

The response numbers are small, but it stands out no people under the age of 35 have responded.

### **2.5. A note about market research and consultations**

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

### 3. Question by question analysis

#### Question 1: Do you find the policy easy or difficult to understand?

##### Answers

easy	9
difficult	0

#### Question 2: Please tell us if you find anything unclear

#### Question 3: Do you feel there is something missing in the policy? Does anything needs changing?

The following comments and questions regarding the content were received. Below each comment or question the Council's Housing Service response.

- A. 7.3: Quite a few untaxed vehicles are parked on estate car parks. How do you police it?

##### Response

Aany member of the public can check on line on the DVLA website if a vehicle is taxed or declared SORN. Suspected untaxed vehicles on the public road can be reported to the DVLA. The DVLA can clamp and remove vehicles in certain instances.

If the DVLA is not undertaking action, Housing staff can be informed and ask the vehicle owner to remove the vehicle if it remains untaxed. If the vehicle owner does not tax or move the vehicle, the Housing Service may remove the vehicle at the owner's expense. Housing staff will not actively check if all vehicles are taxed.

- B. 7.4.d. Very common to see vehicle repairs being done by people who do not own a vehicle. How is this policed?

##### Response

Housing staff will respond to complaints and if staff conclude the repairs are a nuisance they will ask the vehicle owner to end the nuisance. If the nuisance continues, staff will discuss with the Civil Enforcement Officer how the nuisance can be stopped.

- C. 8.3: no mention or provision of pest infestation coming from PCC land and then infesting tenants' home or garden. Who is responsible?

Response

The Chartered Institute of Environmental Health website states:

"Local authorities (councils) are not legally required to provide a pest control service, however, under the Prevention of Damage by Pests Act 1949 they are required to take such steps as may be necessary to secure as far as practicable that their district is kept free from rats and mice. They must, in particular, keep the local authority's own land, and other land that the local authority occupies, free from rats and mice. They are also required to ensure that other owners and occupiers of land comply with their similar duties under the Act and, in addition, to tell the local authority in writing if it comes to their knowledge that rats or mice are living on or resorting to their land in substantial numbers. (NB. This does not apply to agricultural land.)".

The Environmental Health Service of the Council should be consulted if the infestation persists.

If there is a disrepair to the property allowing the infestation it is the Housing Services' responsibility, otherwise an infestation is the tenant's responsibility.

- D. 8.3. a+b: no mention on pre-existing historic issues due to brook/culvert running underneath properties. Senior Management guaranteed treatment at PCC expense any rat infestation is a health risk wherever it is or who tenant is.

Response

If there is a disrepair to the property allowing the infestation it is the Housing Services' responsibility, otherwise an infestation is the tenant's responsibility.

This policy does not change previous agreements regarding individual tenants and the Service.

- E. 9. This paragraph should also mention breeding. There are tenants who breed dogs and cats for profit, plus some too idle too spay.

Response

Pets should not cause a nuisance to others, or a health hazard, or damage to Council property or lead to unsanitary conditions in and around the premises. The tenancy agreement states that written permission is needed to keep more than one dog or two cats. Where issues are raised with Housing staff they will investigate and take appropriate steps if necessary.

- F. 9.3: Many years ago verbal permission was given not written.

Response

The Service have introduced a clear procedure in March 2016. Verbal permission will never be given. If issues arise from tenant's works carried out in the past, they will be dealt with on a case by case basis. Permission will not be unreasonably withheld and there will be conditions attached to permission.



G. 9.4: Who do you report breaches to? Needs department adding.

Response

Potential breaches of tenancies are normally investigated by the Housing Management & Options Officer. Staff that deals with the public knows which officer is responsible. The public can phone the Housing phone line or contact the Housing Service by e-mail or via a letter.

H. 12.2.b: Another table or statement should be included which deals with Council tenants who rent a private garage and who request a Council garage for this vehicle or a second vehicle.

Response

The Service will not take into account if applicants for a garage already rent a garage not owned by the Service. The Service is not able to monitor and check this in a consistent way.

I. 13.2.c iii: what is terrier?

Response

The asset terrier is the corporate database of all land and properties the Council owns.

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

No responses were recorded, other than that there would be no discrimination.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Cllr Rosemarie Harris
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<b>Policy / Change Objective / Budget Saving</b>	Council Housing Estate Management Policy						
--	--	--	--	--	--	--	--

#### Outline Summary

The Council's Housing Service (the Council) is landlord of approximately 5,400 Council homes, 110 leasehold flats and 2,000 garages. This policy describes how the Council will manage its estates, including hardscaped and landscaped areas, as well as the communal areas in buildings in mainly blocks of flats.

The policy also describes how the Service maintains and improves the living environment on estates.

The policy confirms existing policies, procedures and practice, which have not been brought together in one document before. It covers:

1. Estate environment
2. Property visits
3. Improvements, maintenance and cleaning
4. Fire safety
5. Resident involvement
6. Litter and waste
7. Vehicles
8. Pest control
9. Pets and animals
10. Emergency access to homes
11. Items left behind in vacant property
12. Rented garages
13. Lease and disposal of housing land
14. Encroachment on housing land
15. Unauthorised occupation

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Henk Jan Kuipers	Service Improvement Officer	12-12-2016
2	Henk Jan Kuipers	Service Improvement Officer	05-01-2017

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3	Henk Jan Kuipers	Service Improvement Officer	10-01-2017
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2. How does your policy / change objective / budget saving impact on the council's strategic vision?

Tudalen 122

Council Priority	How does the policy / change objective impact on this priority?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
Services delivered for less	The policy will not lead to any saving in the short term. It is expected that when the policy is implemented, at the start more resources will be needed, to achieve savings later on, due to more preventative ways of working.	Neutral		Choose an item.	
Supporting people in the community	The policy aims to achieve Council Estates that are a pleasant environment to live in. Although we don't have hard evidence, it is likely older people spend a considerable amount of time in and around their home. It is important they feel happy and safe. The policy introduces a change in allocating garages. Priority will be given to people living on the estate and people will be asked to give up the tenancy when moving of the estate. A clause will be introduced in new tenancies. Where garage sites are reconfigured as part of the garage modernisation programme, people might be asked to give up their tenancy if they are not living on the estate. Stakeholders will be invited to estate inspections. Estate inspections are not carried out in the whole County on a consistent basis and do currently not include residents and other stakeholders.	Good		Choose an item.	

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<b>Council Priority</b>	<b>How does the policy / change objective impact on this priority?</b>	<b>IMPACT</b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Developing the economy</b>	No expected impact.	Choose an item.		Choose an item.	
<b>Learning</b>	No expected impact.	Choose an item.		Choose an item.	

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3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>A prosperous Wales:</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	No expected impact.	Choose an item.		Choose an item.	
<b>A resilient Wales:</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	Stakeholders will be invited to estate inspections. Estate inspections did take place in the past, but are not carried out anymore in the whole County. This policy also aims to include resident and other stakeholders.	Good	Explore the option to receive specialist advice on how estates can contribute to biodiversity, maximise use of green spaces, reduce car emissions, increase use of green energy and increase recycling.	Good	
<b>A healthier Wales:</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.	One aim of the policy is to maintain/create safe and pleasant environments that people are making actively use of. This includes footpaths, play and green areas.	Good		Choose an item.	
<b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected Communities.	Another aim is to involve the residents in estate inspections to contribute to improve the estate's environment.	Good		Choose an item.	

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<p><b>A globally responsible Wales:</b>  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The following articles in the Human Rights Act are most relevant to Council Housing  Article 6: Right to a fair trial  Article 8: Right to respect for private life, family life and the home  Article 14: Prohibition of Discrimination</p> <p>The policy is not expected to breach any of the articles.</p> <p>Discrimination is assessed as part of “a more equal Wales”.</p>	<p>Neutral</p>		<p>Choose an item.</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>					
<p><i>Opportunities for persons to use the Welsh language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Treating the Welsh language no less favourable than the English language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Opportunities to promote the Welsh language</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Welsh Language impact on staff</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>People are encouraged to do sport, art and recreation.</i></p>	<p>No expected impact.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>					
<p><b>The public consultation has not indicated the policy discriminate against the protected characteristics.</b></p>					
<p>It is likely certain groups of people spend more time at home and on the estate. They are likely to value a well maintained and safe environment more than people that spend less time at home and estate. We don't have data how people spend their time. It is likely older people spend more time at home, but they become increasingly mobile. It is likely children play more outside, but the trend is they do this less than before. It is likely that women spend more time at home during maternity. It is likely mothers in general spend more time at home and estate.</p>					

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<i>Age</i>	Please see general comment above.	Good		Choose an item.	
<i>Disability</i>	People with a mobility impairment will benefit from easy accessible estates. People with a visual impairment will benefit from improvement works. Where feasible there will be a difference in light reflectance value that is greater than 30 points.	Good		Choose an item.	
<i>Gender reassignment</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Marriage or civil partnership</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Race</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Religion or belief</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Sex</i>	Please see general comment above.	Good		Choose an item.	
<i>Sexual Orientation</i>	No expected impact.	Choose an item.		Choose an item.	
<i>Pregnancy and Maternity</i>	Please see general comment above.	Good		Choose an item.	



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4. How does your policy / change objective / budget saving impact on the council's other key guiding principles?

Principle	How does the policy / change objective impact on this principle?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Sustainable Development Principle (5 ways of working)</b>					
<i><b>Long Term:</b> Looking to the long term so that we do not compromise the ability of future generations to meet their own needs.</i>	No negative impact expected. Well maintained estates and a pleasant environment might increase property value and decrease inclination to move.	Good		Choose an item.	
<i><b>Collaboration:</b> Working with others in a collaborative way to find shared sustainable solutions.</i>	Stakeholders will be invited to take part in estate inspections and contribute to solutions to address identified issues or implement suggestions to improve.	Good		Choose an item.	
<i><b>Involvement (including Communication and Engagement):</b> Involving a diversity of the population in the decisions that affect them.</i>	A public consultation took place regarding this policy. Staff and relevant external stakeholders have been asked to comment on the draft policy. Tenant representatives have discussed the draft policy.	Good		Choose an item.	
<i><b>Prevention:</b> Understanding the root causes of issues to prevent them from occurring.</i>	The policy aims to enable identifying potential issues at an early stage before they escalate.	Good		Choose an item.	
<i><b>Integration:</b> Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives.</i>	No expected impact.	Choose an item.		Choose an item.	
<b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.	No expected impact.	Choose an item.		Choose an item.	

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Principle	How does the policy / change objective impact on this principle?	<b>IMPACT</b> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<b>IMPACT AFTER MITIGATION</b> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No expected impact.	Choose an item.		Choose an item.	
<b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.	No expected impact.	Choose an item.		Choose an item.	
<b>Impact on PCC Workforce</b>	The policy provides clarity about all issues regarding managing estates. This will assist staff to refer to the policy when taking decisions.	Very Good		Choose an item.	

5. Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget Saving	Inherent Risk
Low	Medium	Low

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks			
There is a risk that insufficient resources are available to implement the policy across all the estates to follow up from estate inspections. This includes maintenance, repairs and improvements as well as other actions following up actions from the inspections.			
Judgement (to be included in project risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			Low

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Mitigating Actions	Residual Risk (after mitigation)
Implement estate inspections gradually to ensure any actions can be followed up.	Low
	Choose an item.
	Choose an item.
<b>Does the Policy / Change Objective / Budget Saving have potential to impact on another service area?</b> <b>PLEASE ENSURE YOU INFORM / ENGAGE ANY AFFECTED SERVICE AREAS AT THE EARLIEST OPPORTUNITY</b>	
<p>The chapter describing vehicles on estates has been agreed with Highways' Civil Enforcement Officer, Parking Officer and Area Traffic Officer.  The chapter dealing with waste and fly tipping has been agreed with Senior Waste Awareness Officer.  The chapter dealing with leasing or disposing assets is in line with the Corporate Asset Management Policy and agreed by Commercial Property Manager in Regeneration and Corporate Property section.</p>	

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7. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
The proposed policy bundles many issues relating to estate management and increases accountability and transparency. It provides a document for officers on which they can base decisions. It provides tenants with a written document explaining their rights and obligations. The policy introduces annual estate inspection with resident and stakeholders.	

8. Is there additional evidence to support the Impact Assessment (IA)?

What additional evidence and data has informed the development of your proposal?
None.

9. On-going monitoring arrangements?

What arrangements will be put in place to monitor the impact over time?
Service standards require the Service to report on % of tenants who are satisfied with the environment of their estate. The policy will be reviewed in 3 years' time or when legislation changes.
Please state when this Impact Assessment will be reviewed.
When reviewing the policy.

10. Sign Off

Position	Name	Signature	Date
Service Manager:	David Roffey		
Head of Service:	Simon Inkson		
Strategic Director:	Paul Griffiths		
Portfolio Holder:	CLlr Rosemarie Harris		

FORM ENDS

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**Cyngor Sir Powys County Council**  
**Impact Assessment (IA)**  
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Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

**CYNGOR SIR POWYS COUNTY COUNCIL****REPORT FOR DELEGATED DECISION****By****County Councillor Rosemarie Harris****Portfolio Holder for Housing****May 2017****REPORT AUTHOR: Simon Inkson – Head of Housing****SUBJECT: Housing Anti-Social Behaviour Policy**

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**REPORT FOR: Decision**

---

**1. Summary**

1.1 Portfolio holder approval is sought for the Housing Anti-social Behaviour policy.

1.2 The report is supported by the following appendices:

A The policy

B Consultation response summary

C Single Integrated Impact Assessment (SIIA)

**2. Background**

2.1 The Council's Housing Service (the Council) is landlord of 5,400 Council homes and 110 leasehold flats. It aims to ensure that tenants and leaseholders live safe and securely in their own homes and communities. The Council recognises that failure to tackle anti-social behaviour effectively could substantially blight the quality of life for those people living with anti-social behaviour, and can also damage our ability to develop sustainable communities.

2.2 The Housing Service has reviewed and updated the existing Anti-Social Behaviour policy to ensure staff, tenants and residents are aware of what constitutes anti-social behaviour, how a complaint can be made and what action can be expected from all parties involved.

2.3 The policy should enable tenants to exercise their rights as Council tenants, to the quiet enjoyment of their homes. It should provide Housing Staff with a reference on which they can base their decisions. The Council recognises that it has a duty to its tenants and other residents in the locality to deal with matters of nuisance and anti-social behaviour. Failure to act impacts not only on residents' lives but also on the quality of our homes and estates. In order to help the Council carry out its duty, the policy makes it clear what anti-social behaviour is and how it will be dealt with.

2.4 The policy's contents are as follows:

1 Policy background and coverage

2 Anti-social behaviour policy

3 Equalities

4 Reviewing decisions, complaints and compliments

## 5 Review of ASB policy

2.5 Draft versions of the policy have been discussed with:

- Policies subgroup Tenants' Liaison Forum
- Legal Services
- Relevant Housing staff.

2.6 A public consultation took place during a four week period in September 2016. The key findings are attached to this report.

### 3. Proposal

3.1 That the Portfolio Holder consider this report and attached documents and accordingly approve the policy.

### 4. One Powys Plan

4.1 The SIIA states that the impact on Council priorities will be positive, particularly as it aims to ensure tenants and residents live safely and securely in their own homes and communities. As a result the policy supports the vision of a healthier Wales and in preventing and alleviating ASB, partnership working is actively encouraged thereby supporting the sustainable development principles of prevention and collaboration.

### 5. Preferred Choice and Reasons

5.1 The preferred choice is to approve the policy to ensure clarity and consistency across the County.

### 6. Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

6.1 The SIIA states that where the policy does have an impact on the Welsh Government well-being goals the outcome is good.

6.2 The impact on Welsh language is neutral.

6.3 The impact on Equalities is neutral.

6.4 The impact on the council's other key guiding principles will be good.

### 7. Children and Young People's Impact Statement - Safeguarding and Wellbeing

7.1 The policy aims to ensure tenants and residents, especially those that may be more vulnerable, feel safe and secure in their own homes and communities. This will have a positive impact on the wellbeing and safeguarding of children and young people.

### 8. Local Member(s)



8.1 This policy applies to all Council HRA dwellings in Powys.

## 9. Other Front Line Services

9.1 There will be no changes to other front line services. This policy confirms existing practice.

## 10. Support Services (Legal, Finance, HR, ICT, BPU)

10.1 The Professional Lead - Legal considers the recommendation in this report as one of good management and a necessity for Enforcement Purposes in this area of law.

10.2 Finance - The Finance Business Partner notes the content of the report which aims to ensure that tenants and leaseholders live safe and securely in their own homes and communities.

## 11. Local Service Board/Partnerships/Stakeholders etc

11.1 Tenants' Liaison Forum members, members of the Housing Services Group 100, all Housing staff and several external stakeholders, including Shelter, Powys Teaching Health Board and PAVO have been invited to read the policy and provide comments as part of the public consultation. Consultation responses have been considered in the policy.

## 12. Communications

12.1 The new policy will be published on the corporate website. Individual Council tenants will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

## 13. Statutory Officers

13.1 The Deputy Monitoring Officer notes the legal comment and makes no further comment.

13.2 The Strategic Director Resources (S151 Officer) notes the comments made by finance.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Anti-Social Behaviour Policy for Council Housing.</b>	<b>The policy formalises current good practice and ensures consistency across Powys.</b>

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>Simon Inkson</b>
<b>Date By When Decision To Be Implemented:</b>	

Contact Officer Name:	Tel:	Fax:	Email:
Kelly Jones	07795238631	-	Kelly.jones@powys.gov.uk

**Background Papers used to prepare Report:**

Powys County Council secure tenancy agreement 2008

Powys County Council introductory tenancy agreement 2015

CIH How to manage ASB cases effectively

CIH Practice On-line

PCC ASB Policy – Procedure Statement 2005

PCC ASB Service Standards

**Appendices**

Appendix A: Proposed Council Housing Anti-Social Behaviour Policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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## Appendix A

### **CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Anti-Social Behaviour Policy

Version	Draft v9
Reference	POL LL ASB
Lead Officer	Kelly Jones

## **CONTENTS**

- 1) [Part 1 Policy background and coverage](#)
- 2) [Part 2 Anti-social behaviour policy](#)
- 3) [Part 3 Equalities](#)
- 4) [Part 4 Reviewing decisions, complaints and compliments](#)
- 5) [Part 5 Review of the anti-social behaviour policy](#)

## **PART 1 POLICY BACKGROUND & COVERAGE**

### **Introduction**

- 1.1 The Council aims to ensure that tenants and leaseholders live peacefully in their own homes and communities. We recognise that failure to tackle anti-social behaviour effectively could substantially blight the quality of life for those people living with anti-social behaviour, and can also damage our ability to develop sustainable communities.
- 1.2 We will not tolerate anti-social behaviour in our homes or on our estates. The key objective of our Anti-Social Behaviour Policy is to try to change behaviour using a variety of approaches and interventions. However, we will take a tough stance when perpetrators refuse to mend their ways. We have no hesitation in using all the powers available to us to take action against perpetrators.

### **Key Principles of the Anti-Social Behaviour Policy**

- 2.1 The key principles of the Anti-Social Behaviour Policy are to:
  - ensure that tenants are aware of what behaviours are acceptable and unacceptable, how to make a complaint and the action we will take
  - investigate complaints of anti-social behaviour and to take appropriate action against perpetrators whether they are tenants, their families, friends or visitors
  - recognise that some individuals and/or families may need support to help them to work with us to change their behaviour so that it becomes acceptable
  - provide as much support as possible to victims/witnesses
  - take timely and appropriate action to address anti-social behaviour, in partnership with other agencies where appropriate
  - routinely monitor the views of tenants who have received the service we provide, seeking their views on how well we have responded and how we could improve.

### **Relevant legislation and regulatory compliance**

- 3.1 The Council will ensure that it addresses anti-social behaviour in accordance with best practice and relevant policy, legislation and Council Housing service standards.

## **PART 2      ANTI-SOCIAL BEHAVIOUR POLICY**

### **Introduction**

- 1.1      The Council recognises that it has a duty to its tenants and other residents in the locality to deal with matters of nuisance and anti-social behaviour. Failure to act impacts not only on residents' lives but also on the quality of our homes and estates.
- 1.2      We are responsible for ensuring that we act as a responsible landlord and meet our statutory obligations, as well as enforcing good behaviour standards through the implementation of our anti-social behaviour policy.
- 1.3      As a landlord we make it clear to our tenants that we will not tolerate anti-social behaviour in any form. We do this when granting new tenancies by explaining to the tenant what is expected of them in terms of behaviour and by stressing what the consequences can be for them if they breach their tenancy agreement. Existing tenants will be reminded from time to time through regular estate visits and various publications.

### **Definition of Anti-social Behaviour**

- 2.1      Anti-social behaviour (ASB) is any activity that impacts on other people, their homes and/or their communities, in a negative way, and the key to categorising behaviour as anti-social must be consideration of its impact on others. This can be subjective. Different people may be distressed or alarmed by different types of behaviour and activity.

The Housing Act 1996 defines ASB as:

“conduct which is capable of causing nuisance or annoyance to any person, and which directly relates to or affects the housing management function of a relevant landlord.”

- 2.2      Anti-social behaviour can include a wide range of behaviours that can affect the lives of other people. A standard approach to all incidents of anti-social behaviour is not the most appropriate response.
- 2.3      The following behaviours are criminal actions however, action may also be taken against the perpetrators under this ASB policy:

domestic abuse, hate crime (this includes racially motivated harassment and violence), sexual harassment, violence or the threat of violence, suspected drug using/dealing, verbal abuse, alcohol or drug related nuisance, using, owning or storing offensive weapons, intimidation, incitement, theft, criminal damage, noise nuisance involving the repeated playing of loud music, child neglect, offensive graffiti

**This is a list of examples and is not exhaustive.**

- 2.4      Other examples of anti-social behaviour include:

graffiti and other forms of vandalism, parking disputes, begging, vandalism, abandoning vehicles on our estates, boundary and hedge disputes, animal nuisance (dog barking, dog fouling, pets out of control), door slamming, the dumping of rubbish, littering, vomiting, spitting and urinating in communal areas, playing ball games close to someone's property (that is causing a nuisance), skate boarding or cycling on footpaths or balconies, damaging property, throwing things out of windows, allowing people other than your visitors or authorised council contractors through communal entrances, shouting or swearing, making malicious complaints.

**This is a list of examples and is not exhaustive.**

- 2.5 All incidents of anti-social behaviour reported to us will be categorised as either serious or minor. Each ASB incident is then further placed into one of three categories:
- 'nuisance' –incidents where an act, condition, thing or person causes trouble, annoyance, irritation, inconvenience, offence or suffering to the local community in general rather than to individual victims;
  - 'personal' –incidents that are perceived as either deliberately targeted at an individual or group, or having an impact on an individual or group rather than the community at large;
  - 'environmental' –incidents where individuals and groups have an impact on their surroundings, including natural, built and social environments.
- 2.6 We will take action against all persons who act in an anti-social manner on our estates, including leaseholders, tenants of leaseholders and owner occupiers.

### **Reporting anti-social behaviour**

- 3.1 Victims and witnesses to acts of anti-social behaviour committed on our estates can report it to us:
- in person and face to face at our public facing area offices
  - in person and face to face by speaking to a Housing Management and Options Officer (HMOO) whilst on estate visits or any other member of the housing team
  - in person by speaking to a First Contact Officer (FCO) over the telephone
  - by downloading the "noise app" on a phone or tablet
  - in writing by:
    - letter
    - e-mail
- 3.2 When a complaint of anti-social behaviour is made we will make every effort to contact the complainant to discuss the case further. We will also contact them through various stages of the investigation to update them on the situation. If the complainant does not keep in contact with us, we will not assume that the nuisance has been resolved.

We will try to make contact with them and consider all of the available evidence before deciding to close the case.

- 3.3 Where we have made several attempts to contact complainants by telephone, letter, e-mail or home visit and we have not been successful in making contact with them, we will consider all of the available evidence before reaching a decision to close the case.
- 3.4 Anonymous ASB complaints should not be ignored and will be treated with the same importance as any other. If there are serious allegations relating to criminal activity (such as child abuse, domestic abuse, sexual abuse or drug dealing etc.) these should be passed to the relevant agency who will decide what action can be taken. Other forms of anonymous reports should be handled carefully as they may be difficult to prove and could be harmful if found to be untrue. Anonymous reports should not form the sole basis of legal action and no further action can be taken against anonymous persons. Complainants should be encouraged where possible to give their details and contact number.

### **Our approach to addressing anti-social behaviour**

- 4.1 Our approach to addressing anti-social behaviour is based on:
- implementing a range of preventative measures to reduce the incidence and minimise impact of anti-social behaviour on our estates
  - supporting the victims/witnesses of anti-social behaviour, and ensuring the provision of support services to vulnerable tenants to prevent them from becoming perpetrators
  - taking timely and appropriate action to address effectively incidents of anti-social behaviour.
- 4.2 Our approach is underpinned by our commitment to partnership working. We will work to contribute to Dyfed Powys ASB Service's role in managing the occurrence of anti-social behaviour, and work with a range of partners to reduce its incidence and impact on our housing estates. We will work closely with other parts of the Council and other agencies to effectively tackle anti-social behaviour.
- 4.3 We will participate in county wide ASB related forums to effectively tackle anti-social behaviour:
- 4.4 We will work with the following partners plus any other relevant agencies to effectively address anti-social behaviour<sup>1</sup>:
- Dyfed Powys Police
  - Fire Service
  - Health Services (including Community Mental Health Teams and Substance Misuse Services)
  - Support providers
  - Voluntary Sector Agencies
  - Housing Associations

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<sup>1</sup> This list of partners is not exhaustive and we will work with a range of other partners as the need arises.



- 4.5 We will share appropriate and relevant information with our partners, in line with information sharing protocols and the Data Protection Act 1998 and sec 115 of the Crime and Disorder Act 1998.

### **Action to prevent anti-social behaviour**

- 5.1 The Housing Service has a regular presence on the ground and officers will tackle or report any estate management issue they come across to ensure potential problems are addressed early, prior to complaints being received or the issue escalating.
- 5.2 We will give residents information and advice to enable them to resolve problems of anti-social behaviour themselves, where this is possible.
- 5.3 We will work closely with key partners and residents to prevent the incidence of anti-social behaviour.
- 5.4 Where possible, we will work with a range of partners, including tenant groups, to develop initiatives that divert young people from acting anti-socially. We will investigate and work in partnership with a range of agencies to establish projects that:
- reward young people for positive behaviour in their communities
  - address inter-generational conflict.
- 5.5 We will support tenant groups who wish to develop diversionary activities for young people by sign-posting them to possible sources of funding.

### **Support**

- 6.1 We will support tenants by providing them with information about our policies and procedures in relation to anti-social behaviour, in particular, information on:
- what anti-social behaviour is
  - how residents can report it
  - what actions we will take
  - the timescale we will take action in
  - what victims and witnesses can expect from us.
- This information will be published on our website, and in relevant publications.
- 6.2 We will support victims and witnesses by:
- listening to them and taking action quickly
  - where necessary and appropriate, consider additional security measures at their homes (such as strengthened locks, personal alarms, security cameras etc.)
  - providing them where necessary with alternative accommodation, where it is unreasonable to expect them to return to their home because of the threat of ASB
  - keeping them informed of the action that we are taking throughout the lifetime of their complaint
  - providing them with reassurance that their complaint is confidential and that we will seek their consent to share any information they have provided with third parties, except where it is apparent that a criminal act has been committed

- referring them to agencies who can provide them with support and advice
- consulting them, where appropriate, on the action we will take
- using professional evidence gatherers in situations where residents are too fearful to act as witnesses.

6.3 We will treat fairly those against whom a complaint is made by:

- speaking with them within 10 working days of the complaint being made<sup>2</sup>
- informing them of the allegations being made against them and listening to their response<sup>2</sup>
- ascertaining whether the person identified as the perpetrator is the one responsible or whether they are themselves the victim.
- giving them the opportunity, if appropriate, to rectify their behaviour and get support<sup>2</sup>
- letting them know how we believe they have breached their tenancy or leasehold agreement
- discussing with them options such as community resolutions, acceptable behaviour contracts, parenting contracts, mediation or other options, before taking formal legal action<sup>2</sup>
- providing them with written notice of any legal action we intend to take against them and the reasons for that action<sup>2</sup>.

6.4 Where the anti-social behaviour can only be remedied through court action, we will do everything we can to ensure that witness's feel supported throughout the process. This will involve explaining to the witness what to expect at the hearing and where necessary and appropriate helping to arrange transport to and from the hearing. There will also be the option of the support service from the Dyfed-Powys ASB service or referral to Victim Support.

6.5 We aim to tackle the causes of anti-social behaviour in our communities by challenging behaviour and providing remedies to resolve the behaviour. We recognise the importance of giving alleged perpetrator(s) the opportunity to modify their behaviour and make positive changes.

6.6 In the majority of cases we will work with alleged perpetrator(s) to resolve the anti-social behaviour and we understand that at times perpetrators may need additional support.

6.7 Where we feel it is appropriate, and with their consent, we will refer alleged perpetrator(s) of anti-social behaviour to other appropriate agencies for assessment and the provision of support, prior to taking formal action.

### **Timely and appropriate action**

7.1 We will respond to all complaints of anti-social behaviour promptly, as defined below.

7.2 Responding within one working day of the complaint if it involves actual or threats of violence or hate crime,

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<sup>2</sup> Except where there is violence or the threat of violence involved, when we will consider taking immediate legal action without notice. In this event you will have the opportunity to state your case in court.

- 7.3 Responding within 5 working days of the complaint if it doesn't involve violence or threats of violence.
- 7.4 Our response to all reported incidents of anti-social behaviour will involve interviewing the complainant, investigating their complaint, and determining the most appropriate course of action.
- 7.5 If the complaint involves violence or threats of violence we will agree an action plan with the complainant/witness within 1 working day of their interview.
- 7.6 If the complaint does not involve violence or threats of violence we will agree an action plan with the complainant/witness within 5 working days of their interview.
- 7.7 In all cases we will let the complainant know what action we will be taking and indicate how long we believe this will take.
- 7.8 We will keep the complainant up to date with our actions and ensure we speak to them at least once a month.
- 7.9 In all cases we will make contact with the alleged perpetrator(s) of acts of anti-social behaviour to advise them of the allegations that have been made against them and give them the opportunity to explain their actions unless specifically requested not to.
- 7.10 We will take action in order to prevent anti-social behaviour from recurring. We recognise that every case of anti-social behaviour is unique and we will determine our approach to each case based on the evidence we collect during our investigations. The action that we take will be proportionate and appropriate to the behaviour that is being reported and the alarm and distress caused to the complainant(s). We will generally take action to regain possession of the home of perpetrators of anti-social behaviour as a last resort, where all other approaches have failed.<sup>3</sup>
- 7.11 We will adopt a robust approach to anti-social behaviour. All cases will be considered for referral to the Dyfed Powys ASB Service where HMOO's can request that the case be discussed at the Multi-Agency Problem-solving Group. We may attempt to secure court orders to prevent the re-occurrence of anti-social behaviour and commence possession proceedings as our primary course of action.
- 7.12 We will adopt an incremental approach to addressing minor acts of anti-social behaviour, providing the perpetrator with the opportunity to change their behaviour to prevent the escalation of action against them.
- 7.13 In addressing anti-social behaviour we will use one or a combination of the following measures, depending on the circumstances of the case:
- informal contact with the perpetrator

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<sup>3</sup> In some serious anti-social behaviour cases our approach may involve the commencement of possession proceedings, as our primary course of action.

- verbal and written warnings
- support and counselling
- referral to mediation
- use of acceptable behaviour contracts (ABCs)
- use of parenting contracts
- court action to secure a range of orders to prevent re-occurrence of anti-social behaviour, such as:
  - Undertakings
  - Civil Injunctions
  - Criminal Behaviour Orders
  - Dispersal Powers
  - Community Protection Notices
  - Public Spaces Protection Orders
  - Closure Powers
- court action to secure possession of the home of either a secure or introductory tenant

- 7.14 We will close cases when the anti-social behaviour has been resolved and the complainant is happy for us to do so. In instances where the complainant fails to provide us with information or make contact with us we will consider all of the available evidence before deciding to close the case. We will notify the victim of our conclusion by personally contacting them and confirm this in writing.
- 7.15 If we are satisfied we have taken every reasonable and proportionate step to resolve the anti-social behaviour we will close the case, even if the complainant does not want us to. We will explain the reasons why we have closed the case and will provide alternative advice.
- 7.16 We will regularly review cases to prevent them from being left open indefinitely.
- 7.17 We will re-open a case at any time where a further incident connected to the case has been reported to us.
- 7.18 We will speak with both the complainant and alleged perpetrator at an appropriate time to see if they feel fairly treated and how satisfied they are with our response to addressing the problem. These performance measures will be published each year in line with the ASB Service Standard.

### **Community Trigger**

- 8.1 Where a complainant believes no action has been taken in relation to their complaint, they will now be able to use the Community Trigger to demand action, starting with a review of their case. For further information, please visit [Powys Community Safety Partnership](#).

## **PART 3      EQUALITIES**

### **Introduction**

1.1      The Council is committed to giving an equal service to all.

### **Procedures and Practices**

2.1      The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.

2.2      Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **Information**

3.1      The Council will in all reasonable circumstances make information available in a variety of information formats, including **for example**:

- braille
- large print
- audio tape

3.2      Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.

## **PART 4      REVIEWING DECISIONS, COMPLAINTS AND COMPLIMENTS**

### **Introduction**

- 1.1      The Council is committed to improving service delivery and putting right any mistakes.

### **Review**

- 2.1      Anyone that is affected by a decision of the Council's Housing Service is entitled to ask for an independent review from a manager or team leader that was not involved in the making the decision.

### **Complaints and Compliments**

- 3.1      The Council welcomes all feedback from customers because it helps to improve services.
- 3.2      When the Council receives a complaint, the Corporate Complaints Procedures will be followed.
- 3.3      The Council will aim to clarify any issues about which someone is not sure.
- 3.4      Where possible, the Council will put right any mistakes it may have made.
- 3.5      Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- 3.6      The Council will aim to learn from mistakes and good practice and use the information gained to improve services.

## **PART 5      REVIEW OF ANTI-SOCIAL BEHAVIOUR POLICY**

- 1.1      This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
  
- 1.2      Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.





# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Anti-social Behaviour Policy  
Public Consultation

Date of report: 28th September 2016  
Report author: Kelly Jones  
Policy and Strategy Officer

## **1. Key Findings and conclusion**

The responses give support to the policy. Respondents find it easy to read and no respondent indicates that any part of the policy discriminates. One respondent did question the inclusion of a clause which was explained and no further response has been received.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Council) is landlord of 5,400 Council homes and 110 leasehold flats. It aims to ensure that tenants and leaseholders live peacefully in their own homes and communities. The Council recognises that failure to tackle anti-social behaviour effectively could substantially blight the quality of life for those people living with anti-social behaviour, and can also damage our ability to develop sustainable communities.

The Housing Service has reviewed and updated the existing Anti-Social Behaviour policy to ensure staff, tenants and residents are aware of what constitutes anti-social behaviour, how a complaint can be made and what action can be expected from all parties involved.

The policy should enable tenants to exercise their rights as Council tenants. It should provide Housing Staff with a reference on which they can base their decisions.

The consultation enabled Housing staff, tenant representatives and external stakeholders to provide comments.

### **2.2. Background to the consultation and engagement**

A draft policy was discussed as part of a working group including housing staff, Dyfed Powys ASB Services and a representative of the Neighbourhood Management Team. It was also discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group prior to the public consultation. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The proposed policy and a survey response form were sent to all Housing staff, Tenants' Liaison Forum members and Housing Services Group 100.

In addition, the following external stakeholders have been sent the proposed policy and response form:

- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys

- Shelter Cymru
- Tai Pawb
- Care & Repair in Powys
- Chartered Institute of Housing Cymru.
- Powys Teaching Health Board

In addition the consultation was published on the Tenant Engagement Facebook page.

There was a four week response period.

The consultation approach was agreed with the Corporate Consultation Officer.

### 2.3. Response rate

Ten completed questionnaires have been received together with one separate query from a County Councillor. 9 are from Council tenants and one is from a County Councillor. None of the external stakeholders have responded.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any issues.

### 2.4. Profile data

#### *Gender*

Female	7
Male	2
Unknown	1

#### *Age*

Under 18	0
18-35 years	0
35-59 years	2
60 or over	8

#### *Disability*

day-to-day activities limited a lot	1
day-to-day activities limited a little	4
day-to-day activities not limited	5

#### *Welsh*

Speak Welsh	1
Speak, read and write Welsh	0
No Welsh skills	8
Speak some Welsh	1

The response numbers are small, but it stands out no people under the age of 35 have responded and that the vast majority were over 60 years of age.

## 2.5. A note about market research and consultations

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## 3. Question by question analysis

**Question 1: Do you find the policy easy or difficult to understand?**

### Answers

easy	10
difficult	0

**Question 2: Please tell us if you find anything unclear.**

No responses were recorded.

**Question 3: Do you feel there is something missing in the policy? Does anything needs changing?**

No responses were recorded

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

Comment 1: Re clause 1.2 “You can’t be against a perpetrator if they have some emotional/mental unwellness /disability, causing their refusal to mend their ways”

Response 1: One of the key principles of the policy is to recognise that some individuals and/or families may need support to help them to work with us to change their behaviour and where appropriate, and with their consent they will be referred to appropriate agencies for assessment and the provision of support.

Action 1: None

### **3.1 General Comments**

Comment 1: Point 5.4 in this policy states: ‘reward young people for positive behaviour in the community’. How exactly is it proposed to do this?

Response 1: This was added to allow for the possibility of future schemes being undertaken to provide diversionary activities for those causing or potentially causing ASB to participate in.

In the past, the Community Safety Partnership used to hold the funding from Welsh Government in relation to Safer Communities (under 18’s) – from this they used to fund a range of projects (Powys X-treme, YMCA, Motor Vehicle Project etc.) plus they always had a pot specifically for Diversionary Activities which could be used to deliver both big projects (e.g. Wildcamp) and initiatives specifically tailored to individuals who were either engaged or on the brink of becoming involved in ASB.

This fund is now a regional fund (Dyfed-Powys) and is paid to the Youth Justice Service.

In addition this may be something the Tenants and Residents Association may want to get involved in with a recent example being the Gurnos Play Pod the ownership of which has been passed to Gurnos Tenants and Residents Association.

Action 1: This response was provided as clarification with the invite for re-wording to be suggested but no response received back so no action taken.

# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Rosemarie Harris
<b>Policy / Change Objective / Budget Saving</b>	Anti-Social Behaviour Policy						
<b>Outline Summary</b>							
This ASB policy looks to update the current ASB policy which was last reviewed in 2005. It aims to ensure tenants, residents and staff are aware of what constitutes anti-social behaviour, how a complaint can be made and what action can be expected from all parties involved.							

1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Kelly Jones	Housing Policy and Strategy Officer	8/11/16
2	Kelly Jones	Housing Policy and Strategy Officer	13/12/16

How does your policy / change objective / budget saving impact on the council's strategic vision?

Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> <small>(after mitigation)</small> Please select from drop down box below	Source of Outline Evidence to support judgement
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Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
Services delivered for less	There is a stronger emphasis in this policy on the importance and benefit of working together with other partner agencies in providing support to both the complainant and perpetrator to ensure a satisfactory outcome. The sharing of information with partners such as Dyfed Powys ASB Services, police, fire service etc. where appropriate can also work to ensure early intervention and put in measures to prevent the issue from escalating.	Good	No impact	Choose an item.	Regular attendance of the Housing Service at Multi-Agency Problem Solving Groups, establishment of Fire Safety Working Group which includes Senior Officers, Team Leaders, Fire Officers and Housing Staff.
Supporting people in the community	The aim of the policy is to ensure tenants and residents live safely and securely in their own homes and communities. Clarifying how anti-social behaviour will be dealt with, increases the chance of developing sustainable communities and ensuring a better quality of life.	Good	Robust procedures need to be developed to run alongside the policy to ensure staff know how to implement the policy. In addition a separate policy on Hate Crime and Domestic Abuse needs to be developed as previously these were included as part of the ASB policy.	Good	Feedback from staff.
Developing the economy	No impact	Choose an item.		Choose an item.	
Learning	No impact	Choose an item.		Choose an item.	



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3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> <small>(after mitigation)</small> Please select from drop down box below	Source of Outline Evidence to support judgement
<p><b>A prosperous Wales:</b>                      An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>No impact</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><b>A resilient Wales:</b>                      A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>No impact</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<p><b>A healthier Wales:</b>  A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>The aim of the policy is to ensure tenants and residents live safely and securely in their own homes and communities. Clarifying how anti-social behaviour will be dealt with, increases the chance of ensuring a better quality of life both mentally and physically. The policy stresses the importance of not underestimating how a person’s behaviour can affect another and acknowledges that different people can become distressed and alarmed by different activity. This is important to bear in mind for those who may already suffer with mental health. . It helps to raise awareness of those that may be easier targets for ASB such as those who have a disability and as a result there is an emphasis on early intervention and getting the right support for both complainant and perpetrator.</p>	<p>Good</p>	<p>Robust procedures need to be developed to run alongside the policy to ensure staff know how to implement the policy. In addition a separate policy on Hate Crime and Domestic Abuse needs to be developed as previously these were included as part of the ASB policy. It is also important to get the right measures in place to evidence the positive or negative impact our policy and procedures are having. We acknowledge there are some gaps in our equality data especially with regards to disability and wherever possible the Housing IT system must be updated so we can be sure everyone is being treated equitably.</p>	<p>Good</p>	<p>Out of a total of 5218 current tenants, 95 of the primary tenants are recorded as having an impairment, 15 of which is a mental impairment. Gaps in the reporting of those with a disability in Powys has been noted.</p>
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Tudalen 161	<p><b>A Wales of cohesive communities:</b>                  Attractive, viable, safe and well-connected Communities.</p>	<p>The aim of the policy is to ensure tenants and residents live safely and securely in their own homes and communities. Clarifying how anti-social behaviour will be dealt with, increases the chance of developing sustainable communities and ensuring a better quality of life. The policy also encourages the Housing service to work with a range of partners, including tenant groups, to develop initiatives that divert young people from acting anti-socially and establish projects that reward young people for positive behaviour in their communities and address inter-generational conflict all of which support a more cohesive community.</p>	Good	<p>It is important to get the right measures in place to evidence the positive or negative impact our policy and procedures are having. A more joined up approach with other agencies such as Housing Associations should be encouraged where each organisation has stock in the same area. Closer working in house between the Housing Management and Options Officers and the Engagement team to get a clearer picture of what each can do for the other to promote a cohesive community.</p>	Good	<p>Positive feedback re joint working project with Newydd Housing Association and Probation re estate clean up project.</p> <p>Success of Gurnos Play Pod the ownership of which has been passed to Gurnos Tenants and Residents Association.</p> <p>Tenant Satisfaction Survey</p>	
	<p><b>A globally responsible Wales:</b>                  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	No impact	Choose an item.		Choose an item.		
	<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>						
	<p><i>Opportunities for persons to use the Welsh language</i></p>	No impact	Choose an item.		Choose an item.		
	<p><i>Treating the Welsh language no less favourable than the English language</i></p>	No impact	Choose an item.		Choose an item.		

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	<i>Opportunities to promote the Welsh language</i>	No impact	Choose an item.		Choose an item.	
	<i>Welsh Language impact on staff</i>	No impact	Choose an item.		Choose an item.	
	<i>People are encouraged to do sport, art and recreation.</i>	No impact	Choose an item.		Choose an item.	
<b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).						
Tudalen 162	<i>Age</i>	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	The Housing service needs to capture better quantitative data regarding the 9 protected characteristics to reduce the number of unknowns and improve on the reporting aspect of these characteristics. In turn the right measures need to be put in place so we can better evidence the impact of the policy.	Good	The Housing Service have recorded the age of 75% of the 6842 people recorded to live in Council Housing. Many people, especially people that are not named on a tenancy are not recorded. This includes most children. Current primary tenants as at Oct 2016 0-17: 0.1% 18 – 34: 14.6% 35 – 64: 46.8% 65+:38.4%
	<i>Disability</i>	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	Census 2011 figures show that “a larger proportion Council tenants indicate their day to day activities are limited a little or a lot, compared with all tenures”. 31% Council tenants and 21% all tenures.

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<i>Gender reassignment</i>	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	The Housing Service does not record gender reassignment of its tenants.
<i>Marriage or civil partnership</i>	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	The Housing Service has the ability to record whether someone is a partner. It does not specify whether they are married or in a civil partnership. Census 2011 figures show relatively more people are cohabiting in Council homes than across all tenures.

Tudalen 163

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Tudalen 164

<p><i>Race</i></p>	<p>The policy includes an equalities section, which aims to ensure all tenants are treated equitably</p>	<p>Neutral</p>	<p>As above</p>	<p>Good</p>	<p>According to census 2011 data 99.1% of Council tenants was white, compared with 99.0% for all tenures. As of Oct 2016, we only have data for 61.2% of our current tenants and of that percentage, 99.1% are white.          White: 99.1%          Asian / Asian British: 0.6%          Mixed / Multiple ethnic groups: 0.1%          Black, African, Caribbean, British: 0.1%</p>
<p><i>Religion or belief</i></p>	<p>The policy includes an equalities section, which aims to ensure all tenants are treated equitably</p>	<p>Neutral</p>	<p>As above</p>	<p>Good</p>	<p>As of Oct 2016 only 33.5% of religious belief is recorded against our current tenants. Of that 33.5 % the breakdown is as follows:          Christian: 52.4%          None: 42.6%          Buddhist: 0.4%          Hindu: 0.3%          Muslim: 0.3%          Jewish: 0.3%          Sikh: 0.3%          Other: 4.4%</p>

**Appendix C**  
**Cyngor Sir Powys County Council**  
**Impact Assessment (IA)**

*The integrated approach to support effective decision making*



Tudalen 165

Sex	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	As of Oct 2016, 53.1% current female tenants, 46.9% current male tenants. There seem to be relatively more females in Council Housing, compared with all tenures
Sexual Orientation	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	<p>As of Oct 2016, the Service has recorded sexual orientation against less than 10% of its tenants. Of those recorded 98.6% identify themselves as heterosexual or straight and 0.8% as gay or lesbian and bisexual.</p> <p>The Office for National Statistics states that 1.6% of the population in Wales identifies themselves as gay or lesbian and bisexual in 2015.</p>

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<i>Pregnancy and Maternity</i>	The policy includes an equalities section, which aims to ensure all tenants are treated equitably	Neutral	As above	Good	The Housing Service does not record pregnancy and maternity of its tenants. There is no data available on pregnancy and maternity in Council Housing in Powys.
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Tudalen 166

How does your policy / change objective / budget saving impact on the council's other key guiding principles?

<b>Principle</b>	<b>How does the policy / change objective impact on this principle?</b>	<b><u>Inherent Judgement</u></b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b><u>Residual Judgement (after mitigation)</u></b> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Sustainable Development Principle (5 ways of working)</b>					
<b>Long Term:</b> <i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i>	One of the main aims of the policy is to ensure sustainable communities and provide tenants and residents with a home and community they feel safe and secure in and can remain in for the long term.	Good	Robust procedures need to be developed to run alongside the policy to ensure staff know how to implement the policy. In addition a separate policy on Hate Crime and Domestic Abuse needs to be developed as previously these were included as part of the ASB policy. It is also important to get the right measures in place to evidence the positive or negative impact our policy and procedures are having.	Good	Tenant Satisfaction Survey



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Tudalen 167

<b>Principle</b>	<b>How does the policy / change objective impact on this principle?</b>	<b><u>Inherent Judgement</u></b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b><u>Residual Judgement</u></b> (after mitigation) Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<p><b>Collaboration:</b> <i>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.</i></p>	<p>The policy encourages the housing service to work alongside a host of partner agencies to achieve its aims. Detail of agencies are listed in the policy</p>	<p>Very Good</p>	<p>Following the development of a common housing register partnership, the housing service is starting to look at other ways in which collaborative working may be of benefit. With regards to ASB, the sharing of information, consistent procedures and joint initiatives would help achieve further success in this area.</p>	<p>Good</p>	<p>Multi-agency Problem Solving Group. Joint working with Housing Association Partners re unacceptable behaviour exclusion panels.</p>
<p><b>Involvement (including Communication and Engagement):</b> <i>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</i></p>	<p>This policy has been discussed with the policies sub-group from the Tenants' Liaison Forum and a staff working group. A public consultation has taken place involving TLF members and Housing Services Group 100. Feedback has been given.</p>	<p>Very Good</p>	<p>We will learn from experience and use the feedback to improve future consultations.</p>	<p>Very Good</p>	<p>Consultation questionnaires Feedback to Tenant Liaison Forum</p>

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Tudalen 168

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<p><b>Prevention:</b> <i>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.</i></p>	<p>Early intervention and prevention is key to this ASB policy. At the start of each tenancy the Housing Management and Options Officers should go through the tenancy agreement making each tenant aware of their rights and responsibilities and the consequences of breaching these tenancy conditions. The Housing Service is also trying to ensure each tenant attends a tenant ready course which also highlights the responsibilities of being a good tenant but attendance to this course is poor. Due to high workload, Housing Management and Options Officers are also struggling to carry out estate visits on a regular basis which is key to the early intervention process. In conjunction with the Common Allocation Policy we aim to prevent ASB from occurring in the first place by making sensitive lettings and aiming to carry out new tenant home visits.</p>	<p>Good</p>	<p>A review of the Common Housing Register approach which includes the Tenant Ready project is due to take place mid-November. Additional HMOO Team Leader jobs are also currently being advertised which may alleviate some of the workload of HMOO's and allow them to spend the necessary time out on the estates, nipping issues in the bud.</p>	<p>Good</p>	<p>Feedback from CHR review</p>

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Tudalen 169

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<p><b>Integration:</b> <i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>The policy encourages the housing service to work alongside a host of partner agencies to achieve its aims. Detail of agencies are listed in the policy. Key to partnership working succeeding is communication, trust and openness.</p>	<p>Neutral</p>	<p>Sharing of information where appropriate is key to integration and in some areas this is better than others. Housing will be using the same IT system as social services in the New Year which will help with the sharing of information to ensure the best outcome for the client. Continued attendance at multi-agency problem solving groups is key. The introduction of the Renting Homes Act will bring in one standard tenancy used by local authorities, housing associations and the private rented sector which will also help with a joined up integrated approach to how matters of ASB and support should be dealt with.</p>	<p>Good</p>	
<p><b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.</p>	<p>No impact</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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Tudalen 170

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> (after mitigation) Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	Domestic abuse, child neglect, violence or the threat of violence etc. as well as being a criminal action are also included as ASB under this policy and will be dealt with accordingly, however, due to the specific nature and seriousness of these issues more in-depth training and specific policies need to be developed.	Neutral	A separate Domestic Abuse and Hate Crime policy are to be developed and all housing staff are to undertake the Level 1 training course on awareness raising on Violence against women, Domestic Abuse and Sexual Violence (VAWDASV). We also need to evaluate the referring process to Social Services and the follow up within SS. Raise staff awareness "Ask – Act".	Good	In 2015 the Powys Community Safety Partnership recorded 829 incidents of domestic abuse reported to police. We don't know how many of these incidents took place in Council Housing. In 2015/2016 there were 35 households homeless or threatened with homelessness that involved domestic abuse. 7 of those households have been housed in Council Housing.
<b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.	The policy aims to put the right support in place for all those affected by the ASB including the victims and perpetrators which may include looked after children and to work with agencies including social services.	Neutral		Choose an item.	On 31 March 2015 there were 136 looked after children in Powys, of which 116 in foster care. We don't know how many of those are housed in Council Housing.

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Tudalen 171

Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Impact on PCC Workforce</b>	Clarification of the policy will have a positive impact on the PCC workforce in particular that of housing staff as it provides clear, concise guidance based on up to date legislation.	Good	Robust procedures need to be developed to run alongside the policy to ensure staff know how to implement the policy and any necessary training identified must be put in place. In addition a separate policy on Hate Crime and Domestic Abuse needs to be developed as previously these were included as part of the ASB policy. It is also important to get the right measures in place to evidence the positive or negative impact our policy and procedures are having.	Very Good	

5. Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget Saving	Inherent Risk
Low	Low	Low

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks			
N/A			
Judgement (to be included in service risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk

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			<b>X</b>
<b>Mitigating Actions</b>			<b>Residual Risk (after mitigation)</b>
			Choose an item.
			Choose an item.
			Choose an item.
<b>Does the Policy / Change Objective / Budget Saving have potential to impact on another service area?</b>			
Hopefully it will lead to greater collaborative working between housing and other services such social services and environmental health.			

7. Overall Summary and Judgement of this Impact Assessment?

Judalen 172	<b>Outline Assessment (to be inserted in cabinet report)</b>	<b>Cabinet Report Reference:</b>	
	The impact of this policy is low with it being a review of a current policy that is already in place. Its aim is to ensure tenants and residents have a better quality of life and to promote sustainable communities. It clarifies what constitutes anti-social behaviour, how a complaint can be made and what action can be expected from all parties involved. It looks to promote greater partnership working both within the council and with other third partner agencies and helps achieve the well-being goals of a healthier Wales and a Wales with cohesive communities.		

8. Is there additional evidence to support the Impact Assessment (IA)?

<b>What additional evidence and data has informed the development of your proposal?</b>
Public consultation responses are limited in numbers and indicate that the policy is easy to understand. The consultation responses do not indicate anything is missing from the policy and have not highlighted any potential discrimination.

9. On-going monitoring arrangements?

<b>What arrangements will be put in place to monitor the impact over time?</b>
This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect. The mitigating actions will need to be put in place including the procedures and measures to ensure monitoring can take place.
<b>Please state when this Impact Assessment will be reviewed.</b>
The IA will be reviewed in line with the policy i.e. every 3 years unless there are circumstances that require a review, for example a change in legislation or regulation.

10. Sign Off

<b>Position</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
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**Appendix C**  
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*The integrated approach to support effective decision making*



<b>Service Manager:</b>	David Roffey		
<b>Head of Service:</b>	Simon Inkson		
<b>Strategic Director:</b>	Paul Griffiths		
<b>Portfolio Holder:</b>	Rosemarie Harris		

**FORM ENDS**

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Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol



## CYNGOR SIR POWYS COUNTY COUNCIL

**REPORT FOR DELEGATED DECISION BY  
Portfolio Holder for Property, Buildings and Housing Cllr Rosemarie Harris  
May 2017**

**REPORT AUTHOR:** Simon Inkson - Head of Housing

**SUBJECT:** Housing Service - Income Collection and Recovery Policy

**REPORT FOR:** Decision

## 1 Summary

- 1.1 This report seeks approval for an Income Collection and Recovery Policy which will apply to all income generated from the Housing Revenue Account (HRA) assets.
- 1.2 The report is supported by the following appendices:
- A The proposed policy
  - B Consultation response summary
  - C Impact Assessment (IA)

## 2 Background

- 2.1 The Council's Housing Service (the Service) is landlord of around 5,400 Council homes, 110 leasehold flats, 2,000 garages, 2 Gypsy and Traveller sites and several other assets. The service aims to provide an effective income collection and recovery service to keep rent arrears and other debts at the lowest possible level.

The Service is responsible for the collection of rents, service charges and other income. This policy will formalise existing practice. The policy describes what support and advice tenants, licensees and leaseholders will receive. This enables them to understand their responsibilities to pay on time and their entitlement to benefits and credits. Where debts do arise, the Council aims to take prompt action in line with this policy.

The policy enables tenants to exercise their rights as Council tenants. It should provide Housing Staff with a reference on which they can base their decisions.

- 2.2 The Council's Housing Service (the Council) aims to keep rent arrears and other debts at the lowest possible level, in order to maximise income to the Housing Revenue Account (HRA) and to demonstrate good financial management.
- 2.3 The policy formalises existing practice in Powys.
- 2.4 The policy's contents are as follows:
- 1 Informing and advising tenants
  - 2 Rental charges
  - 3 Rechargeable repairs
  - 4 Leasehold flats charges
  - 5 Former occupier debt
  - 6 Other charges and garage rents

- 7 Writing off debt
- 8 Equalities
- 9 Reviewing decisions, complaints and compliments
- 10 Review of the income collection and recovery policy.

2.5 Draft versions of the policy have been discussed with:

- Policies subgroup of the Tenants' Liaison Forum
- Legal Services
- Relevant Housing staff

2.6 A public consultation was carried out. The key findings are attached to this report.

### **3 Proposal**

3.1 This report seeks approval for an Income Collection and Recovery Policy which will apply to all income generated from the Housing Revenue Account (HRA) assets.

### **4 One Powys Plan**

4.1 This policy will enable to sustain and improve income collection and recovery. It is not expected the policy will result in higher collection rates, as it formalises current practice and income collection is already a high priority for the Service.. The policy aims to support people in Council housing to check and use benefits and credits they are entitled to receive. This is existing practice.

### **5 Preferred Choice and Reasons**

5.1 The preferred choice is to approve the policy to ensure consistency across the County.

5.2 The second choice is not to approve the policy. This would mean that there is a risk Officers will use slightly different approaches to base their decisions upon.

### **6 Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

6.1 The policy formalises current practice.

### **7 Children and Young People's Impact Statement - Safeguarding and Wellbeing**

7.1 The policy formalises current practice. .

### **8 Local Member(s)**

8.1 This policy applies to all Council HRA property in Powys.

## **9 Other Front Line Services**

9.1 There will be no changes to other front line services. This policy confirms existing practice.

## **10 Support Services (Legal, Finance, HR, ICT, BPU)**

10.1 Legal - The Professional Lead - Legal supports the proposal recommended in this report as it is important that such a policy is in place so that the housing service can be transparent equal and uniform in its approach towards income collection and recovery.

10.2 Finance – The Finance Business Partner notes the content of the report which will ensure consistency across Powys in regards to income collection and recovery.

10.3 There will be no changes to support services. This policy confirms existing practice.

## **11 Local Service Board/Partnerships/Stakeholders etc**

11.1. The following stakeholders have been invited to read the policy and provide comments as part of the public consultation.

- all Housing staff
- Heads of Service
- Tenants' Liaison Forum members
- Housing Services Group 100
- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru

11.2. Consultation responses are detailed in the consultation report, appendix B.

## **12 Communications**

12.1 The new policy will be published on the corporate website. Individual Council tenants will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

## **13 Statutory Officers**

13.1 The Deputy Monitoring Officer notes the content of the report, the legal comment and has nothing further to comment upon.

13.2 The Strategic Director Resources (S151 Officer) notes the comments made by Finance.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Income Collection and Recovery Policy for HRA property.</b>	<b>The policy formalises current good practice and ensures consistency across Powys.</b>

<b>Relevant Policy (ies):</b>			
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>David Roffey</b>
<b>Date By When Decision To Be Implemented:</b>	<b>1 February 2017</b>

<b>Contact Officer Name:</b>	<b>Tel:</b>	<b>Fax:</b>	<b>Email:</b>
Henk Jan Kuipers	07917172854	-	<a href="mailto:henk.jan.kuipers@powys.gov.uk">henk.jan.kuipers@powys.gov.uk</a>

**Background Papers used to prepare Report:**

- CIH practice online
- Pre-Action Protocol for Possession Claims by Social Landlords

**Appendices**

Appendix A: Proposed Income Collection and Recovery Policy

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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**Appendix A**

**CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Income Collection and Recovery Policy

Version	For Portfolio Holder decision (17-11-2016)
Reference	POL LL Income

## **Housing Services Income Collection and Recovery Policy**

### **Contents**

- 1 Informing and advising tenants
- 2 Rental charges
- 3 Rechargeable repairs
- 4 Leasehold flats charges
- 5 Former occupier debt
- 6 Other charges and garage rents
- 7 Writing off debt
- 8 Equalities
- 9 Reviewing decisions, complaints and compliments
- 10 Review of the income collection and recovery policy

### **Policy background and coverage**

- a. The Council's Housing Service (the Council) aims to keep rent arrears and other debts at the lowest possible level, in order to maximise income to the Housing Revenue Account (HRA) and to demonstrate good financial management.
- b. This policy will aim to support and advise tenants, licensees and leaseholders, enabling them to understand their responsibilities and entitlement to benefits and credits.
- c. Where debts do arise, the Council will take prompt action in line with this policy.
- d. The Council will ensure that it manages the recovery of debt process in accordance with best practice and relevant policy, legislation and Council Housing service standards.
- e. The Council will ensure that, where it has discretion, this is exercised in a reasonable, fair and equitable manner.

## **1 Informing and advising tenants**

### **1.1 Objective**

- a. The Council will provide tenants with clear information on paying rent and service charges, as well as the recovery of arrears.
- b. In addition the Council will provide a service to assist tenants to access benefits and debt counselling in order to reduce arrears.

### **1.2 Information and advice**

- a. The Council will provide accessible information about the importance of paying rent in the tenants' handbook, leaflets, and newsletters.
- b. Efforts will be made to help those with specific needs, for example, those who lack basic skills in literacy or numeracy. All the information will be clear and easy to understand.
- c. The Council will publish articles in Open House and the Council Tenants' webpage about benefit advice and support available to tenants.
- d. At the start of each tenancy the Council will:
  - I. advise the tenant on obligations for paying the rent and the consequences of not paying regularly
  - II. inform the tenant what the Council will do in the case of rent arrears;
  - III. advise on methods available for paying rent
  - IV. advise on and assist with applying for housing benefit or universal credit
  - V. advise on where to obtain independent help with claiming welfare benefits, with budgeting or with debt counselling
  - VI. explain the dates the rent is due
  - VII. explain that joint tenants are legally jointly and severally liable for any debts
  - VIII. agree an appointment for a post-occupancy 'settling in' visit to check, amongst other things, that rent payments are being made and any benefit claims have been successfully processed
  - IX. identify vulnerable tenants, to ensure that rent payment and arrears recovery procedures are appropriate and that any additional support needs are identified and agreed
- e. The Council will make a range of payment methods available to tenants, including:
  - I. Direct Debit
  - II. PayPoint (cash only); – a Council Rent swipe card is necessary
  - III. Post Office (cash, cheque or debit card) – a Council Rent swipe card is necessary
  - IV. by debit or credit card:
    - online

- via the automated phone line
  - over the phone
- f. The Council will offer to send a rent statement periodically. The options available are quarterly, bi-annually or annually.
- g. The Council will send a rent statement within five working days of a tenant's request.
- h. The Council will give at least four weeks' notice in writing of any change to the rent or service charges. This does not include Housing Benefit or Universal Credit changes.
- i. Where tenant's financial circumstances have changed, for example when a tenant's entitlement to Housing Benefit or Universal Credit has (partly) stopped, the Council will offer advice and assistance on how to pay rent, and where to obtain independent help with budgeting skills.
- j. The Council will arrange to visit a tenant to discuss changed circumstances on request of the tenant.



## **2 Rental charges**

### **2.1 Objective**

The Council will reduce the amount of arrears and avoid new arrears.

### **2.2 Rent arrears**

- a. This section covers rent arrears under secure and introductory tenancies, as well as any other agreements where a rent is paid.
- b. The Council will contact tenants who have rent arrears. Where it has not been possible to make contact, Council staff will aim to arrange a home visit.
- c. The Council will send a first reminder letter after two weeks in the case of a secure tenancy and one week in the case of a non-secure agreement.
- d. Where debts cannot be cleared in full with a single payment, the Council will offer an affordable repayment arrangement, based on the tenant's income and expenditure.
- e. The Council will work closely with the Supporting People Team, Money Advice Team and with external agencies, to support tenants in maximising their income and paying their rent to sustain tenancies.
- f. The Council will liaise with the Council's Income & Awards Team to ensure that tenants are receiving their full entitlement to benefit and credit.
- g. The Council will send a second reminder letter if a tenant continues to miss payments. This is usually after four weeks in the case of a secure tenancy and two weeks in the case of non secure agreements.

### **2.3 Remedies**

- a. Where a tenant continuously fails to pay the sum outstanding or persistently breaks the terms of the repayment agreement, the Council will serve a notice to terminate the agreement or notice of seeking possession.
- b. In the case of an introductory tenancy, the tenant will have the right to ask for a review by a Senior Officer within 2 weeks of serving the notice.
- c. Where the arrears are not cleared or payments received as per the repayment agreement, within four weeks after serving the notice, the Council will enter the matter into the County Court seeking a possession order.

- d. Applying to the Court to seek possession of a tenant's home is considered as a measure of last resort after all other efforts to recover arrears have failed. The Council will not take possession action against tenants where repayment agreements have been made and are being kept.
- e. The Council will only take possession action where the Council is satisfied that any outstanding Housing Benefit and Universal Credit issues have been resolved.
- f. Where the Council seeks possession of the home, a money judgement order will be sought at the same time.
- g. Where the Council enters a tenant into Court, the Council will encourage the tenant to attend Court and provide information on sources of independent advice and support.
- h. The Council will continue to offer advice and information to tenants on debt repayments, the requirements of Court Orders and where to obtain independent help.
- i. Where the Council returns to Court to seek a warrant for the eviction of a tenant the Council will:
  - I. liaise with the Council's Homelessness Lead
  - II. liaise with Powys People Direct where the Council believes there is a vulnerable adult living in the household
  - III. Liaise with Powys People Direct where the Council is aware there are children living in the home
- j. All evictions will be authorised by the Service Manager Tenancy Services.
- k. The Council will only consider a current tenant debt to be cleared after the rent arrears and any Court costs have been repaid in full.

### **3 Rechargeable repairs**

#### **3.1 Objective**

The Council will recover rechargeable repairs and minimise outstanding debt. Rechargeable repairs are repairs that are the responsibility of the tenant or leaseholder and carried out by the Council.

#### **3.2 Paying for rechargeable repairs**

- a. Payment will be required in full before any rechargeable repairs work is carried out, with the following exceptions:
  - I. An emergency response is required.
  - II. The property has to be made secure at the direction of the police where they have forced entry. Costs will be recharged as appropriate to either the resident or the police.
  - III. The disrepair is a health and safety risk to the tenant or others.
  - IV. The disrepair could cause or is causing damage to other parts of the property or to other properties.
  - V. The Council considers that the disrepair could lead to deterioration in the appearance of the area.
  - VI. The Council is satisfied that genuine hardship exists.
- b. Where a tenant incurs a rechargeable repair the Council will send an invoice for the outstanding amount.
- c. The Council will contact tenants who have not cleared outstanding amounts. Where it has not been possible to make contact, Council staff will aim to arrange a home visit.
- d. Where debts cannot be cleared in full with a single payment, we will offer an affordable repayment arrangement, based on the tenant's income and expenditure.
- e. The Council will work closely with the Supporting People Team, Money Advice Team and with external agencies, to support tenants in maximising their income and paying their debt in order to sustain tenancies.

#### **3.3 Remedies**

- a. Where a tenant fails to pay for a rechargeable repair or persistently breaks the terms of the repayment agreement, the Council will enter the matter into the County Court seeking a judgement, usually a money judgement order.
- b. Where the Court makes a judgement in the Council's favour, appropriate action will be taken to enforce the judgement and possibly, where appropriate, to seek possession.

## **4 Leasehold flats charges**

### **4.1 Objective**

The Council will reduce the amount of arrears and avoid new arrears.

### **4.2 Paying charges**

- a. Leasehold owners will be asked to pay the rent, costs and charges as detailed in their lease agreement.
- b. The Council will provide leasehold owners with service charge accounts on an annual basis. The information will include details of how charges have been calculated.
- c. The Council will make a range of payment methods available to leasehold owners, including:
  - V. Direct Debit
  - VI. PayPoint (cash only); – a Council Rent swipe card is necessary
  - VII. Post Office (cash, cheque or debit card) – a Council Rent swipe card is necessary
  - VIII. by debit or credit card:
    - online
    - via the automated phone line
    - over the phone
- d. The Council will deal with non-payment of service charges in line with the same principles as apply to rent arrears. This means a clear explanation of responsibilities, information about benefits, debt advice, budgeting and sources of independent advice.
- e. The Council will contact leasehold flat owners, who are in arrears. Where it has not been possible to make contact, Council staff will aim to arrange a home visit.
- f. Where debts cannot be cleared in full with a single payment, the Council will offer an affordable repayment arrangement, based on the leaseholder's income and expenditure. This arrangement can consist of periodic payments or registering a charge on the property.

### **4.3 Remedies**

- a. Where a leasehold owner has either failed to agree to a repayment plan or has breached the terms of the repayment plan and the owner has a mortgage, the Council will contact the mortgage provider advising them of the non-payment of service charges.

- b. The Council will follow the same principles that apply to rent arrears, when dealing with a breach of the lease agreement by non-payment.
- c. Any additional costs that the Council will need to make to recover debt will be charged to the leasehold owner.
- d. The first reminder letter will be sent two weeks after the due date, followed by a second reminder letter after another two weeks, followed by a notice Court action will be taken.
- e. The Council will initiate action in the County Court to recover the debt, initially via a money judgement order. If this is unsuccessful the Council will then seek to recover the debt via repossession of the property.

## **5 Former occupier debt**

### **5.1 Objective**

The Council will seek to recover as much income owed by former occupiers as possible.

### **5.2 Actions**

- a. The Council will seek the new address of all former occupiers, including former tenants, former non-secure tenants and leaseholders, who leave owing the Council an outstanding debt. This includes rent arrears, service charge arrears, rechargeable repairs, Court costs or any other debt.
- b. Where the Council is able to locate the new address of a former occupier who owes a housing debt to the Council, the Council will send an invoice for the sum outstanding.
- c. Where the debt relates to a former occupier who has died, the Council will contact their next of kin or the executor of the estate to establish whether the former occupier's estate had sufficient funds to cover the debt. Where there are sufficient funds to repay the debt, the Council will arrange with the former occupier's next of kin or executor for repayment.
- d. Where the Council becomes aware of the whereabouts of a former occupier whose debt has been written off, and the debt is not statute-barred, we will re-instate their debt and make arrangements for recovery of the outstanding sums.

### **5.3 Remedies**

- a. Where a former occupier has failed to make arrangements to repay the debt, or has failed to comply with the terms of a repayment agreement, the Council will seek a money judgement order and will undertake appropriate recovery action.
- b. Where a Court has granted a money judgement order against a former occupier, the Council will seek to enforce it.
- c. The Council might use external debt collection agencies to recover former occupier debt on the Council's behalf.

## **6 Other charges and garage rents**

### **6.1 Objective**

The Council will recover garage rents and other charges and minimise outstanding debt.

### **6.2 Paying charges**

- a. The Council will offer to send a statement annually.
- b. Where weekly or monthly payments are due, the Council will send a rent statement within 5 working days when a tenant, licensee or leaseholder asks for one.
- c. Where the Council propose to increase the rent or charge, it will do this in line with the terms of the signed agreement.
- d. The Council will aim to prevent accruing debts.
- e. The Council will deal with non-payment of other charges and garage rents in line with the same principles that apply to rent arrears. This means a clear explanation of responsibilities, information about benefits, debt advice, budgeting and sources of independent advice.
- f. The Council will contact those in debt.
- g. Where debts cannot be cleared in full with a single payment, the Council may offer an affordable repayment arrangement, based on the income and expenditure.

### **6.3 Remedies**

Where someone does not pay the debt or has breached the terms of the repayment plan, the Council will seek to end the agreement and recover any debt.

## **7 Writing off debt**

### **7.1 Objective**

The Council will write off debts which are considered unrecoverable.

### **7.2 Writing off debt**

- a. From time to time the Council will write off the debts of former occupiers and in very exceptional circumstances debts of current tenants. Debts can be written off for the following reasons:
  - I. the debt is uneconomic to recover;
  - II. the Council has been unable to trace the former occupier;
  - III. the former occupier died leaving no funds in their estate;
  - IV. recovery action has proven unsuccessful;
  - V. recovery of the debt would cause severe financial hardship;
  - VI. the Council has received a debt relief order or bankruptcy order in relation to a debt.
  
- b. All debts will be written off in accordance with the corporate's debt recovery procedures on recommendation of the Housing Resources Team Leader.



## **8 Equalities**

### **8.1 Introduction**

The Council is committed to giving an equal service to all.

### **8.2 Procedures and practices**

- a. The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.
- b. Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **8.3 Information**

- a. The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:
  - I. Braille;
  - II. large print;
  - III. audio tape.
- b. Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.

## **9 Reviewing decisions, complaints and compliments**

### **9.1 Introduction**

The Council is committed to improve service delivery and put right any mistakes.

### **9.2 Review**

Anyone that is affected by a decision of the Council's Housing Service is entitled to ask an independent review from a manager or team leader that was not involved in making the decision.

### **9.3 Complaints and compliments**

- a. The Council welcomes all feedback from customers, because it helps to improve services.
- b. When the Council receives a complaint, the Corporate Complaints Procedure will be followed.
- c. The Council will aim to clarify any issues that are deemed unclear.
- d. Where possible, the Council will put right any mistakes it may have made.
- e. Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- f. The Council will aim to learn from mistakes and good practice and use the information gained to improve services.

**10 Review of this policy**

- a. This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
- b. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Income Collection and Recovery Policy  
Public Consultation

Date of report : 9 November 2016  
Report author : Henk Jan Kuipers  
Housing Service Improvement Officer

## **1. Key findings and conclusion**

The respondents give support to the policy. They find it easy to read and no one indicates that any part of the policy discriminates against anyone. Comments and suggestions have led to improving the wording of the policy.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Service) is landlord of around 5,400 Council homes, 110 leasehold flats and 2,000 garages. It aims to provide an effective income collection and recovery service to keep rent arrears and other debts at the lowest possible level.

The Service is responsible for the collection of rents, service charges and other income. This policy aims to formalise existing practice. The policy describes what support and advice tenants, licensees and leaseholders will receive. This enables them to understand their responsibilities to pay on time and their entitlement to benefits and credits. Where debts do arise, the Council aims to take prompt action in line with this policy.

The policy should enable tenants to exercise their rights as Council tenants. It should provide Housing Staff with a reference on which they can base their decisions.

The consultation enabled Housing staff, other Council Services, tenant representatives and external stakeholders to provide their views.

### **2.2. Background to the consultation and engagement**

A draft policy was discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group prior to the public consultation. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The proposed policy and a survey response form were sent to:

- all Housing staff
- Heads of Service
- Tenants' Liaison Forum members
- Housing Services Group 100

The following external stakeholders have been sent the proposed policy and response form:

- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys

- Shelter Cymru
- Tai Pawb
- Chartered Institute of Housing Cymru.

In addition the consultation was advertised on the Powys County Council Tenant Engagement Facebook page.

There was a four week response period.

The consultation process was agreed with the Corporate Consultation Officer.

The Housing Service consults with Tenant Service Monitors and Tenants' Liaison Forum Policies Sub Group to improve the consultation process.

Feed back has been that it should be considered to offer the option to fill in a questionnaire on line. Previously, an on line survey was used for the WHQS compliance policy. The WHQS compliance consultation was published on the Council's "Have your say" page. Developing this facility required additional staff resource, including staff from other services than the Housing Service. The response rates were very low and it was considered not worth the extra effort to have an on line survey in addition to the e-mailed questionnaire. People can opt for questionnaires on paper instead of e-mail.

### 2.3. Response rate

Thirteen completed questionnaires have been received. Eleven are from Council tenants, one from a County Councillor and one from someone working for the Council. None of the external stakeholders have responded.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any additional issues.

### 2.4. Profile data

#### Sex

Female	8
Male	4
No answer	1

#### Age

Under 18	0
18-35 years	0
35-59 years	3
60 or over	9
No answer	1

#### Disability

day-to-day activities limited a lot	1
day-to-day activities limited a little	6
day-to-day activities not limited	6



### Welsh

Speak Welsh	3
Speak, read and write Welsh	0
No Welsh skills	10

The response numbers are small, but it stands out no people under the age of 35 have responded.

## 2.5. A note about market research and consultations

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## 3. Question by question analysis

### Question 1: Do you find the policy easy or difficult to understand?

#### Answers

easy	12
difficult	0
No answer	1

### Question 2: Please tell us if you find anything unclear

### Question 3: Do you feel there is something missing in the policy? Does anything needs changing?

The following comments were received. Below each comment is the response.

A. 2.2.b. / 3.2.c.: fax? Seriously? This is the 21<sup>st</sup> century.

Response: removed the ways in which the Council may contact tenants.

B. 3.: explain clearly what a rechargeable debt is.

Response: added the following: “Rechargeable repairs are repairs that are the responsibility of the tenant or leaseholder and carried out by the Council.”

C. 4.2.d.: sentence doesn’t make sense. “known more vulnerable”

Response: standard home visits to known vulnerable tenants who are in debt has been removed. It is Housing staff’s responsibility to communicate in an effective way. Staff will have to follow the Pre-Action Protocol for Possession Claims by Social Landlords. This protocol includes communicating with vulnerable tenants. The proposed policy states that Housing staff will work closely with the Supporting People Team, Money Advice Team and with external agencies, to support tenants in maximising their income and paying their debt in order to sustain tenancies.

D. 1.2.e. / 4.2.b.: change to

- i. Direct Debit
- ii. PayPoint (cash only) – a Council Rent swipe card is necessary
- iii. Post Office (cash, cheque or debit card) – a Council Rent swipe card is necessary
- iv. By debit or credit card – online/via the automated phone line/over the phone

Response: changed.

E. 2.3.c.+d.: confusing – is there a word or two missing from d?

Response: deleted part of the sentence.

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

No responses were recorded, other than that there would be no discrimination.

# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Cllr Rosemarie Harris
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<b>Policy / Change Objective / Budget Saving</b>	Income Collection and Recovery Policy - Housing
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#### Outline Summary

The Council's Housing Service (the Service) is landlord of around 5,400 Council homes, 110 leasehold flats, 2,000 garages, 2 Gypsy and Travellers sites and other rented assets. The Service aims to provide an effective income collection and recovery service to keep rent arrears and other debts at the lowest possible level.

The Service is responsible for the collection of rents, service charges and other income. This policy aims to formalise existing practice. The policy describes what support and advice tenants, licensees and leaseholders will receive. This enables them to understand their responsibilities to pay on time and their entitlement to benefits and credits. Where debts do arise, the Council aims to take prompt action in line with this policy.

The policy enables tenants to exercise their rights as Council tenants. It provides Housing staff with a reference document on which they can base their decisions.

Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Henk Jan Kuipers	Housing Service Improvement Officer	08-11-2016
2	Henk Jan Kuipers	Housing Service Improvement Officer	10-01-2017

2. How does your policy / change objective / budget saving impact on the council's strategic vision?

Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> <small>(after mitigation)</small> Please select from drop down box below	Source of Outline Evidence to support judgement
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Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> (after mitigation) Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Services delivered for less</b>	The policy will enable to sustain and improve income collection and recovery. It is not expected the policy will result in higher collection rates, as it formalises current practice and income collection is a high priority for the Service already.	Neutral	No negative impacts foreseen.	Neutral	Income collection as stated in the Service Improvement Plan: Collected 99.69% of rent collectable during the financial year 2015/16.
<b>Supporting people in the community</b>	The policy aims to support people in Council housing to check and use benefits and credits they are entitled to. This is existing practice.	Neutral	No negative impacts foreseen.	Neutral	
<b>Developing the economy</b>	No impact expected.	Choose an item.		Choose an item.	
<b>Learning</b>	No impact expected.	Choose an item.		Choose an item.	

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3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> <small>(after mitigation)</small> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>A prosperous Wales:</b> An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.	No impact expected.	Choose an item.		Choose an item.	
<b>A resilient Wales:</b> A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).	No impact expected.	Choose an item.		Choose an item.	
<b>A healthier Wales:</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.	No impact expected.	Choose an item.		Choose an item.	
<b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected Communities.	No impact expected.	Choose an item.		Choose an item.	

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<p><b>A globally responsible Wales:</b>  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The following articles in the Human Rights Act are most relevant to Council Housing  Article 6: Right to a fair trial  Article 8: Right to respect for private life, family life and the home  Article 14: Prohibition of Discrimination</p> <p>The policy confirms existing practice and therefore the judgement is neutral.</p> <p>The policy provides a clear process that should be followed, including the option to ask for an independent review, complaints, and tenants should be provided with advice where to get independent support in the event they will have to go to court relating to pay arrears. The policy aims to give tenants every reasonable opportunity to remain in their home, like repayment arrangements and support to check they receive all the benefits and credits they are entitled to, advice where to obtain independent budget advice or debt counselling. Discrimination is assessed as part of “a more equal Wales”.</p>	<p>Good</p>		<p>Neutral</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>					
<p><i>Opportunities for persons to use the Welsh language</i></p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<i>Treating the Welsh language no less favourable than the English language</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Opportunities to promote the Welsh language</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Welsh Language impact on staff</i>	No impact expected.	Choose an item.		Choose an item.	
<i>People are encouraged to do sport, art and recreation.</i>	No impact expected.	Choose an item.		Choose an item.	
<b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).					
<b>The policy does confirm existing practice and the Service is committed to ensure that information is communicated in a way that suits the tenant. The public consultation has not indicated the policy discriminate against the protected characteristics.</b>					
<i>Age</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Disability</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Gender reassignment</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Marriage or civil partnership</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Race</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Religion or belief</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Sex</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Sexual Orientation</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Pregnancy and Maternity</i>	No impact expected.	Choose an item.		Choose an item.	

Tudalen 205

4. How does your policy / change objective / budget saving impact on the council's other key guiding principles?

<b>Principle</b>	<b>How does the policy / change objective impact on this principle?</b>	<b><u>Inherent Judgement</u></b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b><u>Residual Judgement (after mitigation)</u></b> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Sustainable Development Principle (5 ways of working)</b>					

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Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> (after mitigation) Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Long Term:</b> <i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i>	No impact expected.	Choose an item.		Choose an item.	
<b>Collaboration:</b> <i>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.</i>	No impact expected. The Service is working with support providers and this will not change as part of this policy.	Choose an item.		Choose an item.	
<b>Involvement (including Communication and Engagement):</b> <i>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</i>	Tenant representatives have discussed the draft policy and public consultation has been undertaken.	Good		Choose an item.	
<b>Prevention:</b> <i>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.</i>	No impact expected. Existing practice remains to prevent rent arrears from occurring.	Choose an item.		Choose an item.	
<b>Integration:</b> <i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i>	No impact expected. Existing practice to work with Income and Awards to ensure the Service ha the whole picture and tenants get what they are entitled to.	Choose an item.		Choose an item.	
<b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.	No impact expected.	Choose an item.		Choose an item.	



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Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.	No impact expected.	Choose an item.		Choose an item.	
<b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.	No impact expected.	Choose an item.		Choose an item.	
<b>Impact on PCC Workforce</b>	The policy provides clarity about all issues regarding maintenance and repairs. This will assist staff to refer to the policy when taking decisions.	Very Good		Choose an item.	

Tudalen 207

Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget Saving	Inherent Risk
Low	Low	Low

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks			
None, the policy confirms existing practice.			
Judgement (to be included in service risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			Low (1)
Mitigating Actions			Residual Risk (after mitigation)

# Appendix C

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	Choose an item.
	Choose an item.
	Choose an item.
<b>Does the Policy / Change Objective / Budget Saving have potential to impact on another service area?</b>	
No, existing practice.	

#### 7. Overall Summary and Judgement of this Impact Assessment?

<b>Outline Assessment (to be inserted in cabinet report)</b>	<b>Cabinet Report Reference:</b>
The proposed policy formalises existing practice. The expected impact is that it will provide clarity for staff and for that need to pay the Service. It increases accountability, transparency and continuity of service delivery.	

#### 8. Is there additional evidence to support the Impact Assessment (IA)?

<b>What additional evidence and data has informed the development of your proposal?</b>
None

#### 9. On-going monitoring arrangements?

<b>What arrangements will be put in place to monitor the impact over time?</b>
The policy will be reviewed in 3 years' time or when legislation changes. Service standards require the Service to report on: <ul style="list-style-type: none"> <li>• % of rental income collected</li> <li>• % of former tenant rent income collected</li> <li>• % of rechargeable repair income collected</li> <li>• % of leaseholder service charge income collected</li> </ul>
<b>Please state when this Impact Assessment will be reviewed.</b>
When reviewing the policy.

#### 10. Sign Off

Position	Name	Signature	Date
<b>Service Manager:</b>	David Roffey		
<b>Head of Service:</b>	Simon Inkson		

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<b>Strategic Director:</b>	Paul Griffiths		
<b>Portfolio Holder:</b>	Clr Rosemarie Harris		

**FORM ENDS**

Tudalen 209

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

## CYNGOR SIR POWYS COUNTY COUNCIL

## REPORT FOR DELEGATED DECISION

Portfolio Holder for Property, Buildings and Housing Cllr Rosemarie Harris  
May 2017

**REPORT AUTHOR:** Simon Inkson - Head of Housing

**SUBJECT:** Housing Service - Adaptations Policy for Council Tenants

**REPORT FOR:** Decision

## 1 Summary

- 1.1 This report seeks approval for an Adaptations to Council Housing Policy which will apply to all homes owned and managed by the Housing Revenue Account (HRA).
- 1.2 The report is supported by the following appendices:
- A The proposed policy
  - B Consultation response summary
  - C Impact Assessment (IA)

## 2 Background

- 2.1 This policy describes how the Service helps long-term sick, frail and disabled tenants to remain in their homes and carry out essential daily activities.

The policy provides tenants with a service that assesses their needs. Depending on the individual's need the Service will carry out adaptation works to the property. Common adaptations are for example grab rails or a level access shower. If following assessment, it is not possible or cost effective to carry out an adaptation, the Service will assist the tenant to move to more suitable accommodation, for example on the ground floor to avoid the use of stairs.

If the Service decides that adaptations are carried out to Council homes, the Council will be responsible for the costs of any such adaptations deemed appropriate and/or necessary.. Council leaseholders will receive the same support as other home-owners and might be entitled to Disabled Facilities Grant to help with funding of the adaptation.

The policy enables tenants to exercise their rights as Council tenants. It provides Housing Staff with a reference on which they can base their decisions.

The policy is based on the previous policy from 2012 and no significant changes are proposed.

In practice the Service will also use the policy to shift emphasis from simply adapting a current home to considering and assessing a tenant's future needs.. It is anticipated that this will result in fewer adaptations requiring removal after the tenant has vacated the property. Where accommodation is inherently unsuitable to the tenant's needs, the tenant will be supported to move to suitable accommodation. This will prevent adapting inherently unsuitable accommodation. There are

safeguards in the policy to ensure that the best outcome for the tenant and the Council is achieved. People that choose not to move, might have minimal adaptations carried out to their home.

Secondly the Social Services and Well-being Act will change the way Occupational Therapists assess needs. It is unclear if this new way of assessing will lead to different recommendations to achieve the desired outcome for the tenant. A continuing dialogue with OTs will remain necessary to ensure future compliance with relevant legislation.

2.2 The policy's contents are as follows:

- 1 Allocating homes
- 2 Adapting and improving accommodation
- 3 Eligibility
- 4 Assessment
- 5 Adaptation process
- 6 Alternative suitable accommodation
- 7 After adapting the home
- 8 Adaptations by tenants and freestanding equipment
- 9 Equalities
- 10 Reviewing decisions, complaints and compliments
- 11 Review of adaptations policy

2.3 Draft versions of the policy have been discussed with:

- Policies subgroup of the Tenants' Liaison Forum
- Legal Services
- Relevant Housing staff
- Occupational Therapists

2.4 A public consultation was carried out. The key findings are attached to this report.

### **3 Proposal**

3.13.1 This report seeks approval for an Adaptations to Council Housing Policy which will apply to all homes owned and managed by the Housing Revenue Account (HRA).

### **4 One Powys Plan**

4.1 Although the policy follows current practice, it is anticipated it will lead to a more resource efficient service and better outcomes for tenants to remain independent in their homes or move to accommodation that better suits their needs.

### **5 Preferred Choice and Reasons**

5.1 The preferred choice is to approve the policy to ensure consistency across the County and to continue to provide an efficient adaptations service.

5.2 The second choice is not to approve the policy. This would mean that the current policy remains in place and an increased risk Officers will use different approaches throughout the County.

## **6 Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc**

6.1 The policy formalises current practice. .

## **7 Children and Young People's Impact Statement - Safeguarding and Wellbeing**

7.1 The policy formalises current practice. .

## **8 Local Member(s)**

8.1 This policy applies to all Council property in Powys.

## **9 Other Front Line Services**

9.1 There will be no changes to other front line services. This policy confirms existing practice.

## **10 Support Services (Legal, Finance, HR, ICT, BPU)**

10.1 Legal – The Professional Lead – Legal recognises that it is important to have a policy in place to support this issue and for the sake of a consistent equalities approach and confirms that the legal services will advise and assist where required.

10.2 Finance – The Finance Business Partner notes the content of the report and if the policy is adapted will ensure consistency in Powys. This will need to be undertaken within the current financial envelope.  
The Capital and Financial Planning Accountant confirms that there is an Adaptations Budget in the HRA Capital Programme for large schemes and a revenue budget for small schemes.

10.3 Depending on demand there might be an additional need for Occupational Therapist capacity. People live longer healthy, but when a health condition develops, people live longer with that condition. The Service will keep monitoring and reporting monthly on the adaptations service.

## **11 Local Service Board/Partnerships/Stakeholders etc**

11.1. The following stakeholders have been invited to read the policy and provide comments as part of the public consultation.

- all Housing staff
- Heads of Service
- Team Manager Reablement Service
- Occupational Therapists
- Tenants' Liaison Forum members
- Housing Services Group 100
- Powys Teaching Health Board

- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Care & Repair in Powys
- Chartered Institute of Housing

11.2. Consultation responses are detailed in the consultation report, appendix B. This has not resulted in significant changes. Respondents support the policy and find it easy to read.

## 12 Communications

12.1 The new policy will be published on the corporate website. Individual Council tenants and leaseholders will be informed of the policy through Open House Magazine and the Tenant Engagement Facebook page. The Tenants' Liaison Forum Members will be informed. There will be a link on the Council's Housing Service intranet page to the corporate website.

## 13 Statutory Officers

13.1 The Deputy Monitoring Officer notes the content of the report.

13.2 The Strategic Director Resources (S151 Officer) notes the comment made by Finance that the policy will be delivered within the current revenue financial envelope and Capital budgets.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To approve the Adaptations Policy for Council Tenants.</b>	<b>The policy formalises current good practice and ensures consistency across Powys.</b>

<b>Relevant Policy (ies):</b>	
<b>Within Policy:</b>	<b>Y</b>
<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All</b>
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<b>Person(s) To Implement Decision:</b>	<b>Dafydd Evans</b>
<b>Date By When Decision To Be Implemented:</b>	<b>1 February 2017</b>

Contact Officer Name:	Tel:	Fax:	Email:
Henk Jan Kuipers	07917 172854	-	henk.jan.kuipers@powys.gov.uk

### Background Papers used to prepare Report:

- CIH practice online
- Powys County Council Housing Adaptations Policy for Council Tenants, October 2011 (revised September 2012)



- Criteria for recommending adaptations for people with disabilities (up-dated and approved November 2012), Powys County Council Occupational Therapy Service

## **Appendices**

Appendix A: Adaptations Policy for Council Tenants

Appendix B: Key findings from consultation

Appendix C: Impact assessment

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**Appendix A**

**CYNGOR SIR POWYS COUNTY COUNCIL**

Housing Services

Adaptations Policy for Council Tenants

Version	For Portfolio Holder decision (17-02-2017)
Reference	POL LL Adaptations

## **Housing Services Adaptation Policy for Council Tenants**

### **Contents**

1	Allocating homes
2	Adapting and improving accommodation
3	Eligibility
4	Assessment
5	Adaptation process
6	Alternative suitable accommodation
7	After adapting the home
8	Adaptations by tenants and freestanding equipment
9	Equalities
10	Reviewing decisions, complaints and compliments
11	Review of adaptations policy

### **Policy background and coverage**

- a. The Council's Housing Service (the Council) aims to help long-term sick, frail and disabled tenants to remain in their homes and carry out essential daily activities.
- b. The Council will assess the need for installing adaptations in Council homes for tenants and their household.
- c. Where it is not possible or practical to carry out adaptation works, the Council will assist tenants in finding suitable alternative accommodation.
- d. The Council will ensure that it manages the adaptations process in accordance with best practice and relevant policy, legislation and Council Housing service standards.
- e. The Council will ensure that, where it has discretion, this is exercised in a reasonable, fair and equitable manner.

# **1 Allocating homes**

## **1.1 Objective**

The Council ensures adequate processes are in place to allocate and improve Council homes to meet the needs of residents, with regards to their specific needs.

## **1.2 Housing allocation**

- a. The Council keeps a register of Council accommodation designated for older or disabled people.
- b. The Council maintains a Common Housing Register jointly with participating housing associations. Households that need or would like to move are accepted on the register.
- c. Household applicants that state they have specific housing needs, as a result of a medical condition or impairment, are professionally assessed by a Housing Management & Options Officer and where necessary by an Occupational Therapist.
- d. The Council ensures that designated accommodation is allocated to households that meet the qualifying criteria in accordance with the joint allocations policy.

## **1.3 New build or acquiring property**

Where necessary the Council will consider utilising the Social Housing Grant programme or other capital funding stream to meet need through new build or by acquiring a suitable existing property.

## **2 Adapting and improving accommodation**

### **2.1 Objective**

The Council aims to make its housing stock more accessible and usable to current and future tenants, both through adaptations to meet individual needs and improving all properties.

### **2.2 Adaptations to meet individual needs**

- a. The Council will professionally assess the needs of tenants and their household to understand clearly what the need is and how the Council can assist meeting that need.
- b. The Council will consult with tenants or any carer working on their behalf, throughout the process from assessment to completion.
- c. The assessment will include a home visit by a Trusted Assessor or Occupational Therapist where appropriate.
- d. Any recommended adaptations must be necessary, appropriate, reasonable and practicable to meet the household's needs and must be cost effective for the Council.
- e. The assessment will take into account:
  - I. existing adaptations in the home
  - II. the type of accommodation occupied
  - III. the adaptability of the home
  - IV. the availability of the tenant's existing support network and carers
  - V. cost effectiveness of adaptations
  - VI. availability of alternative more suitable accommodation
- f. Adaptations, other than minor adaptations, will not be undertaken where the person requiring adaptations is on the Common Housing Register or intending to move from the property.

### **2.3 Welsh Housing Quality Standard**

- a. The Council aims to achieve the Welsh Housing Quality Standard by 2018 to ensure that dwellings are of good quality and suitable for the needs of existing and future residents.
- b. The dwelling should have the necessary physical adaptations to suit the professionally assessed requirements of the tenants.
- c. The Council considers the particular requirements of individuals and/or groups and where the existing dwelling falls short of their needs, look at possible remedies.

- d. Accessibility issues should be addressed when considering dwellings to be occupied by those with a mobility impairment. This applies mainly to bungalows and blocks of flats designated for older people.

### **3 Eligibility**

#### **3.1 Objective**

- a. The Council will ensure that an agreed process will be followed to assess needs and carry out adaptations to meet the assessed needs, where reasonable.
- b. Any request for an adaptation needs to be submitted in writing by the tenant, Occupational Therapist or Trusted Assessor, unless otherwise agreed with the Council.
- c. The Council will inform the tenant in writing of any decision taken.

#### **3.2 Requests for tenants and their household**

The Council will consider requests for adaptations from all Council tenants for themselves, as well as for permanent members of their household that occupy the home as their only or principal home at the time of the request.

#### **3.3 Requests for lodgers, sub-tenants and other non-permanent household members**

- a. Adaptations for people other than the tenant and their permanent household, will only be considered in exceptional cases. These people are not considered part of the tenant's household and only have limited rights to remain resident at that property. Any adaptations may be of limited or short-term benefit.
- b. It needs to be demonstrated that the lodger, sub-tenant or other person not a permanent member of the household, is a long term resident of the property for at least three years.
- c. It also needs to be demonstrated that there is significant hardship, for example not being able to access or egress the accommodation.
- d. Approval of standard and major adaptations can only be granted by the Service Manager Housing Solutions in conjunction with the relevant Cabinet Member.
- e. Where people move in and are added to the tenancy agreement they are regarded as permanent members of the household.

#### **3.4 Requests before signing a tenancy**

- a. The Council will ask applicants for the Common Housing Register if they have any specific needs.



- b. Where tenants indicate they have specific needs, the Council will professionally assess those needs.
- c. The Council will where possible ensure the applicant is matched with a suitable Council home.
- d. Where necessary and circumstances allow, the Council will adapt a property before the tenant moves in, to minimise disruption for the tenant.

### **3.5 Right to Buy**

- a. Requests for adaptations will not normally be approved where terms for the sale and purchase of a council property has been agreed under the Right to Buy and completion of the sale is imminent.
- b. If a major adaptation is required during the course of a Right to Buy application it is important that any work undertaken is included in the valuation under Right to Buy wherever possible.
- c. Where a valuation has already been agreed and adaptations are subsequently required the Council will decide on a case by case basis how to proceed and where necessary take legal advice.
- d. The Council will decide whether the adaptation should proceed, and if so followed by a new valuation or whether the existing valuation should be honoured.

## **4 Assessment**

### **4.1 Objective**

The Council ensures there is a transparent process in place to assess the need from tenants to carry out adaptation works. Housing staff and occupational therapists undertaking assessments will take current legislation and guidance into account.

### **4.2 Levels of adaptations**

The Council differentiates between three levels of adaptations:

- I. minor adaptations
- II. standard adaptations
- III. major adaptations

### **4.3 Minor adaptations**

- a. Minor adaptations are adaptations with an estimated value up to £500 in any of the Council's homes.
- b. Examples of minor adaptations that are available:
  - I. grab rails
  - II. lever taps
  - III. additional stair rails
  - IV. smoke alarms for people with a hearing impairment
  - V. replacing recessed or knob style handles to kitchen units doors and drawers
  - VI. relocating sockets and/or switches
  - VII. additional sockets for appliances required for functional/medical equipment needs
  - VIII. half steps to improve the accessibility of steep or high steps and thresholds
- c. A tenant should contact their Housing Management & Options Officer or Housing Surveyor to discuss a request for minor adaptations.
- d. Any member of the Housing Service that is qualified as a Trusted Assessor can decide on carrying out minor adaptations or ask an Occupational Therapist to assess the tenant's needs if necessary.
- e. The Council will agree with the tenant, and where necessary Occupational Therapist on the installation of minor adaptations.

### **4.4 Standard adaptations**

- a. Standard adaptations are certain adaptations with an estimated value over £500 in homes designated for older people or disabled people.

- b. Standard alterations available are:
  - I. replacing baths with level access showers
  - II. ramps
  - III. widening doors
  - IV. door intercom
  - V. removing older storage, solid-fuel and oil heating systems
- c. A tenant should contact their Housing Management & Options Officer to discuss a request for standard adaptations.
- d. Any member of Housing staff that is qualified as a Trusted Assessor can decide on carrying out standard adaptations or ask an Occupational Therapist to assess the tenant's needs if necessary.
- e. The Council will agree with the tenant, and where necessary Occupational Therapist the installation of standard adaptations.

#### **4.5 Major adaptations**

- a. Major adaptations are adaptations with an estimated value over £500 not being a standard adaptation.
- b. Examples of major adaptations are:
  - I. stair and through floor lifts
  - II. ceiling tracks
  - III. mobility standard kitchens
  - IV. additional WC and wash facilities
  - V. door entry systems
  - VI. level access showers for general needs
  - VII. ramps for general needs
  - VIII. heating for general needs
  - IX. widening doors for general needs
- a. An assessment and recommendation by an Occupational Therapist is needed before the Council takes a decision on major adaptations.
- b. Tenants can arrange an assessment by a Social Services' Occupational Therapist by:
  - I. contacting Powys Council Social Services;
  - II. contacting a Housing Management & Options Officer who will make necessary arrangements;
  - III. referrals from Social Services Staff or medical practitioners.
- c. The Occupational Therapist will visit the home and agree a plan of action with the tenant. This plan might include recommending adaptations to the home or considering alternative, more suitable accommodation. Individual support needs from tenants should be taken into account when taking a decision.

- d. The Council will let the tenant know in writing which adaptations can be carried out or if the Council recommends moving to alternative accommodation.

#### **4.6 Refusing adaptations**

- a. Where the Council refuses to carry out adaptations the Council will inform the tenant in writing, including the reasons for refusal.
- b. Where agreement between the Council and the tenant can't be reached, the Council will inform the tenant in writing of its proposal to meet the tenant's need.
- c. Examples of reasons to refuse adaptations are:
  - I. Adaptations cannot be carried out safely or they affect the structural stability of the home.
  - II. There are concerns about the age and condition of the property.
  - III. The property will not meet the tenant's long-term needs. This is a period not less than five years after the adaptation. The Council will consider each case on its merits.
  - IV. The architectural and structural characteristics of the dwelling may render certain types of adaptation inappropriate.
  - V. The practicalities of carrying out adaptations to properties with narrow doors, stairways and passages which might make wheelchair use in and around the dwelling difficult, or properties with limited access, e.g. steep flights of steps making access for wheelchair users impossible and therefore making continued occupation of the dwelling open to question.
  - VI. There are competing needs of different members of the tenant's family which cannot be met in that particular home.
  - VII. Access ramps would adversely affect the amenity of the area for other residents.
  - VIII. The Council has obtained a warrant for eviction due to a breach of tenancy conditions, for example due to rent arrears or anti-social behaviour.
- d. Where the Council does not consider it reasonable and practicable to adapt the property, the tenant will be given priority for the next available suitable property which meets their needs.

## **5 Adaptation process**

### **5.1 Objective**

The Council will ensure there is a process to carry out adaptations in Council Homes after agreement with the tenant and where necessary Occupational Therapist.

### **5.2 Minor adaptations**

- a. The Council will ensure that minor adaptations are completed in a timely manner, but no later than 40 days after the request is received.
- b. Minor adaptations are carried out by staff from the Responsive Maintenance Team or Care & Repair in Powys.

### **5.3 Standard and major adaptations**

- a. The Council will agree a timescale with the tenant for carrying out the adaptation and any actions that need to be undertaken, for example the process before appointing a contractor or obtaining planning permission.
- b. The Council will inform the tenant when the adaptation leads to an increase of rent or service charge.
- c. The Council will inform the tenant which contractor(s) will carry out the adaptation(s) and provide contact details of the contractor.
- d. The Council keeps the tenant informed of any changes in the timescale or change of contractor(s), and agree a new timescale if necessary.
- e. The Council will advise the tenant that once the order is raised it is valid for 90 days.

### **5.4 Budgets and restrictions**

- a. The Council aims to deliver adaptations cost effectively.
- b. Where possible the Council will incorporate standard or major adaptations within existing planned maintenance and improvement programmes.
- c. Where this is not possible, for example due to the urgency of the tenant's need, specific adaptations or there not being a planned programme, the adaptation works will be ordered separately.
- d. The Council's Housing Service will fund agreed adaptations in Council homes up to a maximum limit of £36,000.

- e. Where the estimated costs are over £36,000, the Housing Service Senior Management Team can authorise the adaptation. The Council will take into account the overall level of need of the tenant and household and assess the effectiveness of the adaptations over the longer term. The Council will also take into account what other options there are available, like moving to a more suitable property.
- f. The Council will allocate a fixed capital and revenue budget each year.
- g. Should demand for adaptations exceed the finance available, the Council will prioritise adaptation works. The Council will consult with Occupational Therapists, before deciding on the highest priority cases and delaying lower priority cases.
- h. The Council will write to all tenants who are awaiting an adaptation to explain the position and give an indication as to how long they are likely to have to wait.

## **6 Alternative suitable accommodation**

### **6.1 Objective**

Where major adaptations are necessary to make the home suitable for the needs of the tenant and the household, the Council will always consider if a move to suitable alternative accommodation is a more viable alternative.

### **6.2 Recommendation**

- a. A move to suitable alternative accommodation is likely to be recommended in the following circumstances:
  - I. The property does not lend itself to adaptation;
  - II. The household is significantly under-occupying a large property that is unsuitable for their needs;
  - III. The property, even with adaptations will not be suitable for the tenant and household;
  - IV. The cost of adaptations is prohibitively high and a move to adapted or more suitable accommodation is more cost effective;
  - V. The tenant is requesting a move for their own reasons.
- b. The option of a move to suitable alternative accommodation will only be recommended where the Council knows that genuinely suitable accommodation is available.
- c. In identifying suitable alternative accommodation the Council will take due regard of the tenant's preference in terms of location and type and size of accommodation. This is subject to the "*Common housing register allocations policy*".
- d. The Council will discuss with the tenant, the likely waiting time for alternative accommodation and agree jointly, in consultation with the Occupational Therapist, whether this waiting period is acceptable.
- e. Major adaptations can be subject to delay and a move to suitable alternative accommodation could be made more quickly than the time taken to complete the adaptation. This lag time in completing the adaptation will form part of the assessment as to whether a move to alternative suitable accommodation is the recommended option.
- f. If the initial expected waiting time for a move is exceeded or if the tenant's circumstances change, the case will be reviewed. A decision will be made regarding whether a move is still the most appropriate course of action or whether the adaptations to the existing home are now required. All decisions of this type will be made in consultation with the tenant.
- g. In seeking alternative accommodation the Council will work with housing associations. This means Council tenants may be offered accommodation provided by a Registered Social Landlord.

- h. When a tenant moves as the result of a recommendation by an Occupational Therapist, the Council will work with the tenant to support them in the process of moving home. This can be in the form of advice, practical assistance, such as arranging removers, and, where appropriate, financial assistance. Any financial assistance would generally be confined to reimbursing any reasonable out of pocket expenses incurred in the move.



## **7 After adapting the home**

### **7.1 Objective**

The Council aims to keep adaptations available for future use in the case the need for them ceases to exist.

### **7.2 Moving after major adaptations**

- a. Where the Council carries out major adaptations, it is normally expected that the tenant remains in the adapted home for at least five years.
- b. Where a tenant needs to move, the Council will reassess the tenant's changed need. Examples of changed situations are:
  - I. a significant change in medical circumstances;
  - II. a major change in household size and composition;
  - III. accepting employment elsewhere.
- c. Where the tenant moves to a Council home that requires any adaptations to meet the tenant's specific needs, the Council will assess and adapt the property in accordance with the terms of this policy.

### **7.3 Mutual exchange**

The Council may refuse mutual exchange where the home has features which are substantially different from those of ordinary homes and which are designed to make it suitable for occupation by a physically disabled person, who requires accommodation of the kind provided by the home and if the assignment were made there would no longer be such a person residing in the home.

### **7.4 Adaptation no longer required**

- a. In cases where adaptations are no longer required, the adaptations are left in place.
- b. The removal of adaptations will be considered for items which may be used in another home, for example a stair-lift.
- c. If the person for whom the adaptation was provided no longer lives in the property, any remaining tenant(s) may be asked to move to another suitable home, to make the adapted home available for someone that needs the adaptations. Reasonable moving expenses will be paid. Where tenants refuse to move or do not accept a reasonable suitable alternative, the Council may decide to pursue legal action to take possession of the property.

## **8 Adaptations by tenants and freestanding equipment**

### **8.1 Objective**

Where tenants wish to carry out adaptations themselves, the Council will give permission where reasonable.

### **8.2 Alterations**

- a. The Council will ensure there is a procedure in place dealing with alterations carried out by tenants.
- b. All tenants need to obtain written permission from the Council, before carrying out adaptation works in the property.
- c. The Council will not unreasonably withhold permission.
- d. Permission or refusal will always be in writing.
- e. Any alterations need to comply with building regulations and other legal requirements. The Council will attach other conditions to any permission.
- f. The Council will not normally maintain or service any installation made by the tenant. The tenant will be responsible for this.
- g. At the end of the tenancy the tenant may be required to remove any adaptations they have installed and make good any damage to the property. If this is the case the Council will include this as a condition to the permission. The Council can agree to take responsibility for the adaptations in certain cases. Where the Council accepts responsibility this will also be confirmed in writing.

### **8.3 Freestanding equipment**

- a. Occupational Therapists will assess the needs for freestanding aids.
- b. Examples of freestanding equipment are:
  - I. hoists;
  - II. toilet frames;
  - III. bed levers;
  - IV. shower chairs.

## **9 Equalities**

### **9.1 Introduction**

The Council is committed to giving an equal service to all.

### **9.2 Procedures and practices**

- a. The Council's staff and contractors will operate in such a way to ensure that their procedures and practices are sensitive to the needs of individual residents. They will ensure that they do not discriminate in any way.
- b. Enforcement and application of this policy will from time to time need to be tailored to meet the needs of individuals. All cases will be considered on an individual basis.

### **9.3 Information**

- a. The Council will in all reasonable circumstances make information available in a variety of information formats, including for example:
  - I. Braille
  - II. large print
  - III. audio tape
- b. Where specialist services are required to ensure that information is accessible to the tenant or member of their family, the Council will provide these specialist services where reasonable.

## **10 Reviewing decisions, complaints and compliments**

### **10.1 Introduction**

The Council is committed to improve service delivery and put right any mistakes.

### **10.2 Review**

Anyone that is affected by a decision of the Council's Housing Service is entitled to ask an independent review from a manager or team leader that was not involved in making the decision.

### **10.3 Complaints and compliments**

- a. The Council welcomes all feedback from customers, because it helps to improve services.
- b. When the Council receives a complaint, the Corporate Complaints Procedure will be followed.
- c. The Council will aim to clarify any issues about which someone is not sure.
- d. Where possible, the Council will put right any mistakes it may have made.
- e. Where the Council gets something wrong, it will apologise and where appropriate try to put things right.
- f. The Council will aim to learn from good practice and mistakes and use the information gained to improve services.

## **11 Review of this policy**

- a. This policy will be reviewed by the Council every three years unless there are circumstances that require a review, for example a change in legislation or regulation.
- b. Where there has been a change in legislation which has an impact on the policy, the policy will be reviewed within 3 months of the legislation or regulation coming into effect.

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# Appendix B

## Key findings report

Cyngor Sir Powys County Council

Housing Services  
Adaptations Policy for Council Tenants  
Public Consultation

Date of report : 4 November 2016  
Report author : Henk Jan Kuipers  
Housing Service Improvement Officer



## **1. Key Findings and conclusion**

The respondents give support to the policy. They find it easy to read and no one indicates that any part of the policy discriminates. Comments and suggestions have led to one minor improvement of the policy.

## **2. Background**

### **2.1. Background to the policy and purpose of consultation**

The Council's Housing Service (the Service) is landlord of 5,400 Council homes and 110 leasehold flats. This policy describes how the Service helps long-term sick, frail and disabled tenants to remain in their homes and carry out essential daily activities.

The policy aims to provide tenants with a service that assesses their needs. Depending on the individual's need the Service will carry out an adaptation to the property. Common adaptations are for example grab rails or a level access shower.

If it is not possible or not cost effective to carry out an adaptation, the Council will assist the tenant to move to more suitable accommodation, for example on the ground floor to avoid the use of stairs.

If the Council decides that adaptations are carried out, the Council will pay for them.

The policy should enable tenants to exercise their rights as Council tenants. It should provide Housing Staff with a reference on which they can base their decisions.

Council leaseholders will receive the same support as other home-owners and might be entitled to Disabled Facilities Grant to help with funding of the adaptation.

The consultation enabled Housing staff, tenant representatives and external stakeholders to provide comments.

### **2.2. Background to the consultation and engagement**

A draft policy was discussed with members of the Tenants' Liaison Forum's Housing Policies Sub-Group prior to the public consultation. The members are experienced in giving feedback on policies and recommendations on improving Housing services.

The proposed policy and a survey response form were sent to:

- all Housing staff
- Heads of Service
- Team Manager Reablement Service
- Occupational Therapists
- Tenants' Liaison Forum members
- Housing Services Group 100

The following external stakeholders have been sent the proposed policy and response form:

- Powys Teaching Health Board
- PAVO
- Brecon Beacons National Park Authority
- Disability Powys
- Age Cymru Powys
- Shelter Cymru
- Tai Pawb
- Care & Repair in Powys
- Chartered Institute of Housing Cymru.

In addition the consultation was advertised on the Powys County Council Tenant Engagement Facebook page.

There was a four week response period.

The consultation process was agreed with the Corporate Consultation Officer.

The Housing Service consults with Tenants Service Monitors and Tenants' Liaison Policies Sub Group to improve the consultation process.

Feed back has been that it should be considered to offer the option to fill in a questionnaire on line. Previously, an on line survey was used for the WHQS compliance policy. The WHQS compliance consultation was published on the Council's "Have your say" page. Developing this facility required additional staff resource, including staff from other services than the Housing Service. The response rates were very low and it was considered not worth the extra effort to have an on line survey in addition to the e-mailed questionnaire. People can opt for questionnaires on paper instead of e-mail.

### **2.3. Response rate**

Fifteen completed questionnaires have been received. Fourteen are from Council tenants and one from someone working for the Council. In addition a response was received from an occupational therapist. None of the external stakeholders have responded.

Although the response numbers are relatively small, there is no indication additional responses would have highlighted any additional issues.

### **2.4. Profile data**

#### *Sex*

Female	12
Male	3

#### *Age*

Under 18	0
18-35 years	0

35-59 years	3
60 or over	12

### *Disability*

day-to-day activities limited a lot	4
day-to-day activities limited a little	5
day-to-day activities not limited	6

### *Welsh*

Speak Welsh	1
Speak, read and write Welsh	2
No Welsh skills	12

The response numbers are small, but it stands out no people under the age of 35 have responded.

## **2.5. A note about market research and consultations**

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## **3. Question by question analysis**

**Question 1: Do you find the policy easy or difficult to understand?**

### **Answers**

easy	15
difficult	0

**Question 2: Please tell us if you find anything unclear.**

No responses were recorded.

**Question 3: Do you feel there is something missing in the policy? Does anything needs changing?**

The following comments were received. Below each comment are the Council's Housing Service responses.

- A. Policy regarding mix of Council / privately owned property. Private property may impact on access of Council property.

Response: Where necessary to provide an adaptation, Housing staff will engage and consult with neighbours, both occupier and property owner. This does not lead to changing the policy.

- B. (4.5.c) consider adding 'psychotherapist' as the thought of moving to alternative accommodation can cause stress to people with mental health issues, so might need to be gently brought round to the idea.

Response: Housing and Social Services staff are professionals. They are aware of potential sensitivities and needs of tenants, where it is considered moving to a different home would be in the interest of the tenant and/or cost efficient for the Council. Carrying out building works when providing an adaptation can also be sensitive and disrupt people's lives. If an additional support need is identified, this should be taken into account. This is not limited to a psychotherapist.

The following is now included: "Individual support needs from tenants should be taken into account when taking a decision."

- C. Why is there a long list of numbers down the side of the document starting at 39 by section 1 end ending 636 by section 11?

Response: for ease of reference; this will be removed.

- D. I have recently received your surveys and in fully agreement with them. However I think these policies need stricter enforcement. One only has to walk round the estate in (blanked).... Look at the gardens, then dread to think what inside the property is like. (....) Council checks should be made every 12 to 18 months both inside and out. I appreciate this would cost but probably less than refurbishment when a property is abused. Most of the properties I am aware of that look so untidy are tenancies of people capable of good maintenance. If however they are old or disabled, ten help should be given by the Council to assist them. I hope in some small way my grumbling will help.

Response: The comments do not relate to this policy. The tenancy sets out responsibilities and rights for tenants. Where tenants are in breach of their tenancy agreement, the Housing Management & Options Officer may take enforcement action. Estate inspections and tenant visits should take place during regular intervals, but it is acknowledged in certain areas other priorities prevent this happening on a structural basis.

**Question 4: If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.**

The Housing Service wants to be fair to everyone and not discriminate anyone. It is against the law to discriminate against anyone because of:

- age
- being or becoming a transsexual person
- being married or in a civil partnership
- being pregnant or having a child
- disability
- race including colour, nationality, ethnic or national origin
- religion, belief or lack of religion/belief
- sex
- sexual orientation

No responses were recorded, other than that there would be no discrimination.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

# Appendix C

## Cyngor Sir Powys County Council

### Impact Assessment (IA)

*The integrated approach to support effective decision making*



This **Impact Assessment (IA)** toolkit incorporating Welsh Language, Equalities, Well-being of Future Generations Act, Sustainable Development Principles, Communication and Engagement, Safeguarding, Corporate Parenting, Community Cohesion and Risk Management supporting effective decision making and ensuring compliance with respective legislation. **Please read the accompanying guidance before completing the form.**

<b>Service Area</b>	Housing	<b>Head of Service</b>	Simon Inkson	<b>Strategic Director</b>	Paul Griffiths	<b>Portfolio Holder</b>	Cllr Rosemarie Harris
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<b>Policy / Change Objective / Budget Saving</b>	Adaptation policy for Council tenants						
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**Outline Summary**

The Council's Housing Service (the Service) is landlord of around 5,400 Council homes and 110 leasehold flats. This policy describes how the Service helps long-term sick, frail and disabled tenants to remain in their homes and carry out essential daily activities.

The policy provides tenants with a service that assesses their needs. Depending on the individual's need the Service will carry out adaptation works to the property. Common adaptations are for example grab rails or a level access shower. If it is not possible or not cost effective to carry out an adaptation, the Service will assist the tenant to move to more suitable accommodation, for example on the ground floor to avoid the use of stairs.

If the Service decides that adaptations are carried out to Council homes, the Council will pay for them. Council leaseholders will receive the same support as other home-owners and might be entitled to Disabled Facilities Grant to help with funding of the adaptation.

The policy enables tenants to exercise their rights as Council tenants. It provides Housing Staff with a reference on which they can base their decisions.

The policy is based on the previous policy from 2012 and no significant changes are proposed. It is the intention to shift more emphasis on preventing costly adaptations in accommodation that is inherently unsuitable for their needs.

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1. Version Control (services should consider the impact assessment early in the development process and continually evaluate)

Version	Author	Job Title	Date
1	Henk Jan Kuipers	Housing Service Improvement Officer	01-04-2016
2	Henk Jan Kuipers	Housing Service Improvement Officer	31-10-2016
3	Henk Jan Kuipers	Housing Service Improvement Officer	15-11-2016
4	Henk Jan Kuipers	Housing Service Improvement Officer	10-01-2017

2. How does your policy / change objective / budget saving impact on the council's strategic vision?

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Council Priority	How does the policy / change objective impact on this priority?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> (after mitigation) Please select from drop down box below	Source of Outline Evidence to support judgement
Services delivered for less	The policy supports people that require adapted housing, to stay in their home for longer and reducing care needs, or move to accommodation that suits their needs. This is existing practice. What is expected to change in practice, is more emphasis on preventing costly adaptations in accommodation that is deemed inherently unsuitable for the needs of the tenant. An example is tenants living above ground who are unable to use the stairs.	Good	It will be necessary to adopt a way of working that supports tenants that are advised to move to more suitable accommodation and where it is not effective to carry out adaptations to their current home.	Good	In 2015/2016 the Service completed 172 adaptations to Council homes, achieving a 93% satisfaction rating from tenants. The average number of calendar days to deliver adaptations was 192 days in 2015/2016
Supporting people in the community	People will be supported to remain in their community where possible. This is current practice.	Neutral	No negative impacts foreseen.	Neutral	
Developing the economy	No impact expected.	Choose an item.		Choose an item.	
Learning	No impact expected.	Choose an item.		Choose an item.	

3. How does your policy / change objective / budget saving impact on the Welsh Assembly's well-being goals?

Well-being Goal	How does the policy / change objective contribute this goal?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement</u> (after mitigation) Please select from drop down box below	Source of Outline Evidence to support judgement



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<p><b>A prosperous Wales:</b>          An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><b>A resilient Wales:</b>          A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<p><b>A healthier Wales:</b>  A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>Supporting people to remain in their homes by providing adaptations will remain to have a positive impact on tenant's health and well-being. No change to previous policy</p>	<p>Good</p>		<p>Choose an item.</p> <p>In 2015 an independent evaluation was carried out regarding adaptations in Council Housing. It states: Survey findings show that the project has had a positive impact on the safety of older people's homes, with 71% of respondents indicating that their home was safe or very safe after they received the adaptations, compared with only 18% before the support was provided. Furthermore, while long-term health benefits cannot be measured at this stage, a significant majority of respondents (88%) stated that the adaptations had improved their quality of life and 47% stated that they were now</p>
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					able to live at home for longer as the adaptations had improved mobility within their homes and increased independence by providing facilities that were tailored to their needs.
<b>A Wales of cohesive communities:</b> Attractive, viable, safe and well-connected Communities.	Supporting people to remain in their communities will have a positive impact. No change to existing previous policy.	Neutral		Choose an item.	

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<p><b>A globally responsible Wales:</b>  A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The following articles in the Human Rights Act are most relevant to Council Housing  Article 6: Right to a fair trial  Article 8: Right to respect for private life, family life and the home  Article 14: Prohibition of Discrimination</p> <p>The policy confirms existing policy and therefore the judgement is neutral. Everyone affected by a decision can ask for an independent review of that decision. The policy does not have a foreseen impact on people's private lives and individual homes. It is recognised however that tenants that require adaptations may be more vulnerable. It is up to individual staff to approach these tenants appropriately, as is good practice already.  Discrimination is assessed as part of "a more equal Wales".</p>	<p>Neutral</p>		<p>Choose an item.</p>	
<p><b>A Wales of vibrant culture and thriving Welsh language:</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>					
<p><i>Opportunities for persons to use the Welsh language</i></p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Treating the Welsh language no less favourable than the English language</i></p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	
<p><i>Opportunities to promote the Welsh language</i></p>	<p>No impact expected.</p>	<p>Choose an item.</p>		<p>Choose an item.</p>	

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<i>Welsh Language impact on staff</i>	No impact expected.	Choose an item.		Choose an item.	
<i>People are encouraged to do sport, art and recreation.</i>	No impact expected.	Choose an item.		Choose an item.	
<b>A more equal Wales:</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).					
<b>The policy does confirm existing practice and policy and the Service is committed to ensure that information is communicated in a way that suits the tenant or leaseholder. The public consultation has not indicated the policy discriminate against the protected characteristics.</b>					
<i>Age</i>	This policy supports people that require adaptations. The policy has not changed therefore the impact is neutral.	Neutral		Choose an item.	
<i>Disability</i>	This policy supports people that require adaptations. The policy has not changed therefore the impact is neutral.	Neutral		Choose an item.	
<i>Gender reassignment</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Marriage or civil partnership</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Race</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Religion or belief</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Sex</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Sexual Orientation</i>	No impact expected.	Choose an item.		Choose an item.	
<i>Pregnancy and Maternity</i>	No impact expected.	Choose an item.		Choose an item.	

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4. How does your policy / change objective / budget saving impact on the council's other key guiding principles?

<b>Principle</b>	<b>How does the policy / change objective impact on this principle?</b>	<b><u>Inherent Judgement</u></b> Please select from drop down box below	<b>What will be done to better contribute to positive or mitigate any negative impacts?</b>	<b><u>Residual Judgement</u></b> <small>(after mitigation)</small> Please select from drop down box below	<b>Source of Outline Evidence to support judgement</b>
<b>Sustainable Development Principle (5 ways of working)</b>					

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Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<p><b>Long Term:</b> <i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i></p>	<p>This policy is expected to shift emphasis from adapting the current home to assessing a tenant's need in a few years' time. This is expected to result in fewer adaptations that will need to be removed after a tenant moves. The Service will support tenants to move instead of adapting inherently unsuitable accommodation for their needs..</p>	<p>Good</p>		<p>Choose an item.</p>	
<p><b>Collaboration:</b> <i>Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.</i></p>	<p>The Service already engages with Occupational Therapists. It is expected joint working will increase to ensure the right outcome for the tenant and Service.</p>	<p>Neutral</p>		<p>Choose an item.</p>	
<p><b>Involvement (including Communication and Engagement):</b> <i>The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.</i></p>	<p>The policy provides the framework for consultation with individual tenants and leaseholders.  A public consultation took place regarding this policy. Relevant external stakeholders have been asked to comment on the draft policy.  Tenant representatives have discussed the draft policy.</p>	<p>Good</p>		<p>Choose an item.</p>	
<p><b>Prevention:</b> <i>How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.</i></p>	<p>By providing adaptations, people will be less dependent and are less likely to have accidents in their home. This is already practice.</p>	<p>Neutral</p>		<p>Neutral</p>	

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Principle	How does the policy / change objective impact on this principle?	<u>Inherent Judgement</u> Please select from drop down box below	What will be done to better contribute to positive or mitigate any negative impacts?	<u>Residual Judgement (after mitigation)</u> Please select from drop down box below	Source of Outline Evidence to support judgement
<p><b>Integration:</b> <i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>There might be a tension between what Occupational Therapists recommend and the amount of available finance to fund adaptations. There is not an unlimited amount of funding. The Social Services and Well-Being Act is expected to lead to different assessments by OTs. This will need to be addressed by a continuing dialogue between services. The policy ensures an OT recommendation will be taken into account before the Service decide to carry out, or not, adaptations.</p>	Good		Good	
<p><b>Preventing Poverty:</b> Prevention, including helping people into work and mitigating the impact of poverty.</p>	No impact expected.	Choose an item.		Choose an item.	
<p><b>Safeguarding:</b> Preventing and responding to abuse and neglect of children, young people and adults with health and social care needs who can't protect themselves.</p>	No impact expected.	Choose an item.		Choose an item.	
<p><b>Corporate Parenting:</b> Enabling our looked after children to fulfil their potential.</p>	No impact expected.	Choose an item.		Choose an item.	
<p><b>Impact on PCC Workforce</b></p>	No impact expected	Choose an item.		Choose an item.	

5. Achievability of Policy / Change Objective / Budget Saving?

Impact on Service / Council	Risk to delivery of Policy / Change Objective / Budget	Inherent Risk
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### Impact Assessment (IA)

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	<b>Saving</b>	
Low	Medium	Low

6. What are the risks to service delivery or the council following implementation of this Policy / Change Objective / Budget Saving?

Description of risks			
The Service will not adapt inherently unsuitable accommodation and instead support a tenant to move to suitable accommodation. There is a risk some tenants don't want to move, meaning they can't live their life to full potential, possibly an increased risk of accidents and possibly additional care needs. Where no suitable alternative accommodation is available the Service will need to provide cost effective interim solutions. Where suitable alternatives are available, these tenants will get priority when allocating.			
The Service will need to develop knowledge and expertise how to best handle this process.			
Insufficient funding for recommended adaptations. It is unclear what the future need of tenants will be. In general people live longer healthy, but also longer with health issues. If insufficient funding is available this might expose tenants to unacceptable living conditions. The policy describes how to prioritise when the available funding is likely to be insufficient to cover all proposed adaptations.			
Insufficient Occupational Therapy Service. The Housing Service is dependent on the OT Service before carrying out more costly adaptations. If there is insufficient capacity this would delay assessments and increase delivery times.			
The Social Services and Well-being Act might lead to different outcomes for tenants. If and how this will impact is unknown at the moment.			
Judgement (to be included in service risk register)			
Very High Risk	High Risk	Medium Risk	Low Risk
			<b>Low (2)</b>
Mitigating Actions			Residual Risk (after mitigation)
Monthly monitoring of available budgets, number of requested adaptations, delivery times and tenant satisfaction			Low
Continuing dialogue with Occupational Therapy Service			Low
Developing a consistent procedure to assist tenants where it advised the best option is to move to more suitable accommodation			Medium
Does the Policy / Change Objective / Budget Saving have potential to impact on another service area?			
Mental and practical support might be needed when vulnerable people are advised to move.			

7. Overall Summary and Judgement of this Impact Assessment?

Outline Assessment (to be inserted in cabinet report)	Cabinet Report Reference:
The proposed policy remains mostly unchanged compared with the policy from 2012 and will not lead to much change. A section has been included to describe support for leaseholders. The Service will advise and support tenants to move to more suitable accommodation, where the current accommodation is inherently unsuitable for their needs.	

8. Is there additional evidence to support the Impact Assessment (IA)?



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**What additional evidence and data has informed the development of your proposal?**

None

9. On-going monitoring arrangements?

**What arrangements will be put in place to monitor the impact over time?**

The policy will be reviewed in 3 years' time or when legislation changes.  
 The Private Sector Housing team monitors and reports to Senior Management on numbers and progress of adaptations monthly.

**Please state when this Impact Assessment will be reviewed.**

When reviewing the policy.

10. Sign Off

Position	Name	Signature	Date
Service Manager:	Dafydd Evans		
Head of Service:	Simon Inkson		
Strategic Director:	Paul Griffiths		
Portfolio Holder:	CLlr Rosemarie Harris		

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**FORM ENDS**

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

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Trwy rinwedd paragraff(au) 14 Rhan 1 Atodlen 12A  
Deddf Llywodraeth Leol 1972.

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