

Public Document Pack

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Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



To: Cllr Ron Hampson (Chair)

CS/NG

Councillors: Amanda Bragg, David Cox,
Paul Cunningham, Peter Curtis, Ron Davies,
Rosetta Dolphin, Jim Falshaw, George Hardcastle,
Ray Hughes, Hilary Isherwood, Brian Lloyd,
Mike Reece, Gareth Roberts and Sharon Williams

8 January 2015

Maureen Potter 01352 702322
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Dear Sir / Madam

A meeting of the **HOUSING OVERVIEW & SCRUTINY COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD CH7 6NA** on **WEDNESDAY, 14TH JANUARY, 2015** at **2.00 PM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 3 **MINUTES** (Pages 1 - 8)
To confirm as a correct record the minutes of the last meeting.

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

- 4 **QUARTER 2 IMPROVEMENT PLAN MONITORING REPORTS (HOUSING)**
(Pages 9 - 52)
Report of Housing and Learning Overview and Scrutiny Facilitator
- 5 **HOUSING MID YEAR CHIEF OFFICER PERFORMANCE REPORTS** (Pages
53 - 68)
Report of Housing and Learning Overview and Scrutiny Facilitator
- 6 **UPDATE ON THE IMPLEMENTATION OF SARTH** (Pages 69 - 104)
Report of Chief Officer (Community and Enterprise)
- 7 **ANTI-SOCIAL BEHAVIOUR POLICY** (Pages 105 - 136)
Report of Chief Officer (Community and Enterprise)
- 8 **HOUSING FORWARD WORK PROGRAMME** (Pages 137 - 142)
Report of Housing and Learning Overview and Scrutiny Facilitator

HOUSING OVERVIEW & SCRUTINY COMMITTEE **26 NOVEMBER 2014**

Minutes of the meeting of the Housing Overview & Scrutiny Committee of Flintshire County Council held in the Delyn Committee Room, County Hall, Mold on Wednesday, 26 November 2014

PRESENT: Councillor Ron Hampson (Chairman)

Councillors: Amanda Bragg, David Cox, Paul Cunningham, Peter Curtis, Ron Davies, Rosetta Dolphin, George Hardcastle, Brian Lloyd, Mike Reece and Gareth Roberts

SUBSTITUTE: Councillor Alison Halford (for Jim Falshaw)

APOLOGIES: Councillors Ray Hughes and Sharon Williams

ALSO PRESENT: Councillors Haydn Bateman and Adele Davies-Cooke

CONTRIBUTORS: Cabinet Member for Housing, Chief Officer (Community & Enterprise), Neighbourhood Housing Manager, Community Support Services Manager and Team Leader (Neighbourhood Housing)

Flintshire Strategic Housing & Regeneration Programme Manager (for minute number 39)

IN ATTENDANCE: Housing & Learning Overview & Scrutiny Facilitator and Committee Officer

At the start of the meeting, the Chairman congratulated the Housing team following the success of North East Wales Homes as overall winner in the 'New Idea of the Year' category of the Welsh Housing Awards 2014. He also paid tribute to Helen Grant, the Neighbourhood Housing Manager, who was due to leave the Council and wished her success in her new job. Councillor George Hardcastle added his own congratulations to all in the Housing team and to Helen Grant.

36. DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

None were received.

37. MINUTES

The minutes of the meeting held on 15 October 2014 had been circulated with the agenda.

Matters Arising

Minute number 30: Welfare Reform Update - the Neighbourhood Housing Manager agreed to respond to Councillor Paul Cunningham's question about the number of tenants who had fallen into the 'won't pay' rather than 'can't pay' category of rent arrears and had refused support offered by the Council.

Minute number 31: Welsh Housing Quality Standard (WHQS) Delivery Programme Update - Councillor Mike Reece expressed his gratitude to the Housing team for their work on solid brick wall properties and called for representations to be made to the Welsh Government (WG) for further schemes to benefit more areas. The Chief Officer (Community & Enterprise) explained that the programme had initially been targeted at specific wards fitting the criteria set by WG, however Cabinet approval had recently been given to bidding for European funding which, if successful, could extend energy programmes across the county.

Councillor Peter Curtis referred to comments he had made around the cladding of high-rise flats in Flint and Councillor Ron Davies spoke about the need to use local products. The Chief Officer confirmed that the work would be undertaken on all three high-rise blocks, as included in the Asset Management report to the Committee in June 2014. She said that local suppliers were used wherever possible and would ascertain details of the insulation products to be used.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

38. VARIATION IN ORDER OF BUSINESS

Following a suggestion by the Chair, a change in the order of business was agreed to bring forward agenda items 5 and 6 due to the availability of the officers concerned.

39. NORTH EAST WALES HOMES - UPDATE

The Flintshire Strategic Housing & Regeneration Programme Manager introduced the report detailing progress on the establishment of North East Wales (NEW) Homes along with progress to date against the business plan since the company had started trading in April 2014. Members were reminded of the Council's objectives in creating the housing company - the first in Wales to do so - which had been acknowledged in the award mentioned by the Chairman at the start of the meeting. Information was shared on the setup and role of the Board of Directors and the working arrangement with Council officers, recharged to the company.

To date, 15 new-build properties had been transferred to the company by developers as part of Section 106 obligations, with a further ten expected over the next 12 months. These properties currently managed by the company (2-3 bedroom homes in Penyffordd and Penymynydd) were helping to address local housing need in those areas and provided income streams for re-investment.

Although the take-up on the landlord management offer was below that projected, it was felt that the target number in the business plan may have been too ambitious in the first year, however negotiations were ongoing with other interested private landlords. Proposals were also outlined for an over-55 lease

scheme (identified as an area of need), although slower progress was anticipated due to the complexities involved.

Work was being undertaken to develop a robust framework to deliver services in the long-term and there were plans to increase marketing of the company which had so far been limited. As part of the Strategic Housing & Regeneration Programme (SHARP), the number of affordable properties managed by the Council would increase in future years and discussions were taking place on proposed sites, with the successful bidder due to be announced by May 2015. Although progress on NEW Homes had been slower than expected, partly due to some issues outside the Council's control, it was felt that excellent progress had been made overall and lessons learned which would be taken forward.

Councillor Rosetta Dolphin said that slow progress was positive as it was important to get it right. In response to queries, the Flintshire Strategic Housing & Regeneration Programme Manager advised that the properties managed by the company were exempt from Right to Buy legislation and that no future delays were expected on gifted units as the process previously used was now in place and the Welsh Government aware of the company's aims. Assurances were given that charges for Council officer time and the type of work undertaken for NEW Homes was closely monitored so that this was not at the expense of the Council. As the company's portfolio developed, future income streams would enable staff to be directly employed. In response to comments on the over 55 lease scheme, this would take longer to develop due to the complex process involved and to ensure that this was not to the detriment of individuals already on the housing register.

Whilst Councillor Amanda Bragg welcomed the over 55 lease scheme, she asked for clarification on the process. The Community Support Services Manager explained the need for individual discussions with interested homeowners to help remove potential barriers and help them access more suitable accommodation. Criteria would also involve assessing rentable demand for the individual's property and managing expectations and prioritisation of properties.

Councillor Mike Reece spoke of the potential for any unused Council buildings such as libraries to be converted to flats for management by NEW Homes.

RESOLVED:

- (a) That progress in establishing and setting up the company and the first six months' performance be noted; and
- (b) That the future development plans of the company be noted.

40. HOUSING ACT WALES 2014

The Community Support Services Manager introduced an update on progress and early findings from the Council's pilot of the new homeless prevention duty to be introduced as part of the Housing Act Wales 2014. The

report detailed the key changes to homelessness legislation required by the Act to be implemented from April 2015. As part of this, Councils would be required to take all reasonable steps to help individuals threatened with homelessness, irrespective of their priority need status. To help prepare for these significant changes, a pilot had been carried out by the Housing Options Team on aspects of the legislation, with the support of a Shelter Cymru worker, and utilising funding from Welsh Government (WG).

The Community Support Services Manager summarised the results from the first six months of the pilot, as appended to the report, which would be shared with other Councils and WG. During this period, there had been no reduction in the number of homeless applications, however an improvement had been shown in the reduced use of bed and breakfast accommodation. Following this first update, the team was keen to develop some of the key areas and a further progress report would be brought back to the Committee at a later date.

Councillor Paul Cunningham praised the early proactive approach being taken by the team. In response to a question, the Community Support Services Manager said that those unable to pay rent were referred to Supporting People where help was available to retain tenancies and prevent homelessness. Further feedback would be given in future update reports.

Councillor Peter Curtis spoke of the Council's duty on homelessness and the challenges of allocating properties to perpetrators of anti-social behaviour which impacted on neighbours. He was advised of the Council's stance in taking action against any tenants demonstrating persistent bad behaviour, however evidence suggested that the majority of homelessness occurred when individuals were unable to pay their rent through no fault of their own. A breakdown of reasons for homelessness would be included in the next update report to the Committee.

Councillor David Cox welcomed the approach taken by the team and felt that a greater financial responsibility should be taken by WG to deal with homelessness in view of the legislation.

Comments were raised by Councillor Gareth Roberts on prioritising the allocation of Council properties and the importance of retaining local connection in some cases. In response, it was explained that ex-offenders would be treated the same as other homeless presentations under the new legislation.

RESOLVED:

That the progress of the pilot and the early findings and implications be noted.

41. SERVICE CHARGES/ASSISTED GARDENING SERVICE

The Chief Officer (Community & Enterprise) presented the report detailing options for the Council to separate services from base rents and to introduce service charging to individual tenants, as required by the Welsh Government (WG).

Proposals to introduce service charging had been agreed as part of the rent policy for Council housing, approved by Cabinet in September 2014. Whilst a full range of chargeable services had been set out by WG, the Council had taken a view that additional charges should not be applied for services that were essential to living in particular accommodation. It was proposed that charges would be made for communal services such as cleaning as well as individual services for grass and hedge cutting. A review of quality/provision of services was planned, together with a full consultation process prior to the introduction of charging on a phased approach over three years starting in 2016, with new tenants due to incur the charges from April 2015 having received notification of this at the tenancy offer stage.

Explanation was provided on the outcome of changes to the assisted gardening service in April 2014, which had prompted a review. The new approach was more simplified: two different charges for small or medium/large gardens and a single charge for hedge cutting. Charges would be payable weekly/monthly with rent payments and discounts would be applied for older or disabled tenants who were unable to carry out the service themselves.

In relation to the options for the service charging policy, Councillor Peter Curtis commented on the need for fair charging on the use of shared services by those in sheltered accommodation. He stressed the importance of meaningful consultation with involvement of Members, and raised concerns about the effect of charges on tenants and the potential challenge for tenants who were living off a pension or disability benefit.

Councillor Rosetta Dolphin raised concerns about the cost of grass cutting, the additional percentage of charges on top of base rent and possible discrepancies in the levels of rent paid for flats and houses. Whilst noting that 67% of Flintshire's tenants were currently in receipt of full or partial housing benefit, she pointed out that the remaining tenants may be just above the threshold and therefore unable to afford this additional cost if they required the services.

The Cabinet Member for Housing pointed out that the proposals demonstrated fairness in ensuring that tenants were not paying for services that they did not require.

The Chief Officer acknowledged the concerns raised but pointed out that the proposals reflected the minimum requirements to comply with the WG mandate and that extensive work had been carried out to consider the fairness of options, taking into account the different needs of individuals. Those in receipt of full housing benefit would be exempt from the charges (apart from the individual gardening service which was not eligible) and those in receipt of partial housing benefit would receive a proportionate discount. In terms of base rent on properties, the Council had followed the rent policy set by WG, subsequently approved by Cabinet, where for example the target rent on a 3-bedroom flat was lower than a 3-bedroom house. The separation of service charges would help to address any discrepancies where the same rent applied to 2-bedroom flats and houses. Clarification was given on the individual grass cutting service where 14 cuts per year amounted to just over £5 per cut.

The Neighbourhood Housing Manager explained that the proposals had been shared at the Tenants' Conference where various options had been put forward. However, examples such as coin operated laundry services to charge only those who used them could mean those who would be eligible for the charge to be covered by Housing Benefit would then have to pay directly to use the service. The approach was therefore to consider charging on a scheme-by-scheme basis in line with demand/feedback from tenants.

The Team Leader provided information on her involvement in a regional group to exchange ideas with other Councils on charging options and gave assurances of Member involvement in the consultation process. She gave examples of the type of discussions held and referred to assessments of standards to ensure that services provided value for money for tenants.

The Chief Officer highlighted the importance of reviewing the needs of individual schemes as opposed to a blanket approach.

In response to concerns raised by some Members, Councillor George Hardcastle said that separation of charges was a requirement put upon all Councils by WG. In moving the report, he stated that assurances had been given for thorough consultation to ensure the best outcome for tenants.

Councillor Brian Lloyd suggested that the Council's newsletter could help to raise awareness of the future charges to enable tenants to plan ahead.

In thanking the officers for the report, Councillor Ron Davies welcomed the approach to minimise the impact of WG requirements but felt that the timing of charges introduced for new tenants may raise issues.

Following a similar comment from Councillor Dolphin, the Chief Officer reiterated that new tenants would be made fully aware of the base rent and service charges at the point of being offered a property.

Members felt it was important that all tenants should be made fully aware that the separation of service charges had been instigated by WG and not the Council.

RESOLVED:

- (a) That the agreed plan for the phased implementation of service charges for existing tenants from 2016 following detailed consultation, be noted;
- (b) That full implementation of service charges will take effect for new tenants from April 2015 be noted; and
- (c) That the proposals in the report to re-introduce charging for the assisted garden service in 2016, following detailed customer consultation, be supported, on the basis that there should only be two charges for grass cutting and one for hedges, and that payments can be made weekly.

42. FORWARD WORK PROGRAMME

The Housing & Learning Overview & Scrutiny Facilitator introduced a report to enable the Committee to consider the Forward Work Programme. The following changes were agreed:

- Update on Tenant Involvement to be deferred to 24 April 2015
- Performance of the Anti-Social Behaviour Unit to be brought forward to 14 January 2015
- Allocation Policy for Sheltered Accommodation (in response to concerns raised by Councillor Rosetta Dolphin) to be added as a future agenda item

The Facilitator gave a reminder of the workshop scheduled for 7 January 2015 on the introduction of self-financing for the Housing Revenue Account. Notification had been issued to all Members by email and letter.

Members who had been unable to attend the recent Welsh Housing Quality Standard (WHQS) workshops would be forwarded the information which had been circulated, with the opportunity to raise any questions with Tony Jones. Councillor Peter Curtis commended the information and responses provided at the workshops. The Chief Officer said that she would pass this feedback on to those concerned.

RESOLVED:

That the Forward Work Programme be updated accordingly.

43. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press in attendance.

(The meeting started at 10.00 am and ended at 11.35 am)

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Chairman

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

DATE: **WEDNESDAY 14TH JANUARY, 2015**

REPORT BY: **HOUSING & LEARNING OVERVIEW & SCRUTINY FACILITATOR**

SUBJECT: **QUARTER 2 IMPROVEMENT PLAN MONITORING REPORT**

1.00 PURPOSE OF REPORT

1.01 To note and consider elements of the 2014/15 Improvement Plan Monitoring Report relevant to the Housing Overview and Scrutiny Committee. The report covers the period July – September 2014.

1.02 To note the following:-

- The levels of progress and confidence in meeting the Council's Improvement Priorities and their impacts including the milestones achieved.
- The measures which evidence achievement and the baseline data, and targets.
- The baseline risk assessment for the strategic risks identified in the Improvement Plan and the arrangements to control them.

2.00 BACKGROUND

2.01 The new style Improvement Plan adopted by Council in June 2013 which is aligned to the new three year Outcome Agreement, focuses on the priorities which are expected to have the most impact during 2014/15.

2.02 In addition to the Improvement Plan Monitoring Report, quarterly performance highlight reports will be presented from the Chief Officers. These will be similar to those previously produced for quarterly reporting.

3.00 CONSIDERATIONS

3.01 The Improvement Plan Monitoring Report gives an explanation of the progress being made towards delivery of the impacts set out in the Improvement Plan. The narrative is supported by measures and/or milestones which evidence achievement. In addition, there is an assessment of the strategic risks and the level to which they are being controlled.

3.02 For the Housing Overview and Scrutiny Committee the following Improvement Plan sub-priority reports are attached at Appendix 1 – 5:-

- Extra Care Housing
- Modern, Efficient and Adapted Homes
- Achieve the Wales Housing Quality Standard
- Welfare Reform
- Fuel Poverty

3.03 Analysis of performance against the Improvement Plan measures is undertaken using the RAG (Red, Amber and Green) status. This is defined as follows:-

Performance

- RED – equates to a position of under-performance against target.
- AMBER – equates to a mid-position where improvement may have been made but performance has missed the target.
- GREEN – equates to a position of positive performance against target.

Outcome

- RED – equates to a forecast position of under-performance against target at year end.
- AMBER – equates to a forecast mid-position where improvement may have been made but performance will miss target at year end.
- GREEN – equates to a forecast position of positive performance against target at year end.

3.04 The high level (RED) risk area identified for the Housing Overview & Scrutiny Committee, is as follows:-

Priority: Housing (Modern, Efficient and Adapted Homes)

Entering into a lease agreement for 10 over 55's properties.

The Over 55 lease offer has been delayed while some legal technicalities are checked, but the service will progress the first of the sign-ups in quarter 3.

4.00 RECOMMENDATIONS

4.01 That the Committee consider the 2014/15 Improvement Plan Monitoring Report, highlight concerns and feedback details of any challenge to the Corporate Resources Overview & Scrutiny Committee who are responsible for the overview and monitoring of performance.

5.00 FINANCIAL IMPLICATIONS

5.01 There are no specific financial implications for this report; however the Council's Medium Term Financial Plan is aligned to resource the priorities of the Improvement Plan.

6.00 ANTI POVERTY IMPACT

6.01 There are no specific anti poverty implications for this report, however poverty is a priority within the Improvement Plan 2014/15.

7.00 ENVIRONMENTAL IMPACT

7.01 There are no specific environmental implications for this report; however the environment is a priority within the Improvement Plan 2014/15.

8.00 EQUALITIES IMPACT

8.01 There are no equalities implications for this report.

9.00 PERSONNEL IMPLICATIONS

9.01 There are no personnel implications for this report.

10.00 CONSULTATION REQUIRED

10.01 Publication of this report constitutes consultation.

11.00 CONSULTATION UNDERTAKEN

11.01 The Chief Officer Team and the Performance Leads from across the Authority have contributed to help shape the new approach to reporting.

12.00 APPENDICES

12.01 Appendix 1 – Extra Care Housing
Appendix 2 – Modern, Efficient and Adapted Homes
Appendix 3 – Achieve the Wales Housing Quality Standard
Appendix 4 – Welfare Reform
Appendix 5 – Fuel Poverty

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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APPENDIX 1

Priority: Housing
Sub-Priority: Extra Care Housing
Impact: Helping more people to live independently and well at home

We said in 2014/15 that we would:

1. Develop and agree plans to extend our extra care provision to provide units in Flint and Holywell, providing 60 units in each location.

Progress Status	Progress RAG	G	Outcome RAG	G
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Flint:

- The preferred Flint site has been identified and agreed with BCUHB, for the Extra Care facility and Primary Health Care Centre.
- This includes the preferred model and layout of the build.

Holywell:

- The preferred site for Holywell Extra Care has been identified and is subject to consultation.

Achievement will be measured through: -

- Agreed Business Model and funding for the developments
- Firm plans agreed with Social Housing partners for both schemes
- The new schemes and business model developed and supported by sound consultation

Achievement Milestones for strategy and action plans:

- Business Model agreed by March 2015
- Funding for the developments agreed by March 2015
- Agreement with Social Housing Partners for both schemes by December 2014

Risks to Manage

How we can switch revenue resources from more traditional to new housing and care service models.

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	<ul style="list-style-type: none"> Increased use of telecare and telehealth Use of step up/step down facilities to avoid permanent Care Home admissions funded by Intermediate Care Fund (ICF) Working with the Care Home market to ensure there is an appropriate supply of good quality residential care Extending specialist dementia care in the community, reducing the need for care home placements and hospital admission and help facilitate hospital discharge through the availability of specialised support for vulnerable people with dementia, 	M	M	A	<ul style="list-style-type: none"> Develop an effective approach to risk stratification to identify people who are at risk of developing complex care needs and supporting them to help prevent/delay decline and the need for Care Home placements 	Chief Officer – Social Services	↔	M	M	A	June 2014

Keeping up with demand and aspirations for alternative housing models for independent living

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	H	R	<ul style="list-style-type: none"> Develop two new extra care housing schemes Enhance wellbeing activities to help residents remain independent at home for longer Manage expectations in new extra care housing due to changes in the funding regime and consequent elimination of capital subsidy. 	M	M	A	<ul style="list-style-type: none"> Continue to expand the provision of extra care accommodation to meet forecast demand Facilitate and where possible support provision of alternative housing models Continue to enhance wellbeing activities in partnership with health to help residents remain independent at home for longer 	Chief Officer: Social Services	↔	M	M	A	June 2014

Keeping up with specialist demand such as meeting the specific needs of those with dementia and physical and learning disabilities.

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)			(L)	(I)	(LxI)		
H	H	R	1. Older People (Dementia Care Long-Term Placements) Commissioning Strategy 2013-2018 has been completed and sets out the vision for long term care services for people living with dementia in Flintshire. 2. Two extra care schemes with dedicated dementia accommodation have been commissioned and are planned to be open by 2016. 3. Successfully secured WG Intermediate Care Fund aid to encourage integrated working to support older people to maintain their independence and remain in their own homes	M	M	A	Dementia: 1. Work with current partners to further extend dedicated dementia provision within the extra care housing environment 2. Work with private sector providers to develop further accommodation designed for the frail elderly 3. Development of existing programmes aimed at integrated approaches to deliver health and social care services.	Chief Officer: Social Services	↓	M	M	A	Sept 2014

APPENDIX 2

Priority: Housing
Sub-Priority: Modern, Efficient and Adapted Homes
Impact: Improving the choice and quality of local housing

We said in 2014/15 that we would:

1. Implement a wider range of models of private finance to deliver increased numbers of affordable homes through the newly formed North East Wales Homes.

Progress Status	Progress RAG	A	Outcome RAG	G
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In September 2014 Cabinet approved a tender process to procure private finance and a developer partner to deliver 300+ new homes across the County. The process will conclude in May 2015. In addition delivery of the NEW Homes business plan will support growth in affordable housing.

Achievement will be measured through:

- Business plan measures: for year 1
 - Provision of a management service for 26 private rented sector properties
 - Entering into a lease agreement for 10 over 55's properties
 - Receive the freehold for and manage 19 units of gifted accommodation
- Approval for the Flint Town Centre regeneration plan which includes new housing provision

Achievement Milestones for strategy and action plans:

- Approval of the Flint Town Centre regeneration plan including new housing provision by March 2015

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Provision of a management service for 26 private rented sector properties	Chief Officer – Community and Enterprise	N/A – new measure	26 properties	TBC	8	A	G
Entering into a lease agreement for 10 over 55's properties		N/A – new measure	10 properties	TBC	0	R	R
Receive the freehold for and manage 19 units of gifted accommodation		N/A – new measure	19 units	TBC	15	G	G

2. Implement the strategy to grow and sustain the private rented sector through the North East Wales Homes business plan.

Progress Status	Progress RAG	A	Outcome RAG	G
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Progress with the management offer is below target, however, with the increase in marketing and more time freed up for operational activity, we expect to meet this target. The Over 55 lease offer has been delayed up while some legal technicalities are checked, but the service will progress the first of the 'signs-ups' in quarter three. It is unlikely that the target will be achieved this year and this is reflected in the outcome RAG status. NEW Homes is on target with taking ownership and managing the Gifted properties.

There is confidence that the empty homes target will be achieved by the year end due to the level of engagement with owners of the properties with the service. This indicator starts slow as the first quarter is used to identify empty homes through the county and engage with the home owners. Subsequent to this reporting period a further 7 homes were brought back into use during October.

Achievement will be measured through:

- Business plan measures:
 - Provision of a management service for 26 private rented sector properties
 - Entering into a lease agreement for 10 over 55's properties
 - Receive the freehold for and manage 19 units of gifted accommodation
- Bringing of 30 empty homes back into use for residential living

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Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Provision of a management service for 26 private rented sector properties	Chief Officer – Community and Enterprise	new measure	26 properties	TBC	8	A	G
Entering into a lease agreement for 10 over 55's properties		new measure	10 properties	TBC	0	R	R
Receive the freehold for and manage 19 units of gifted accommodation		new measure	19 units	TBC	15	G	G
IPH2M1 - Number of empty homes brought back into use		32 homes	30 homes	120 homes (cumulative)	4	A	G

3. Develop a county wide housing register and implement a single allocations policy for Flintshire with partners.

Progress Status	Progress RAG	G	Outcome RAG	G
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The project to implement the single allocations policy is progressing well. Back office ICT systems have been specified with a projected delivery date of early November. The Council should be ready take applications for the new banding policy from December. Between January and April all current applications for both the Council and RSLs will be reviewed with applicants and housing solutions advice offered to provide applicants the most suitable housing option for them. During this period the points policy will continue to be used for allocations and the new banding system will run alongside to test the new policy and systems.

A new partner portal will also be developed and tested between November and January ready for usage by the RSLs to allow them to shortlist applicants from the single register. The project is currently on-track for the systems to be in fully in place and allow allocations from the new policy to start 1 April 2015. This joint approach is delivering considerable savings in delivery of ICT systems, project management and project activity.

Achievement will be measured through:

- A county wide housing register and single allocations policy in place by Autumn 2014.

Achievement Milestones for strategy and action plans:

- A county wide housing register and single allocations policy in place by December 2014.

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4. Agree the Local Development Plan’s vision, objectives and options to accommodate growth.

Progress Status	Progress RAG	A	Outcome RAG	A
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No progress has been made in this area during the quarter. The progress and outcome RAG status remain the same.

Achievement will be measured through:

- In accordance with the timetable of the Delivery Agreement; by November 2014

Achievement Milestones for strategy and action plans:

- Agree the Local Development Plan’s vision, objectives and options to accommodate growth in accordance with the delivery agreement by November 2014.

Risks to Manage - Maximising our joint resources with our partners.

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	M	A	1. A joint approach has been taken on the Single Access Route to Housing (SARTH) project (the common housing register for the county) to deliver activity to deliver the ICT and operational implementation delivering efficiencies. Developing strong relationships with private landlords supporting growth of the sector.	L	L	G	1. Performance and financial monitoring of NEW homes will help to ensure that the company delivers on its desired objectives	Chief Officer – Community & Enterprise	↔	L	L	G	Dec 2014

Maximising the availability of private finance

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood (L)	Impact (I)	Gross Score (LxI)		Likelihood (L)	Impact (I)	Gross Score (LxI)				Likelihood (L)	Impact (I)	Gross Score (LxI)	Target Date
M	H	R	North East Wales Homes provides the council with greater financial and commercial freedoms to operate akin to a private company to meet its social objectives around affordable housing. A successful SHARP procurement process with sufficient developer interest will provide 300+ additional units of affordable housing in Flintshire.	L	H	A	The council must ensure that it follows a robust and compliant procurement process in an area for which it has no recent background. External expertise will be required as part of the procurement exercise and will be appointed subject to Cabinet approval	Chief Officer – Community & Enterprise		L	M	G	MAY 2015

Encouraging developers to build a range of affordable housing in the current economic climate

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	The council has introduced a variety of models which allow developers to satisfy their Section 106 agreements according to the viability of the site involved. These models include gifted units of accommodation and/or providing the council with an equity share in properties. This has stimulated development across the county whilst providing the council with a capital asset.	L	H	A	<p>The council will continue to utilise these alternative delivery models to develop affordable housing.</p> <p>A joint housing market assessment with Wrexham County Borough Council has also been commissioned to help understand which models are most appropriate in each area of the county</p>	Chief Officer: Community & Enterprise		L	M	G	May 2015

Unclear about the implications of the changes proposed through the Planning Bill on timing of the progress of the Local Development Plan

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	M	A	Wales Planning Bill still anticipated later in 2014. Given the early stages of the LDP it is unlikely that significant work will need to be aborted. Any implications of the Wales Planning Bill will be able to be incorporated into a revised Delivery Agreement and should not involve excessive risk to the Plan's preparation.	L	L	G	Evidence gathering and background studies should be able to incorporate or be revised to take on board any changes arising from Wales Planning Bill.	Chief Officer: Planning Strategy Manager		L	L	G	TBC

Priority: Housing
Sub-Priority: Achieve the Welsh Housing Quality Standard
Impact: Improving quality of life for our tenants through improved housing

We said in 2014/15 that we would:

1. Deliver the housing revenue account business plan to achieve the Wales Housing Quality Standard (WHQS) by 2020

Progress Status	Progress RAG	G	Outcome RAG	G
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Completed

- A revised Asset Management strategy has been developed and agreed at and Cabinet
- A revised Stock Condition Survey has been commissioned and completed, including verification of previous Stock Condition Survey reports
- Detailed work undertaken to maximise efficiencies and reduce costs in the HRA Business Plan
- Initial discussions with Tenants and Members on the development of a revised delivery programme
- Detailed analysis of Stock Condition Survey information to ensure accuracy and alignment of HRA Business Plan
- Consultation on development of a revised delivery programme to meet WHQS
- Existing programme continues to be delivered

Next Steps

- Member workshops to finalise detailed programme
- Publish final revised programme
- Procure contracts in preparation for revised programme to commence in April 15
- Further consultation, in particularly on Environmental work schemes

The good progress made in Q1 on current work streams has continued throughout Q2. Progress During Q2 includes:-

- Bathroom Upgrade Programme: GM Jones have completed the first properties and are making good progress towards completing all properties identified in the programme. The scheme is on schedule to be completed before March 2015.
- Good progress continues to be made on all programmes with each on target to be completed before the end of the financial year.
- High rise sprinkler system. Tenders are due to go out in November with work on-site due to commence January

Achievement will be Measured through:

- Investing in improving the housing stock
- Tenant satisfaction of work completed
- Performance measured against commitments made to tenants at the housing ballot
- Managing expenditure within or below budget to maximise available financial resources.

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Capital Works Target – Heating Upgrades	Chief Officer – Community and Enterprise	977	600	TBC dependant on WHQS Plan	657	G	G
Capital Works Target – Kitchen Replacements		1118	922		591	G	G
Capital Works Target – Smoke Detectors		804	475		0	A	G
Capital Works Target – Bathroom Replacements		200	120	Not in current plan for 2016/17	12	A	G
Tenant satisfaction of capital works completed on kitchens, heating and bathrooms.		N/A – new measure	Establish baseline 2014/15	TBC once baseline established	N/A	N/A	N/A
IPH3M1 - Capital Programme expenditure on improvement work streams (<i>Managing expenditure within or below budget to maximise available financial resources - Capital works budget</i>)		£12m	£9.76m	TBC	£5.379	G	G

2. Reach a voluntary settlement with Welsh Government to introduce self financing for the Council housing service by 1st April 2015.

Progress Status	Progress RAG	G	Outcome RAG	G
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Progress made includes:

- A consensus has been reached with the 11 affected Councils to enable a voluntary agreement to be made between each Council and Welsh Government to enable an end to the Housing Revenue Account Subsidy system from April 2015
- Agreement between the 11 Local Authorities has been reached and the Authority is represented on a number of groups planning for the implementation of self-financing.
- A report on the Housing Revenue Account Business Plan was presented to the Housing Overview and Scrutiny Committee in October and work now continues to submit a revised Business Plan to Welsh Government. The presentation to Scrutiny will also be followed up by Member Workshops to discuss the implications to the Housing Revenue Account and to discuss issues such as Governance Arrangements.

Future

- Council approval of HRA business plans budget
- Treasure Management strategy updated to support the borrowing requirements needed to exit the subsidy system
- Delegated autonomy to sign voluntary agreement in January 2015

Achievement will be Measured through:

- The implementation of a voluntary agreement by the deadline which gives the Council certainty about future funding

Achievement Milestones for strategy and action plans:

- Implementation of a voluntary agreement with Welsh Government to introduce self-financing by 1st April 2015

3. Develop a revised stock investment plan to meet the objectives in the Assets Management Strategy in conjunction with Tenants and Members.

Progress Status

Progress RAG

G

Outcome RAG

G

Completed

- A revised Asset Management strategy has been developed and agreed at the Scrutiny and Cabinet committees
- A revised Stock Condition Survey has been commissioned and completed, including verification of previous Stock Condition Survey reports
- Detailed work undertaken to maximise efficiencies and reduce costs in the HRA Business Plan
- Initial discussions with Tenants and Members on the development of a revised delivery programme
- Detailed analysis of Stock Condition Survey information to ensure accuracy and alignment of HRA Business Plan
- Consultation on development of a revised delivery programme to meet WHQS
- Development of proposals and costings for a revised programme
- Existing programme continues to be delivered
- Collate feedback from consultation and develop a revised programme
- Proposals and report presented to the Scrutiny committee

Next Steps

- Member workshops to finalise detailed programme
- Publish final revised programme
- Procure contracts in preparation for revised programme to commence in April 15
- Further consultation, in particularly on Environmental work schemes

Successful WHQS Consultation Events have been held at the Flint Festival Fun Day and at the Connects Offices along with 7200 Questionnaires sent out by the Capital Works Team to all tenants to gain feedback on work streams and delivery areas. Proposals for a revised delivery programme together with feedback from tenant consultation and engagement was recently presented to the Housing Overview and Scrutiny Committee and was received very positively. Members have approved the initial proposals for the revised programme which includes agreement of amended delivery areas and prioritisation of work stream delivery. The next stage is to agree the final detail of the revised programme and this will be achieved through Member Workshops which are scheduled in November. Once the detailed plan is agreed the procurement of new contracts and contractors will take place with all work streams scheduled to be on-site for the 1st April 2015.

Achievement will be measured through:

- Agreement of a 6 year investment programme by March 2015
- Delivery of capital improvement programmes

Achievement Milestones for strategy and action plans:

- Agreement of a 6 year investment programme by March 2015

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
IPH3M1 - Capital Programme expenditure on improvement work streams	Chief Officer – Community and Enterprise	£12m	£9.76m	TBC	£5.379m	G	G

Risks to Manage: Ensure contractors perform effectively and that costs are contained within budget

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	M	A	1. Effective budget monitoring and management. 2. Robust management of contractors for programme delivery. 3. Ensuring effective arrangements and resource for customer liaison. Two Tenant Liaison Officers now appointed to ensure contractor performance and tenant satisfaction. 4. Arrange further CA training to assist with Contract Monitoring & Contractor Performance. 5. Review Budget Monitoring Sheets in line with Finance Team.	L	M	G	1. Review current resources. 2. Appoint required Clerk of Works to assist with the delivery of the WHQS Delivery Programme. 3. Review current Specification and carry out Cost Engineering exercise if required. 4. Manage tenant expectation	Chief Officer – Community & Enterprise	↔	L	L	G	Mar 2015

Risks to Manage - Gaining agreement with all 11 stock retaining Councils and Welsh Government on approach to dismantling the Housing Revenue Account subsidy system.

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	H	R	1. Chief Officer, Housing Asset Manager & Finance Manager all working on HRA work-streams.	L	H	A		Chief Officer – Community & Enterprise	↔	L	L	G	Apr '15

Risks to Manage - Ensuring that the Council identifies and plans for the resources required to meet the WHQS by 2020

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	1. Ensuring other services i.e. Housing Management input to the Asset Management Strategy to plan for the impact of Welfare Reform and other regeneration issues. 2. Ensure that each member of staff within the Housing Maintenance/ Management teams are fully aware of the WHQS and the Councils goals to achieving the WHQS by 2020. 3. Ensure sufficient funding in place to deliver WHQS programme. 4. Ensure staff capacity to deliver WHQS programme.	L	M	G	1. Revisit and revise business plan to address future impacts of Welfare Reform i.e. re-modelling of existing accommodation. 2. Options for prudential borrowing 3. Review Stock Survey results for further cost saving options	Chief Officer – Community & Enterprise	↔	L	L	G	Mar '15

Priority: Poverty
Sub-Priority: Fuel Poverty
Impact: Protecting people from poverty

What we will do in 2014/15:

1. Improvement in the energy efficiency of housing on Deeside through the Vibrant and Viable Places regeneration framework

Progress Comment	Progress RAG	G	Outcome RAG	G
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This report covers two V&VP project areas, 1) WHQS Plus and 2) Promoting Deeside as a place to live and work. WHQS Plus seeks to improve the energy efficiency of 39 council homes at least 5 points above the minimum Standard Assessment Procedure (SAP) score of 65. It is impossible to guarantee that the same improvement can be made to the private homes receiving measures through the second V&VP project area so the impact of this work is reflected in section 2 'Help residents in the private sector to access funding support to improve the energy efficiency of their homes'.

The first 8 installations for the WHQS Plus programme were completed (ahead of schedule) this quarter with the remainder due to be completed in quarters three and four. The majority of the installations for Promoting Deeside as a place to live and work will be completed in Q3 with the remainder completed in Q4. The 8 installed in Q2 are ahead of schedule.

Achievement will be measured through:

- The installation of additional energy efficiency measures including solid wall insulation and solar PV

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Number of homes receiving energy efficiency measures	Chief Officer – Community and Enterprise	N/A – new measure	177	177	8	G	G
Average SAP score of Council homes receiving measures		65	70	70	70	G	G

Risks to Manage – Residents may not take up the energy efficiency measure available as we hope

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	1. The Council has evaluated previous programmes and identified the most cost effective measures based on capital cost and potential savings. These measures form the basis of the 2013/14 service delivery strategy.	L	L	G	1. Continue to evaluate performance and undertake customer research to identify the measures that will benefit residents most and that are most desirable.	Housing Regeneration and Strategy Manager	↔	L	L	G	April 2014

2. Help residents in the private sector to access funding support to improve the energy efficiency of their homes.

Progress Comment	Progress RAG	A	Outcome RAG	G
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350 properties were to receive installations in Q2. To enable this four new posts were to be recruited. This has been delayed by a service review but is now ongoing. 187 properties have received measures in Q2 including 55 solar photo voltaic systems, 80 external solid wall systems and 27 boiler replacements. Despite this lower than anticipated delivery in Q2 the target of 650 in 2014/15 is on track with 222 heating system installations and 40 external solid wall installations planned in Q3, 84 flats (Castle Heights) and 70 external solid wall insulation (Vibrant and Viable Places) in Q4. Only 100 installs were originally planned for Q3 and Q4 to allow for challenges in Q2.

A risk in Q2 was the availability of gas services within Mostyn ahead of the installation of gas central heating systems. A service is the connection from the gas mains to the meter box at a property. 103 gas services have been installed and the heating installations planned but the ground conditions have introduced some delay to the laying of the mains which in turn has delayed the services. The remaining 119 services are to be installed in Q3 and the heating systems are to follow on. Privately owned homes in the area are also being surveyed and connections planned. The lower than anticipated delivery is reflected in the Amber performance RAG against the heating bill savings and number of properties receiving measures.

Flintshire's fuel poverty crisis fund has continued to perform well with the target of reducing the bills of 30 households this quarter surpassed. These are households that can evidence a genuine need for help but that would otherwise not qualify for financial assistance. In Q2 41 households received detailed home energy advice surveys and reports whilst 38 properties received installations ranging from new heating controls to loft insulation and full heating systems. Properties that qualified for support were referred to Nest.

It was agreed by the Chief Officer Team in Q2 that procurement for future projects should be open to Welsh Local Authorities and Registered Social Landlords. A procurement strategy has been developed and implementation is planned for Q3 with the solution in place in mid to late Q4. A series of LA and RSL roadshows will be undertaken in Q3 as part of the engagement exercise with stakeholders. A major support programme for SMEs will also commence in Q3.

A discussion with the Welsh European Funding Office has also opened to explore the long term collaborative funding options through ERDF funding. A proposal has been submitted to the North Wales Economic Ambition Board to enable strategic discussion across the region. The vision is to create the conditions for sustainable and increased investment across the region so that stakeholders find it easier to engage with the programme and the number of homes receiving measures increases. This will create significant job and training opportunities and support a number of Corporate priorities.

Achievement will be measured through:

- Number of households accessing Eco and other energy efficiency funding
- Number of households accessing the opportunity to convert from oil to gas heating in the Aston and Mostyn areas

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Overall annual fuel bill reduction for residents	Chief Officer – Community and Enterprise	£142,430	£175,000	£250,000	£84,920	A	G
Annual reduction in carbon emissions		11,661 tonnes	25,000 tonnes	20,000 tonnes	6,201 tonnes	A	G
IPE2M5 – Number of homes benefiting from improved domestic energy performance measures		466 homes	650 homes	1000 homes	293 homes (cumulative total)	A	G

3. Deliver energy efficiency measures to Council homes.

Progress Comment	Progress RAG	A	Outcome RAG	G
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As discussed above the installation of the heating systems to Mostyn in particular (due to the amount of gas mains needing to be installed) depended on the availability of the gas mains, the availability of the gas services and then the heating systems. 103 services have been installed and the remaining 119 services are to be installed in Q3 and Q4. The heating systems are planned to follow on in Q3 and Q4.

Thirty-nine council homes are also planned to receive external solid wall insulation through the Vibrant and Viable Places programme. These have begun to be installed (8 so far) and the remaining 31 will be completed in Q3 and Q4.

Achievement will be measured through:

- Number of Council homes receiving energy efficiency measures
- Number of Council homes in the Aston and Mostyn areas being converted from oil to gas

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Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
IPP2M4 - Number of Council homes receiving energy efficiency measures	Chief Officer – Community and Enterprise	161 council homes	400 council homes	500 council homes	87 council homes (cumulative total)	G	G
Number of Council homes in the Aston and Mostyn areas being converted from oil to gas (this is a sub-measure of IPP2M4 above)		N/A – new measure	233 council homes	N/A	11 council homes (cumulative total)	A	G

Risks to Manage – Available funding might fall short of public demand

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	<ol style="list-style-type: none"> 1. A robust 3 year business plan has been developed to ensure that the service can be sustained. 2. The business plan is based on meeting the Councils spend to save ratio of £1 spent for every £5 saved or secured through external funding. 3. Discussions with stakeholders have taken place to emphasise the 	L	L	G	<ol style="list-style-type: none"> 1. Sufficiently skilled staff need to be retained / developed to ensure there is the capacity to continue to identify and secure funding opportunities and to ensure that delivery of programmes meets the standards of the Council, service users and funding providers. 2. Progress needs to be evaluated against the business plan to determine whether the model is working or not. 3. Public demand needs to be evaluated regularly to 	Housing Regeneration and Strategy Manager	↔	L	L	G	April 2014

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APPENDIX 5

Priority: Poverty
Sub-Priority: Welfare Reform
Impact: Protecting people from poverty

What we will do in 2014/15:

1. Place a greater emphasis on preventing homelessness

Progress Status	Progress RAG	A	Outcome RAG	A
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The FCC pilot project to deliver an enhanced homelessness prevention service to anyone who is at risk of homeless within 56 days is continuing to identify best practice and emerging trends. Initial performance figures from the six months the pilot has been in operation demonstrate that 552 people threatened with homelessness have received an enhanced homelessness prevention service with successful outcomes being attained in 88% of completed cases. During quarter 2 144 people, who under the current legislation are only eligible for advice and assistance, received and benefited from a full homelessness prevention service. There has also been an improvement in reducing the time spent in B&B accommodation for families and single households despite there being more homeless households needing to be placed in such accommodation. Households with more complex needs, who are impacted by the by the spare room subsidy, continue to be helped to transfer to smaller accommodation. However, these households include those containing a person with a disability & who need to move to adapted properties & are problematic to move in a cost effective & timely manner.

Achievement will be measured through:

- The percentage of all potentially homeless households for whom homelessness was prevented for at least 6 months
- Number of tenants helped to move to more affordable accommodation (because of the spare room subsidy)

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
HHA/013 - The percentage of all potentially homeless households for whom homelessness was prevented for at least 6 months.	Chief Officer – Community and Enterprise	84.89%	90%	90%	N/A	N/A	N/A
Number of tenants helped to move to more affordable accommodation because of the spare room subsidy		50	65	TBC	20	A see point 3 below	A

Risks to Manage - Meeting the growing costs of homelessness prevention

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	1. Enhancing provision of homelessness prevention services for anyone at risk of homelessness within 56 days through our 'reasonable steps pilot'. 2. Integrated Housing Access & Housing Options Team enables realistic housing options to be provided to residents seeking assistance with housing. 3. Households with more complex needs, who are impacted by the by the spare room subsidy, being helped to transfer to smaller accommodation.	M	M	A	1. Implement a Common Housing Register for all social housing providers operating within Flintshire. 2. Flintshire Tackling Poverty Partnership is overseeing the implementation of measures to improve financial capability & access to affordable credit within households impacted by welfare reforms.	Chief Officer – Community & Enterprise	↓	M	M	A	Dec 2013

			<p>(Note: a DWP report published in July 2014 has conceded the main policy intent behind the introduction of the spare room subsidy, to encourage under-occupying households to downsize to smaller properties, is not being attained.)</p> <p>4. Identifying & putting in place appropriate resources to enable the effective delivery of a Housing Solutions Service from April 2015.</p>								
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2. Provide advice and support services to help people protect their income

Progress Status	Progress RAG	G	Outcome RAG	G
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Whilst the impact of the welfare reforms continue to remove social security income from Flintshire households, the positive outcomes from the services provided by the FCC Welfare Rights & Housing Benefit Teams is, to some extent, redressing the balance. During the period April to September 2014, the Welfare Rights Team maximised the income within 802 Flintshire households by helping them to claim welfare benefits with a value of £1,334,526 (£1,059,178 on-going awards and £275,348 one-off awards). In addition, the Housing Benefit Team awarded households, impacted by the welfare reforms – in particular by the spare room subsidy (bedroom tax), discretionary housing payments totalling £140,646. Households at risk of homelessness were also assisted to manage debts totalling £667,222. The outcome of the income maximisation work is not only beneficial for the household but also increases spending power within the local economy and positively supports the attainment of the objectives within the Tackling Poverty and Homelessness Prevention agendas.

Achievement will be measured through:

- Number of Flintshire residents assisted by Flintshire County Council to maximise their income
- Number of residents supported to successfully challenge adverse benefit decisions
- Amount of additional Social Security and Tax Credits paid to Flintshire residents as a result of the work undertaken by Flintshire County Council
- Amount of monthly debt managed as a result of advice provided by the Money Advice Service
- Amount of monthly discretionary housing payment (DHP) paid to support peoples housing needs including changes due to Welfare Reform

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
Amount of additional Social Security and Tax Credits paid to Flintshire residents as a result of the work undertaken by FCC (WEL/001)	Chief Officer – Community and Enterprise	£2.3 million	£2 million	£2.6 million	£1,334,694	G	G
The following indicators are provided for information and monitoring only and are not suitable for setting targets against							
Number of Flintshire residents assisted by FCC to claim Additional Social Security and Tax Credits	Chief Officer – Community and Enterprise	1,680	N/A	N/A	802	N/A	N/A
Number of residents supported to successfully challenge adverse benefit decisions		180	N/A	N/A	89	N/A	N/A
Amount of monthly debt managed as a result of advice provided by the Money Advice Service <i>It has been decided this year to exclude the housing costs (i.e., total amount of outstanding mortgage) from the debt managed</i>		N/A – new measure	N/A	N/A	£667,222	N/A	N/A
Amount of monthly discretionary housing payment (DHP) paid to support people to adjust to Welfare Reform changes		N/A – new measure	N/A	N/A	£139,646	N/A	N/A

Risks to Manage - Advice and support services sufficient to be able to meet demand

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
H	H	R	<ol style="list-style-type: none"> Advice Gateway helping to improve customer service and maximise provider resources. Reducing the number of residents who are referred to an advice service provider by training front line (non-advice) practitioners to deal with basic social welfare queries. FCC working with five N/Wales local authorities and the North/Mid Wales DWP to develop a local support services framework to assist households throughout the longer-term transformation of the social security system. 	M	M	A	<ol style="list-style-type: none"> Ensure the Advice Gateway is accessible to all Flintshire residents & develop a single access pathway to the Advice & Support Gateways. The Flintshire Tackling Poverty Partnership will identify & maximise the take-up of funding opportunities amongst advice services, to compliment similar work being undertaken across N/Wales being led by DWP. This is expected to start from February 2015. 	Chief Officer – Community & Enterprise	↓	M	M	A	Dec 2013

3. Support the implementation of Universal Credit (UC) within the Shotton Jobcentre Plus area

Progress Status

Progress RAG

G

Outcome RAG

G

The implementation of Universal Credit (UC) within Flintshire is progressing very positively, though very slowly. At the end of September 2014, a total of 177 people, living within the Shotton catchment area, had made a claim for UC and 140 claims are still live. More importantly, as a live UC area, FCC has been able to influence the DWP national policies to reflect the best practice models developed & implemented by FCC to support UC claimants. In September 2014, the UC national process for accessing personal budgeting support was changed to mirror the process developed and implemented within Flintshire.

FCC and the DWP are also working to improve a claimant's access to a range of advice and support services that can help them address other social welfare problems they may have, which, if left unresolved could impact upon their ability to meet the requirements within their UC claimant commitment and face a benefit sanction.

The low numbers currently claiming UC and needing to access support will not affect the level of funding provided by the DWP to FCC during the current financial year. However, when negotiating future funding, it will be important that the DWP acknowledge that UC is currently being delivered to the less problematic claimant groups and the demand for support will increase as the roll out of UC extends to claimant groups with more complex needs.

Note: FCC has no control over the speed at which the Westminster Government is progressively implementing UC within Flintshire. As such it is not appropriate to have targets for these measures, thus, the outturns are provided as management information.

Achievement will be measured through:

- Number of Universal Credit claimants referred to Citizens Advice Bureau for Personal Budgeting support
- Number of Universal Credit claimants assisted with on-line access
- Number of claims referred from Jobcentre Plus to Flintshire County Council Housing Benefit service

Achievement Measures	Lead Officer	2013/14 Baseline Data	2014/15 Target	2016/17 Aspirational Target	Current Outturn	Performance RAG	Outcome Performance Predictive RAG
The following indicators are provided for information and monitoring only and are not suitable for setting targets against							
Number of Universal Credit claimants referred to Citizens Advice Bureau for Personal Budgeting support	Chief Officer – Community and Enterprise	N/A – new measure	N/A	TBC	11	N/A	N/A
Number of Universal Credit claimants assisted with on-line access		N/A – new measure	N/A	TBC	1	N/A	N/A
Number of claims referred from Jobcentre Plus to Flintshire County Council Housing Benefit service		N/A – new measure	N/A	TBC	56	N/A	N/A

Risks to Manage - Eviction levels rising if tenants are unable to afford to pay their rent

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)				
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date	
(L)	(I)	(LxI)		(L)	(I)	(LxI)			(L)	(I)	(LxI)			
Page 50	H	H	R	<ol style="list-style-type: none"> FCC Housing Benefit Service proactively uses Discretionary Housing Payments (DHP) to assist households at risk of homelessness. DWP have introduced positive changes to improve the processes for UC claims from social housing tenants to help prevent rent arrears accruing whilst a tenant is supported to adjust to the new way within which they have to manage their household budget. The WRRRT's early intervention of help and support to households generating positive results. 	M	M	A	<ol style="list-style-type: none"> FCC to work with the DWP to ensure private landlords receive similar support to that provided to social landlords when a private sector tenant claims UC. FCC is part of an all Wales project reviewing the DHP scheme with the aim of ensuring efficient use of the DHP budget over the longer term. FCC Housing Service to develop measures to support wider group of tenants to ensure the impact upon the Housing Revenue Account, created by the ongoing reform of the social security system, continues to be successfully mitigated in the years ahead. 	Chief Officer Community & Enterprise	↓	M	M	A	Jun 2014

Risks to Manage - Local Economy may suffer as residents have less income to spend

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	M	A	<p>1. FCC providing services to help Flintshire households maximise their income through accessing social security benefits & managing their financial commitments.</p> <p>2. FCC funding a personal budgeting support service delivered by the CAB, for UC claimants who experience problems managing their household budget.</p>	M	M	A	<p>1. FCC to forecast the projected impacts of future changes to social security legislation upon residents, service users, service providers, local businesses.</p> <p>2. The development of the Local Support Services Framework will identify the advice & support resources that are required to help residents to manage the impacts of longer-term transformation of the social security system.</p> <p>3. Initiatives to be developed & implemented to support working households, particularly containing children, who are now seeing their income fall because of the welfare reforms.</p>	Chief Officer Community & Enterprise	↔	M	M	A	Apr 2014

Risks to Manage - Resources to meet the requirements of the Universal Credit roll-out

Gross Score (as if there are no measures in place to control the risk)			Current Actions / Arrangements in place to control the risk	Net Score (as it is now)			Future Actions and / or Arrangement to control the risk	Manager Responsible	Risk Trend	Target Score (when all actions are completed / satisfactory arrangements in place)			
Likelihood	Impact	Gross Score		Likelihood	Impact	Gross Score				Likelihood	Impact	Gross Score	Target Date
(L)	(I)	(LxI)		(L)	(I)	(LxI)				(L)	(I)	(LxI)	
M	M	A	1. During the period April 14 – March 15, the UC delivery partnership agreement will ensure resources are in place to UC claimants to make & sustain UC claims. 2. FCC & DWP hold a regular UC strategic meeting to manage the implementation of the Universal Credit local delivery partnership agreement. 3. FCC has created a UC liaison officer post to collate & disseminate management information on UC.	L	L	G	1. From February 2015, the DWP are proposing to accelerate the roll out of UC throughout the whole of the United Kingdom .To support the expansion, the DWP will fund local delivery partnerships 2. Flintshire's Tackling Poverty Partnership to lead the development of a strategic approach to improving financial literacy and capability within all households impacted by the transformation of the social security system.	Chief Officer Community & Environment	↔	L	L	G	Jun 2014

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

DATE: **WEDNESDAY 14TH JANUARY 2015**

REPORT BY: **HOUSING & LEARNING OVERVIEW & SCRUTINY FACILITATOR**

SUBJECT: **MID YEAR CHIEF OFFICER PERFORMANCE REPORT**

1.00 PURPOSE OF REPORT

1.01 To consider the 2014/15 Mid Year Service Performance Report produced at Chief Officer level for their respective portfolios. The report covers the period April to September 2014.

2.00 BACKGROUND

2.01 The new style Improvement Plan adopted by Council in June 2013 which is aligned to the new three year Outcome Agreement, focuses on the priorities which are expected to have the most impact during 2014/15.

2.02 In addition to the Chief Officer performance reports, quarterly Improvement Plan Monitoring Reports will be presented to Overview & Scrutiny Committees according to the priority area of interest.

3.00 CONSIDERATIONS

3.01 A copy of the detailed Chief Officer Mid Year Service Performance Report is attached at Appendix 1.

3.02 The contents of the Chief Officer reports include:-

- areas of positive performance;
- areas of concern;
- the Council Improvement Priorities that are not set as an in-year priority;
- progress for key projects and collaborative areas of work;
- risk summaries;
- reporting against findings from internal and external regulatory bodies e.g. Wales Audit Office, Care and Social Services Inspectorate Wales or Estyn; and
- performance against the statutory national performance indicators (NSIs and PAMs).

3.03 Analysis of performance against the Improvement Targets and NSIs is undertaken using the RAG (Red, Amber and Green) status. This is defined as follows:-

- RED – equates to a position of unacceptable performance
- AMBER – equates to a mid position where the performance has not achieved target but is within an acceptable level
- GREEN – equates to meeting or exceeding target

3.04 There are currently no high (RED) risk areas identified within the Chief Officer performance report, attached at Appendix 1.

4.00 RECOMMENDATIONS

4.01 That the Committee consider the 2014/15 Mid Year Service Performance Report produced by the Chief Officer, highlight and monitor poor performance and feedback details of any challenge to the Corporate Resources Overview & Scrutiny Committee who are responsible for the overview and monitoring of performance.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 Publication of this report constitutes consultation.

11.00 CONSULTATION UNDERTAKEN

11.01 Not applicable.

12.00 APPENDICES

12.01 Appendix 1 – Chief Officer (Community and Enterprise) Performance Report

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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Mid-Year Chief Officer Report

Report Author: Chief Officer – Community and Enterprise

Report Date: November 2014

Report Period: April to September 2014

Introduction

The Chief Officer report is produced on a half yearly basis and provided to Cabinet Members for review and assurance focusing on the 'business as usual'. The reports are provided for Overview and Scrutiny Committees as part of their Forward Work Programmes. Chief Officer reports compliment the Improvement Plan monitoring reports.

Chief Officer reports are exception reports which summarise the key information Members should be aware of, including both good and poor performance. Emerging issues / operational risks are also detailed. The reports are split into three distinct sections: -

1. Performance Overview - this section is used to give an overview of the progress being made towards delivery of key plans for the services which include those Improvement Priorities which do not have an in year focus i.e. these are not reported within the quarterly Improvement Plan monitoring. It is also used to highlight good news and key issues (including operational risks) arising. In addition, summary progress is given for key projects and collaborative areas of work.

2. Internal and External Regulatory Reports - this section summarises regulatory work reported in the half year and its outcomes and intended actions arising from recommendations.

3. Corporate Reporting - this section summarises the performance in relation to corporate issues i.e. Sickness absence, Complaints

Plus supporting appendices: -

Appendix 1- Performance Indicators - summary table of the key performance indicators used to manage the services. In addition, any NSI and PAM (statutory PIs) reported by the services are included.

Appendix 2 - High level (red) operational risk detail - completed full risk templates for those risks currently assessed as high (red).

Section 1 - Performance Overview

This report covers the following business plan areas:

- Housing Revenue Account
- Regeneration
- Customer Services
- Economic Development

Areas of Positive Performance

Positive performance is being made across the portfolio, much of which is covered in the improvement plan reports and in internal performance reporting. Of noteworthy mention are:

Housing Revenue Account:

Plans are progressing well to introduce self financing for the Housing Revenue Account from April 2015. Procurement has commenced for a council house building programme. Efficiency and income maximisation options are being developed for the 15/16 budget process.

Housing Asset Management have progressed a number of key projects. The PDA project is gaining momentum with the software and infrastructure now in place. Consultation is now to take place on the selection of handheld devices with staff, members, unions and other stakeholders. Detailed project planning is progressing with a target go live early in 2015.

The “van stocks” project is also underway to deliver an improved service to tenants as once implemented more jobs will be able to be completed on first visit.

The new Rents policy/Service Charge Project continues to be a key project for Housing. New tenants will be subject to services charges from April 2015, charges for existing tenants will be phased in over a three year period from April 2016.

Work is being undertaken to work to the Crime & Policing Act 2014 with Community Safety, Youth Justice and North Wales Police. The act will impact ASB cases linked to the environment which will give the partners the powers to issue enforceable notices.

Areas of Concern

The level of no access visits for gas servicing and the lengthy legal process to gain entry is still a high priority for the Housing Management Team. The team are exploring alternative ways of gaining access.

Rent arrears continue to be a concern in light of the Welfare Reforms. Although the impact has not been as severe as originally forecast the effects have not been nor can be fully mitigated. Good work between the income team, neighbourhood teams and welfare rights continues to assist those households affected.

Regeneration:

The Strategic Housing and Regeneration Programme (SHARP) is progressing. The programme has identified an initial nine sites across the county for development. The initial focus of the programme is the Flint Town Centre Master Plan including the development of 100 housing units on the site of the maisonettes.

The council was awarded £6.042M through the Vibrant & Viable Places Regeneration Framework for schemes across Deeside over the next 3 years. The aim of the funding is to support high street regeneration, through the improvement of commercial premises and streetscape works, alongside support for housing creation and improvement.

To date the council is progressing a number of energy efficiency retrofit projects, is in the process of tendering for a streetscape contractor and is creating new residential accommodation above commercial town centre premises. A successful Green Team programme is underway, supporting economically inactive people to access training and employment opportunities in horticulture and construction based sectors.

The council is on track to meet the objectives it set out in its year 1 bid and will meet Welsh Government targets as set out in the community benefits toolkit around job creation, training and skills.

The Housing Strategy & Regeneration team has maintained the Customer Service Excellence award during Q2 following an audit from the awarding body and has identified areas of further improvement to be delivered over the remainder of the year.

Town centre programmes are scheduled to deliver all European funding expenditure by the end of the financial year.

Phase 2 of the Deeside Renewal Area Group Repair programme has seen considerable improvements in the processes and approach from Phase 1 leading to a more efficient service and the achievement of 100% customer satisfaction during the last two quarters.

There are a number of contributory factors to achieving these results to date which include survey and contract documentation being more precise and user friendly, pre-start meetings being held with each property owner and all parties involved being present.

Areas of Concern:

The “Home Loans” initiative between Housing Strategy and Regeneration and Street is taking too long to turnaround property improvements and is now undergoing a mini lean review. We hope to see considerable improvements in this area in the remaining two quarters of the year through process improvement.

V and V programmes are making good progress but started late making spend projections and outputs challenging in Year 1.

Customer Services

The third Connects Centre is open and operational in Connah's Quay. Transfer of services to Connects has enabled efficiencies within back office services areas and improved access to these services for customers. Examples include the processing and issuing of blue badges and homelessness matters which are now available at all centres. Responsibility for the Street Scene contact Centre has reverted to the service. A new web site has been launched now enabling roll out of self serve.

The service is working to ensure the smooth implementation of the SARTH project. The triage service has been launched and customers are being contacted and where necessary visited to ensure the information the council holds is accurate and up to date ahead of the transition to a Single Access Route to Housing.

A significant development for the service has been the Homeless Prevention Pilot. This has been sponsored by WG and delivered in partnership with Shelter, and has seen the team piloting the new homeless legislation which will commence in April 2015. The Housing Options Service has been providing a full prevention service for all those that approach in need of assistance irrespective of their priority need status or local connection. The prevention levels for the first six months of the year have been high at 88% cases. An early findings report has been completed and will be reported to scrutiny committee in November and shared with wider partners and stakeholders.

The Welfare Rights Team has been reduced by 1.5 posts this year and has worked with Connects Staff to manage this reduction in capacity. To date the team has managed to meet targets for maximising income.

Council tax and business rate collections are holding up well despite the economic climate and realistic payment plans are in place for arrears cases. The service is confident of achieving their target for the year.

At the end of Q2:

- 58.3% of all council tax due in the year has been collected
- 61.9% of all commercial rates due in the year has been collected

The single person discount review is well underway with completion forecast for November 2014. The project should deliver significant savings for the council.

The channel shift project to migrate face to face payment services into Flintshire Connects has been completed, reducing staff overheads. Since March 2014, over 6500 transactions have been conducted via the payment kiosks.

The Supporting People Programme is facing year on year significant reductions and the team is working on an analysis of demand and assessing strategic priority of services. Work is also ongoing with providers to identify options for savings through remodelling or collaboration.

Senior Housing Representatives attend the Children's Services Forum to maintain communication around any issues arising for care leavers seeking suitable accommodation options. The Housing Options and Children's Services Integrated Team are now involved in Pathway Plans for each individual at an early stage to identify their housing aspirations and explore suitable and affordable options.

Areas of Concern

The number of families and single households needing to be accommodated in B&B has increased from 72 households to 87 households when compared with the same period in the previous year. This is reported to Scrutiny Committee in the Improvement plan monitoring report. However, despite the increase in numbers, the team has reduced the average length of stay to less than last year. This is the result of some improved joint working between Housing Options, Accommodation Support and Estate Management.

Complaint handling performance has dipped and measures put in place to improve. The Customer Services team will take control of complaints handling and deal directly with service managers.

Economic development

Flintshire Business week was a significant success with many businesses engaging positively and networking to improve business growth and success.

Assisted Areas are those areas where regional aid can be offered to undertakings, within Commission state aid rules to provide financial support to eligible businesses in key business sectors and certain strategically important projects outside these. It helps fund capital investment, job creation, research, development and innovation and certain eligible revenue projects throughout Wales. The Flintshire bid has been accepted and retained without amendment and consultation has closed. Retention of Assisted Areas status ensures the continued offer of Enhanced Capital Allowances of £70m permitted at Deeside Enterprise Zone.

Partnership working has taken place around the introduction of Superfast Broadband to the county. This enables businesses to work more efficiently with faster upload and download speeds and reducing travel, helping to create jobs and expand businesses.

Flintshire County Council recognises the importance of successful exploitation of superfast broadband infrastructure for its businesses and has signed the Superfast Exploitation Charter to partner with Welsh Government and collaborate with other Welsh Councils in the delivery of Superfast Exploitation support. It aims to:-

- help raise awareness to businesses about Superfast Broadband exploitation across Wales.
- explain how to make the most of Superfast Broadband and technologies for businesses
- offer free online guides informing of the benefits and technologies associated with Superfast Broadband.
- signpost to further advice relating to Superfast Broadband

To date, Flintshire has raised awareness with businesses both at Deeside Industrial Park Forum and the Mersey Dee Alliance Innovation Network and delivered a dedicated seminar during Flintshire Business Week 2014 in addition to publicising Superfast Broadband via social media.

Areas of Concern:

Collaboration options need to be developed further to protect service delivery:

NEW Homes

Work to deliver the first year business plan targets is progressing. The work of the council in establishing the company has been shortlisted for the Chartered Institute of Housing “Best New Idea award”. A specific report on the company and its progress is being reported to the November Housing Scrutiny Committee.

Areas of Concern:

Although social media and other avenues for marketing have been used, a marketing/brand development strategy is needed.

Summary of Operational Risks (from the above sections)

Risk Type	Risk Ref. and Description	Net Risk Score	Risk Trend	Target Risk Score & Date
Operational / Project	The current budget challenges places risks to ongoing service delivery especially for non-statutory services. Options are being developed to maximise income, research alternative delivery models, make cost efficiencies, reduce demand etc. These will be shared during the budget process.	A	↑	A
Operational	The level of rent arrears in the HRA arising from Welfare Reform requires close monitoring and may need policy change to protect income going forward.	A	↔	G 2015/16
Project	The SARTH project faces a possible financial risk as a key regional partner outside of Flintshire has recently decided to delay the implementation of the common register.	A	↑	A

Section 2 - Internal and External Regulatory Reports

Report: Housing Rent Arrears, Internal Audit report

Date Finalised: October 2014

Conclusion: Reasonable assurance

Recommendations: 2 x medium, 1 x low

Summary

Areas of good practice:

- The work carried out by the Housing staff does contribute towards the achievement of the objectives expressed in the Council Improvement Plan 2014/15
- Housing staff have achieved their KPI's; in some cases exceeded them in the face of a difficult economic climate and a major change in Welfare Provision.
- Housing Staff deal with a high number of difficult clients who can present challenging problems. Throughout the audit it was found that staff strive to find solutions which are both achievable for the tenant and beneficial to the Council.

Key areas for improvement:

- The stability of the Capita Housing system is poor, maintenance needs to be improved as a matter of urgency.
- Whilst there has been an improvement in the diary notes kept by Income Officers, not all Housing staff are updating the system. Diary notes on the Capita system should be comprehensive and up to date.

Report: Corporate Compliments, Concerns and Complaints, Internal Audit

Date Finalised: July 2014

Conclusion: Reasonable Assurance

Recommendations: 3 x medium, 2 x low

Summary

An audit of Compliments, Concerns and Complaints (CCC) was undertaken as part of the approved internal audit periodic plan for 2013/14.

Compliments, Concerns and Complaints can be received by the Council in a number of ways: telephone, letter, fax, email, website and via the contact centre. In accordance with the CCC policy complainants are asked to contact the service that they have been dealing with or the Customer Services Team in the first instance. Flintshire County Council (FCC), aim to deal with the complaint within 10 working days from receipt of the complaint. All complaints must be recorded on the Council's CCC database.

If the complainant is not satisfied with the response they are given, they are advised to contact the Customer Services Team who ensure that the complaint is considered by a senior officer and responded to within 20 working days. In the financial year 2013/14 Flintshire County Council received 863 complaints, 86.72% were responded to within 10 working days with 3 being referred to the Public Services Wales Ombudsman (PSWO). FCC exceeded its target of 80% (figures provided by the Corporate Complaints Officer).

Report: Registration Service Annual Performance Report 13/14

Date Finalised: 30th April 2014

Conclusion:

We note your excellent attainment against the key performance target in respect of birth and death appointments. In relation to customer satisfaction, whilst we acknowledge that there have been no customer complaints and indeed, several compliments received, it is usual to have periodic customer surveys to establish prevailing levels. This can also assist in service planning and delivery.

Additionally, I am pleased to note the assurance you have provided that GRO requirements in respect of the reporting of Suspicious Certificate Applications and Suspected Sham Marriage/CP; and those in respect of Data Protection and the Registration Online (RON) System have been adhered to. The comments included in this section show good management oversight and staff awareness in this important area.

Report: Council Tax and NNDR Finance, Internal Audit

Date Finalised: May 2014

Conclusion: Substantial Assurance

Recommendations: 2 Low

Summary

Areas of Good Practice:

- Procedures in the Council Tax/NDR Department ensure that each property is allocated a unique reference number on the valuation list and Civica system.
- Regular reports are produced of outstanding notifications for both Council Tax and NDR.
- Weekly reconciliations are prepared of property details from the Civica system to those held by the Valuation Office Agency (VOA).
- Valuation Office amendments are actioned promptly.
- Properties on the Council Tax and NDR list are regularly reconciled to the VOA and billing run.
- Liability amendment notifications are dealt with promptly.
- Discounts and exemptions are appropriately verified and recorded.
- Regular quality checks are performed by the Team Leaders on completed work items.
- Daily reconciliations are performed on the totals on the BACs processing reports to the totals on the direct debit extract reports.
- Credits, transfers and refunds are appropriately verified and recorded.
- The suspense account is cleared daily.
- Notifications of deceased tax players are processed promptly.

Areas for improvement:

- Our opinion of the design of the aforementioned framework has confirmed that there is no requirement for new controls to be introduced. Application of and compliance with control framework. Testing highlighted the following weaknesses in the application of the control framework.
- Differences on the NDR reconciliations to the VOA property listings need to be resolved and cleared.

Section 3 - Corporate Reporting

Equality and Welsh Language

List the Equalities and Welsh Language Impact Assessments: -

(1) Started/Work in Progress

(2) Completed

during the period (April – September 2014)

None during the period.

List the work areas / functions where diversity of customers are monitored

None during the period.

Appendix 1 - Performance Indicators

Key

R	Target significantly missed or likely to be missed by a significant margin
A	Target missed or likely to be missed but within an acceptable level
G	Target achieved / exceeded or on track to be achieved / exceeded

The RAG status of the indicators for the half year position are summarised as follows: -

R	A	1	G
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Note 1 – NSI = National Statutory Indicator PAM = Public Accountability Measure

Note 2 – Change (Improved / Downturned) is based on comparison with the previous reporting period. Where it is more appropriate to compare performance with the same period in the previous year this should be stated in the commentary.

Indicator	NSI / PAM (Note 1)	Annual Outturn 2013/14	Annual Target 2014/15	Mid-Year Outturn 2014/15	RAG	Change e.g. Improved / Downturned (Note 2)	Commentary
HHA/013: The percentage of all potentially homeless households for whom homelessness was prevented for at least 6 months	NSI / PAM	84.89%	90%	N/A	N/A	N/A	This indicator is only reported at year end.
PSR/004: The percentage of private sector dwellings that had been vacant for more than 6 months at 1st April that were returned to occupation during the year through direct action by the local authority	NSI	6.73%	8.71%	4	A	↔	The interim target for properties brought back into use in Q1 & Q2 is 11. The number of empty properties whose owners are engaged with the service in bringing them back to use, suggests we are still on track for achieving our end of year target. Delays with the legal team processing

Indicator	NSI / PAM (Note 1)	Annual Outturn 2013/14	Annual Target 2014/15	Mid-Year Outturn 2014/15	RAG	Change e.g. Improved / Downturned (Note 2)	Commentary
							Houses Into Homes applications has reduced the figure by 8 units this quarter, these properties will be brought forward into the next quarters figures

Appendix 2 – High Level (Red) Net Risks

No high level risks identified for this report.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**
DATE: **WEDNESDAY, 14 JANUARY 2015**
REPORT BY: **CHIEF OFFICER (COMMUNITY AND ENTERPRISE)**
SUBJECT: **UPDATE ON THE IMPLEMENTATION OF SARTH**

1.00 PURPOSE OF REPORT

1.01 This report updates members on the development of the Single Access Route to Housing Project (SARTH) across the North East Wales sub region and the development of a Common Housing Register in Flintshire.

2.00 BACKGROUND

2.01 SARTH is a partnership project between all the major social landlords in North East Wales, covering the local authority areas of Conwy County Borough, Denbighshire and Flintshire. The social landlords involved include Cartrefi Conwy, Clwyd Alyn, Grwp Cynefin, North Wales Housing and Wales and West Housing Associations.

2.02 In 2011, the Welsh Government supported a project to explore the options for a sub regional common housing register and policy. A Regional Steering Board was created with senior officer representatives from all the project partners and a project manager was recruited in January 2012. Flintshire held a workshop in July 2012 for Housing Overview and Scrutiny in order for members to feed into proposals. In November 2012, Cabinet gave approval for Flintshire to put the policy out to public consultation. Members were invited to attend a workshop in April 2013 as part of that consultation and an update report was circulated to members in July 2013 providing feedback on the consultation results.

2.03 In January 2014, Cabinet approved the implementation of the new allocation policy for Flintshire County Council. (Copy of policy attached at Appendix A). Cabinet agreed to the development of the Housing Access Team providing improved advice on housing options ahead of the development and transfer of applicants to the new banding register.

2.04 The SARTH policy will be simpler to understand than the current points based system. Applicants are given reasonable preference determined by a banding scheme which lists people in date order of

their application within each band. Reasonable preference is given to those who fall within the statutory categories such as homelessness, overcrowding, living in unsanitary conditions, medical grounds or hardship.

The SARTH policy does not only include a revised allocation policy but includes some changes to the way the register is currently managed. This includes a move away from a focus purely on accessing social housing and a move toward providing advice on realistic housing options.

3.00 CONSIDERATIONS

3.01 The timeline proposed that the move to improved housing advice would start immediately and the Flintshire register would be developed by December 2014.

3.02 The Housing Access Team is operational and is providing advice to all applicants about their housing options. Previously, the team were receiving 30 applications a week and these were all registered (even where applicants had little or no points or were choosing areas with very few vacancies and very high demand).. Customers now receive clear information about their choice of areas and can be assisted to explore other options that may be more suitable including the private rented sector and affordable housing.

3.03 The target date for developing the SARTH register was December 2014. The register has been developed and is ready for applicants to be transferred across. However, it is proposed that this transfer is managed over a period of time so that each applicant can be dealt with individually and offered a triage service over the phone or in person to ensure all the information collated for the new register is correct and applicants with low priority can be offered information, support and assistance to explore alternative options.

The current housing register will be maintained while the housing solutions service transfers applicants over to the new banding register. The implementation date for allocating properties from the new banding register will be 1st April 2015.

3.04 The work of the project has progressed significantly during the past 12 months. All partners are represented on the sub-regional Steering Group and on three key work streams leading on ICT, Communications and Operational Developments in order to ensure the smooth transition to the new housing register and allocation policy.

3.05 Communications

All current applicants for social housing will receive a letter at the beginning of January requesting that they complete and return a reply slip if they wish to remain on the housing register and still require

social housing. Currently, there are 3633 applicants who will receive a letter. Once the applicant has confirmed that they wish to remain on the housing register, they will be contacted by a member of staff from the Housing Solutions Team, in order that they can discuss the changes to the allocation policy, talk through the applicants circumstances and assess which band, if any, the applicant would be placed into.

The new system will place people in date order in their priority band group. For all existing applicants, their original application date will transfer.

The process above has been amended slightly for those people on the current registers who are aged over 55 and have applied for Sheltered Housing. In order to ensure that needs are assessed appropriately, it was agreed that visits would be arranged to this group of applicants, rather than sending out a letter. This ensures that the council will be able to fully explain the process and alleviate any concerns that applicants may have regarding the new policy. In addition, it also allows for family members to be present if necessary. These visits are being conducted between January and March by Accommodation Support Workers from the Community Based Accommodation Support Service (CBASS).

Only those people with an identified housing need will be placed on the new housing register. However, Flintshire County Council has made a commitment that if a current applicant does not meet the criteria for any of the new Banding priorities, they will be able to remain on the old register and may be considered for a housing allocation if there are no suitable applicants for a vacancy on the new common housing register. It is suggested that a timescale be agreed for the closure of the old register and removal of applicants with low housing need. Applicants would be informed that if no suitable allocation is identified within a 12-month period then they will be assisted with other options and removed from the register. All elected members will be provided with a copy of the letter being sent to applicants.

It is anticipated that this work will take approximately 4 months to complete. As this will cross over the implementation date, the work will be prioritised according to those with the current highest points on the register. This will ensure that those with the highest level of needs are assessed as a priority.

Applicants will be informed that they will remain on their current point levels and still be considered for housing between January and the end of March according to the current process. They will also be informed of their new Band Level from 1st April.

All relevant staff have received briefings in relation to the new process

and a more in depth training programme is being delivered during the first two weeks of January. This will ensure that there is a consistent approach to the advice given to and management of housing applications.

3.06 ICT Work Stream

There have been two main areas of development within the ICT work stream. Firstly, work between the Councils business systems team and Capita to develop parameters for the revised application process to place applicants into bandings. This work has been completed and testing of the system is taking place.

The other area of development is the partner access portal which will enable the Housing Associations to access the register to prepare a shortlist in order to allocate their properties.

Corporate ICT have completed the technical evaluation for this development and will be starting the infrastructure design and the build of the server required to host this access portal. This development is on target to be in place in time for allocations to commence on April 1st 2015.

3.07 Operations Work Stream

The Operations Work Stream has been developing the operational procedures that will sit beneath the overarching policy; and testing the ICT developments. All work in relation to the triage of applicants will be completed by Flintshire County Council on behalf of the Housing Associations in the County. In the lead in period support has been offered from appropriate staff who will receive full training within Connects, the Admin team and Neighbourhood Housing Management.

Assistance with the staffing resources needed to undertake this task has also been offered from Wales & West Housing Association, and the regional funds will cover any additional costs involved with this.

4.00 RECOMMENDATIONS

4.01 Committee notes the progress made to implement a new allocation policy and common housing register.

4.02 Committee supports the phased transfer of applicants to the new register including Housing Association applicants, and supports the proposal to set a 12-month timescale for those with no identified housing need to be able to remain on the original register.

5.00 FINANCIAL IMPLICATIONS

- 5.01 Flintshire County Council has contributed £10,000 in 2013/14, £8,000 in 2014/15 and will contribute £8,000 in 2015/16. (subject to budget approval) towards the project.
- 5.02 The regional project funding has paid for the cost of the Project Manager in Flintshire (3 days a week) and covered all the ICT development costs.
- 5.03 Flintshire will be managing the register on behalf of the Housing Associations in the county. The Housing Associations will contribute to the costs of managing the register from April 2015. The level of contribution will be agreed based on an analysis of current costs and expected savings.

6.00 ANTI POVERTY IMPACT

- 6.01 None specifically

7.00 ENVIRONMENTAL IMPACT

- 7.01 None specifically

8.00 EQUALITIES IMPACT

- 8.01 Initially, the new register will continue to record previous points awarded under the current policy. This will allow for a comparison to be made between where an applicant is placed on the old register against the new one. This will inform any issues that may arise in relation to Equalities.
- 8.02 Cartrefi Conwy carried out a comprehensive equality impact assessment as part of the early consultation and development. External legal advice was sought to ensure the policy gave reasonable preference to the groups identified within the relevant housing legislation.

9.00 PERSONNEL IMPLICATIONS

- 9.01 There are no specific staffing implications not already addressed.

10.00 CONSULTATION REQUIRED

- 10.01 Individual discussion will take place with each applicant for social housing. Applicants who no longer qualify for access to one of the four bandings within the policy will be given advice and assistance to secure alternative suitable housing solutions

11.00 CONSULTATION UNDERTAKEN

11.01 As previously detailed in Section 2.00 of this report

12.00 APPENDICES

12.01 Appendix A – Common Allocation Policy

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

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Common Allocations Policy

A Single Access Route to Housing for north east Wales

All the major social landlords in the local authority areas of Conwy County Borough, Denbighshire and Flintshire have come together to design a single access route to housing. The partners in this collaboration are:

- Conwy County Borough Council
- Denbighshire County Council
- Flintshire County Council
- Cartrefi Conwy
- Clwyd Alyn Housing Association
- Cymdeithas Tai Clwyd
- North Wales Housing
- Wales & West Housing

All partners recognise that there is high demand for rented homes in the region and too few vacancies to meet demand. We must be realistic about this. It requires us to do two things:

Firstly, we will provide the best, most useful, consistent and accessible advice and information to everyone who comes to us looking for housing. We aim to help customers make the most informed choice about how to find a home to meet their needs. This advice must cover the whole range of affordable housing options, including social housing, private rented accommodation, home ownership and other alternatives.

Secondly, we will allocate our social housing stock in a transparent, fair, consistent and accessible way, which prioritises the people in our communities according to their housing needs and which meets our legal requirements.

Working together to these ends, we can share our strengths and good practice and place the customer at the heart of everything we do. We will simplify the access route to advice and to housing with one clear purpose: to help people find a home to meet their needs.

Overview of the Common Allocations Policy

This Common Allocations Policy (CAP) has been developed by all partners in collaboration and sets out how partners will achieve the following aim:

- To allocate our social housing stock in a transparent, fair, consistent and accessible way, which prioritises the people in our communities according to their housing needs and which meets our legal requirements.

Legal Context

This policy is fully compliant with the Housing Act 1996 as amended by the Homelessness Act 2002 which provides the legislative policy for allocations policy. The following aspects of this Act have guided the development of this policy:

- Section 167(2) of the Housing Act 1996, as amended by the Homelessness Act 2002, requires that this policy ensures that housing is allocated so that reasonable preference is given to people who fall within certain categories (as defined in section 8 below).
- Section 167(2) also provides that additional preference may be given to people falling within these categories who have urgent housing needs.
- Section 167(2A) provides that within the group of applicants who must be given reasonable preference, priority may be given to applicants who have a local connection with the local authority area as defined in section 10 below.
- Section 167(2A) provides that within the group of applicants who must be given reasonable preference, priority may be reduced where there is evidence of any behaviour by an applicant (or a member of their household) which effects their suitability to be a tenant or because of financial resources available to the person, which it would be reasonable for them to use to meet their housing needs.

The partners to this policy have also taken into account the contents of the “Code of Guidance for Local Authorities: Allocation of Accommodation and Homelessness 2012”, published by the Welsh Assembly in August 2012.

Consistency combined with a local approach

The common allocation policy delivers a uniform assessment of housing need across the region, providing fairness and consistency to the customer, taking into account people’s individual needs and expressed preferences.

The policy has been designed so that each partner is able to target the housing stock in each county at the people in their own communities who are most in housing need.

There is a consistent application process for customers. Each partner with properties in an area chosen by an applicant will be aware of the application and able to give the applicant the appropriate priority in the allocation process.

The common approach delivers both choice and ease of access to customers and an efficient means for partners to consistently meet housing need.

The Housing Register and the Banding Scheme

The policy is founded on the principle that reasonable preference in the letting of housing accommodation will be given to those persons who fall within the statutory categories set out in section 8 below. The relative priority given to applicants within these categories is determined by the banding scheme, according to whether they have an urgent housing need, whether they have a local connection and the date order of their application.

Applicants who are not in the categories entitled to reasonable preference will generally not be given any priority in the banding scheme and will not be recorded on the housing register. This is because of the limited supply of social housing and the responsibility to prioritise those in housing need. However, the advice and information offered to all customers will allow them to seek alternatives which will give them a greater chance of finding new accommodation.

Realistic Housing Options Advice

An enhanced housing options advice service will be provided for everyone who contacts any of the partners looking for somewhere to live.

When they first contact us, all customers will be asked where they would like to live and what their needs and preferences are. They will be advised of the full range of options open to them in their chosen areas and can then decide where their best options lie, whether via social housing or another alternative, taking into account supply and demand.

Advice and information on how to make an application and how houses are allocated will be available free of charge. Any assistance that a person may need to apply for housing will also be free of charge.

An applicant shall also be entitled, upon request, to such general information as will enable them to assess:

- How their application is likely to be treated under this policy (including in particular whether they are likely to be regarded as a member of a group of people who are to be given preference).

- Whether housing accommodation appropriate to their needs is likely to be made available to them and, if so, how long it is likely to be before such accommodation becomes available for allocation to them.

Fair and Equal Access

All partners are committed to providing equality of opportunity to all applicants who apply for housing and this policy has been subject to an equality impact assessment. This policy does not discriminate against any person on the grounds of race, gender, sexuality, age, disability, class, appearance, religion or religious beliefs, responsibility for dependents, unrelated criminal activity, being HIV positive or having AIDS, or any other matter which might cause a person to be treated with injustice.

All partners will comply with the statutory requirements relating to equal opportunities and all relevant codes of practice. The monitoring of allocations under the policy will take place to ensure that everyone is treated fairly and equitably. All applicants applying for social housing across the authorities will have their housing need assessed in a uniform way. Whenever we communicate with customers we will do so in the most appropriate language for the customer and will employ alternative forms where appropriate.

Scope of the Policy

This policy applies to all allocations of social housing made by partner landlords in the local authority areas stated in the introduction. However, this policy does not cover exchanges arranged between existing council and RSL tenants.

Part One: Introduction

1. Guiding Principles

The policy is based on the following guiding principles:

- To ensure that preference for social housing is given to those in housing need and that those in greatest need are given the highest priority.
- To give higher priority to applicants with a local connection to the area for which they are making an application than to those who have no such connection
- To ensure that the system is fair, confidential and accessible to all potential applicants.
- To make the best use of all the available housing stock
- To ensure consistency in the way in which applicants are treated by all the partner organisations
- To provide a responsive service that treats everyone as an individual
- To empower applicants and support them to make informed and realistic choices about where they want to live
- To provide appropriate, accurate and realistic advice relating to the availability of affordable housing at the point of application
- To maximise applicant satisfaction and improve the applicant service

2. Choice

Applicants can exercise choice in relation to social housing. They will be asked to indicate the types of property they wish to be considered for in terms of location, property type and floor level. The property type they are eligible for will be determined not only by their preference but also by their household, as described in section 13 below.

3. Applications from people with support needs

Partners are committed to ensuring that applicants with support needs are provided with the correct level of support to enable them to access housing and to maintain their tenancy. To this end partners will be working with the relevant statutory and voluntary partners in order to agree an appropriate model for ensuring that support needs are addressed.

4. Confidentiality

- 4.1. Members operating the policy will take reasonable steps to verify information provided by applicants in support of their applications. This may include undertaking a home visit and making enquiries of third parties such as health professionals or previous landlords.
- 4.2. Information provided by applicants will be retained securely and confidentially by all partner organisations.
- 4.3. Applicants may request a copy of information held by partners about their application, which will include information provided by third parties unless there are exceptional circumstances where it is necessary to protect the identity of the third

party concerned. In such exceptional circumstances, every effort will be made to convey to the applicant the information that has been obtained from the third party in a reduced form.

- 4.4. Partners will share relevant information with other partners prior to an offer of housing.
5. **False Information**
Applicants who give false or misleading information may have their application rejected or their tenancy terminated. In some cases this may also result in criminal prosecution, substantial fines and even imprisonment.

Part Two: Eligibility

6. Eligibility for allocation of social housing

- 6.1. Unless an applicant falls within one of the specified ineligible groups referred to below, applications for social housing will be considered from any person or persons over the age of 16, including existing tenants.
- 6.2. In compliance with the provisions of the Housing Act 1996 (as amended by the Homelessness Act 2002) the following categories of applicant are ineligible for the allocation of social housing:
 - Applicants subject to immigration control, unless they have been granted a status which renders them eligible, e.g. persons with refugee status, persons who have been granted Humanitarian Protection, persons who have been granted Discretionary Leave to Remain and persons who have been granted Exceptional Leave to Remain.
 - Applicants from abroad who are not subject to immigration control and who are not habitually resident in the Common Travel Area (i.e. the UK, Channel Islands, Isle of Man and the Republic of Ireland). Exceptions to this are outlined in Regulation 5 of the Allocation of Housing (Wales) Regulations 2003.
- 6.3. As provided by section 160A(7) of the 1996 Housing Act (as amended by the 2002 Homelessness Act), the following category of person may be deemed to be ineligible for the allocation of housing accommodation:
 - Applicants, or members of their household, who have been guilty of unacceptable behaviour serious enough to render them unsuitable to be a tenant of a partner landlord. The only behaviour that can be regarded as unacceptable is behaviour by the person that would have entitled a local authority to an outright possession order, if the person had been a secure tenant of the local authority at the time.

In assessing whether an applicant is ineligible due to unacceptable behaviour, the partner landlord will consider:

1. Where there is evidence of unacceptable behaviour, was it serious enough for a possession order to have been granted (which includes

consideration of the statutory discretionary grounds for possession and questions of reasonableness)?

2. Was the behaviour serious enough to render the applicant or household member unsuitable to be a tenant (which involves consideration as to whether an immediate possession order was made or might have been made as opposed to a suspended order)?
3. Does the behaviour continue to be unacceptable at the time of application?

Partner organisations will act reasonably and consider each application on its merits. We will take into account the applicant's personal circumstances (and those of the applicant's household), including his or her health and medical needs, dependents and any other factors relevant to the application. In particular, the partners will consider any mitigating circumstances relating to mental or physical disability, or mental health. Previous unacceptable behaviour may not justify a decision to treat the applicant as ineligible where the applicant can show that the behaviour has improved.

- 6.4. Applicants deemed ineligible for housing will be provided with advice and guidance regarding their housing options from the Housing Options team when they contact the service.
- 6.5. Applicants deemed ineligible for housing will be notified of the decision and grounds of this in writing. They will also be informed of their right to request a review and their further right to appeal any decision upon review.
- 6.6. Where the assessing partner has reason to believe that the applicant may have difficulty in understanding the decision, arrangements will be made for the information to be explained in person, with appropriate support or translation where necessary. Furthermore, in cases where the partner has reason to believe that the applicant cannot be sent written notification or has not received it, the partner will make available at their offices a written statement of the decision and the reasons for it, so that the applicant or someone who represents the applicant may collect it within a reasonable time.

Part Three: The Allocations Scheme

This policy uses a banding scheme in order to prioritise applicants. The scheme is described in this section. It follows housing law regarding reasonable preference, additional preference and local connection. It also makes provision for reducing priority under certain circumstances. These concepts are explained in the following sections.

7. The shared housing register

- 7.1. As set out in the introduction, each customer contacting a partner organisation will be given housing options advice to enable them to consider their best options for finding accommodation. The advice will be tailored to individual circumstances, including whether the customer is in housing need. All customers may make an application for social housing.
- 7.2. The banding scheme is designed to give priority to applicants in housing need. The categories of housing need in the scheme are based on the reasonable preference categories set out in section 167 of the 1996 Housing Act, which are stated in section 9 below. Applicants who are given a banding will be recorded on the housing register, whose purpose is to manage applications from people in housing need.
- 7.3. Applicants who do not fall into any of the categories in the banding scheme will be given no preference for housing and will not be recorded on the housing register. Other housing options available to them will be made clear.
- 7.4. Customers who are eligible for the allocation of social housing but not given any priority in the scheme and not recorded on the register are still eligible to apply for social housing in situations where a vacancy occurs which cannot be let to anyone in any of the bands. In such situations, partner landlords may seek to let the property via other means, for example by advertising. In this case, any customer eligible for the allocation of social housing (including those not on the register), would be able to apply to live in the property and have their application considered.

8. Reasonable preference

The banding scheme ensures that reasonable preference is given to those applicants who fall within on or more of the following categories:

- 1) those who are homeless within the meaning of Part 7 of the 1996 Act; this includes people who are intentionally homeless, and those who are not in priority need;
- 2) those who are owed a duty by any housing authority under section 190(2), 193(2), or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3);
- 3) those occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- 4) those who need to move on medical or welfare grounds including grounds relating to a disability; and
- 5) those who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship to themselves or to others.

9. Additional preference

The allocation policy gives additional preference to people who fall within the reasonable preference categories and who are deemed to have urgent housing needs.

10. Local Connection

- 10.1. For determining priorities in allocating housing accommodation to people who fall within the five reasonable preference categories, any local connection (within the meaning of section 199 of the 1996 Act, as amended by section 315 of the Housing and Regeneration Act 2008) that an applicant has with a relevant local authority area, or in rural areas with a community council area, will be taken into account, in the manner set out in this section.
- 10.2. In this policy, by the phrase “local connection” is meant a connection between a person and a local authority area, i.e. Conwy, Denbighshire or Flintshire.
- 10.3. An applicant may have a local connection to a local authority area if the applicant or a member of their household has a connection for any of the following reasons:
- They have been resident in the local authority area for the previous 12 months.
 - They were resident in the local authority area for 3 out of the previous 5 years.
 - They have family associations in the area. Family associations normally arise when someone has a parent, adult child, brother or sister who has resided in the area for a period of at least 5 years at the date of application and both the person and the locally residing relative in question indicate a wish for them to be near them.
 - They either provide support for or receive support from some person or organisation resident in the local authority area.
 - They have been in employment in the local authority area for the last 12 months.
 - They have been offered a job in the local authority area but have a disability and are unable to take up the job offer because of the difficulty of finding adequate accessible housing in the area
 - They need to move to the local authority area so that a member of their household with a disability can attend a school or receive specialist support, but are unable to do so because of the difficulty in finding adequate accessible housing in the area. The need must be as a consequence of the disability and the need to move to that local authority area must be evidenced.
 - They are serving in the Armed Forces and are either employed or resident in the local authority area.

- They are serving in the Armed Forces or are former members of the Armed Forces who are not currently employed or resident in the local authority area but have previously been resident in the local authority area, including residency as a result of a former posting in the area while serving in the Armed Forces.
- 10.4. In the situation where a local authority partner has accepted a duty towards an applicant under homelessness legislation, the applicant will be deemed as having a local connection to the relevant local authority area for the purposes of this allocation policy.
- 10.5. An applicant may have a local connection to one local authority area within the north east Wales region but not to another. As a result, if an applicant applies to more than one county, they may be placed in different bands with respect to different local authority areas.
- 10.6. Partners will retain the capacity to refine local connection criteria in particular circumstances via the use of local lettings policies, as per section 17 below.

11. The banding scheme

- 11.1. The banding scheme consists of four bands, from one to four in descending order of priority.
- 11.2. The band which an applicant can be placed in depends on whether they fall within one or more of the reasonable preference categories (as defined in section 8), whether they have an urgent housing need (as defined in section 9) and whether they have a local connection (as defined in section 10). When a property becomes available for letting, all applicants for whom the property is suitable (see section 13 below on the allocation of vacant properties) will be ranked in order of priority as follows. Applicants in band one will be given highest priority and then applicants in band two and so on. Within each band, applicants will be ranked by order of the date of their application for housing or the date of their application to transfer, with the applicant waiting the longest given highest priority.
- 11.3. The banding scheme is described in the appendix to this policy. The bands are summarised as follows:
- Band 1 is for applicants who fall within one or more of the reasonable preference categories, have an urgent housing need and have a local connection
 - Band 2 is for applicants who fall within one or more of the reasonable preference categories, do not have an urgent housing need and have a local connection. The only exception is that applicants who are intentionally homeless and entitled to reasonable preference will not be placed in band two even if they have a local connection, unless they fall within one of the other reasonable preference categories (i.e. categories 3, 4 or 5 in section 8).
 - Band 3 is for applicants who fall within one or more of the reasonable preference categories, have an urgent housing need but do not have a local connection.
 - Band 4 is for:

- a. applicants who fall within one or more of the reasonable preference categories but do not have an urgent housing need and do not have a local connection and;
- b. applicants who are intentionally homeless and have a local connection, but do not have an urgent housing need and, aside from being intentionally homeless, do not fall within any other reasonable preference category.

11.4. Exceptional circumstances may arise in which a partner landlord determines that a management move is necessary for one of their tenants. This may only be done when the circumstances or the urgency of the circumstances are not adequately covered by the banding scheme. In this situation, the partner landlord may allocate a property to the particular resident in preference to applicants on the common register, irrespective of the banding scheme or date of application. Such management moves must be authorised and will be audited.

12. Reduced priority

12.1. In compliance with provisions set out in the 1996 Housing Act, section 167 (2A), this policy allows that certain applicants who are entitled to reasonable preference may have their priority within the allocations scheme reduced because of any behaviour of the applicant (or a member of their household) which effects their suitability to be a tenant. This definition is distinct from that which entitles landlords to deem an applicant ineligible for social housing, as set out in section 6 above.

12.2. Categories of behaviour which may result in applicants being given reduced priority are as follows (in each case the behaviour may be on the part of any member of the household):

- Applicants who have engaged in anti-social behaviour and who have not maintained a satisfactory undertaking to address that behaviour.
- Applicants who have been convicted of using their home for immoral or illegal purposes.
- Current tenants who have been subject to action for breach of tenancy.
- Tenants wishing to transfer where their current property is in such poor condition that it cannot be re-let within a reasonable timescale.
- Applicants who have rent arrears owing to a current or previous landlord and who have not made and maintained a satisfactory arrangement to repay the debt.
- Applicants who have deliberately provided false or misleading information or failed to disclose information relevant to their application. In these cases applicants will be asked to complete a new application. The date of this new application will be taken and they may be given reduced preference for the new application.
- Applicants who have refused two reasonable offers. In this case applicants will be removed from the register and if they re-apply may be given reduced priority.

- Applicants who are deemed to have deliberately worsened their housing circumstances. For example, this may apply where an applicant gives up settled accommodation in order to move into less settled or overcrowded accommodation.
 - Applicants who have behaved in a way which affects their suitability to be a tenant (or whose household contains a member who has done this).
- 12.3. In compliance with provision set out in the 1996 Housing Act, section 167 (2A), this policy also allows that certain applicants who are entitled to reasonable preference may have their priority within the allocations scheme reduced because of financial resources available to the person, which it would be reasonable for them to use to meet their housing needs. This may apply for example when the person has legal or financial interests in a property and/or sufficient income or savings.
- 12.4. In deciding whether to reduce priority, the administering organisation will act reasonably and consider each application on its merits. It must have regard to the applicant's personal circumstances (and those of the applicant's household), including his or her health and medical needs, dependents and any other factors relevant to the application. In particular, it must consider any mitigating circumstances relating to mental or physical disability, or mental health.
- 12.5. When considering cases of behaviour, previous behaviour may not justify a decision to reduce preference where that behaviour can be shown by the applicant to have improved.
- 12.6. All decisions regarding reducing priority must be approved by a senior officer of the administering organisation. Cases of reduced priority will be monitored and the process reviewed as part of the annual review.
- 12.7. The sanction imposed on an applicant if a decision is taken to reduce priority will be to reduce priority to band 4. Applicants who are already in the lowest band cannot have their priority reduced.
- 12.8. In circumstances where an applicant has their priority reduced they will be provided with appropriate advice and guidance and support.
- 12.9. Applicants who are given reduced priority will be notified of the decision and the grounds of this in writing. They will have the right to appeal and to ask for the decision to be reviewed. If a decision is reviewed, the applicant will be informed of the decision of the review and the grounds for it.
- 12.10. Applicants who have their priority reduced because of unacceptable behaviour will be informed that if they change their behaviour and present satisfactory evidence of this, they will have the sanction removed. In this situation, the date of application for the purposes of ranking of applicants in any shortlist will be the date when the reduction of preference was removed.
- 12.11. Rehousing of some applicants with an offending background may be subject to Multi Agency Public Protection Agreements (MAPPA). In such circumstances housing allocation arrangements will be based on the appropriate risk assessment criteria with the relevant agencies concerned.

13. Allocation of vacant properties

13.1. At the point of application, applicants are asked about their choice of area and property type. However, each property type is usually only let to particular categories of household. The guidelines for this matching are given below.

13.2. Some types of property are designated for specific categories of applicant. The main examples of this are:

- Designated sheltered housing schemes have age restrictions which apply to tenants and members of their households.
- Homes that have been purpose built, adapted or are considered accessible by people with mobility needs will be offered first to people whose physical needs are suited to the property.
- Houses will normally only be let to families with children, where this is the children's principal home.
- Some flats and maisonettes will have restrictions regarding pets

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13.3. Applicants will normally be registered for property types on the basis of the table below. Note that a household would be eligible for an additional bedroom for each child or other member of the household over 16, where they are not members of a couple. Couples are expected to share a bedroom.

Household make up	Number of bedrooms
Single person	1 bedroom or bedsit
Pregnant women (in couple or single)	1 or 2 bedroom
Couple	1 bedroom
Couple or single parent with one child under 16	2 bedrooms
Two person household not in couple	2 bedrooms
Couple or single parent with two children under 16 of same sex, or with two children of opposite sex, both under 10	3 bedrooms
Couple or single parent with two children under 16 of opposite sex, with at least one child over 10	3 bedrooms
Couple or single parent with three children under 16	3 bedrooms
Couple or single parent with four children under 16, in any of the following cases: <ul style="list-style-type: none"> - all of same sex; - 2 boys and 2 girls - 3 of one sex and 1 of the other sex, where at least 2 children of different sex are under 10 	3 bedrooms
Couple or single parent with four children under 16, 3 of one sex and 1 of the other sex, where either the 3 of one sex are all over 10 or the child of the other sex is over 10	3 bedrooms
Couple or single parent with five children under 16	3 bedrooms
Couple or single parent with more than five children under 16	4 or more bedrooms

The table above is a general guide only and procedure may vary in areas due to local demand, supply, special circumstances or any local letting policies. Situations which may require a variation from the table include:

- Where there is a limited supply of properties with a small number of bedrooms relative to demand and there is a reasonable supply of properties with a large number of bedrooms relative to demand, applicants may be considered for and offered properties with more bedrooms than they require;
- Where an applicant is in urgent need, but the supply of suitable properties is limited, they may be considered for and offered properties with more bedrooms than they require;
- Where an applicant is homeless, but the supply of suitable properties is limited, they may be considered for and offered properties with more bedrooms than they require.

- Where pregnancy or the age of household members mean that the household would qualify for a larger property within a reasonable period of time, applicants may be allowed to register for properties which they would currently under-occupy.

In each case an affordability assessment will be made and the applicant's ability to afford the rent would be taken into account in determining whether to offer the property.

13.4. Applicants who require an additional bedroom for a non-resident carer will normally be registered for properties with an additional bedroom.

14.1.1. **Who Can Be Considered As Part of The Household** When assessing an application the partners will consider the circumstances of the household. A household is considered to be:

- Persons who are part of the household at the date of registration, or at the start of the tenancy in the case of existing tenants, and are still in occupation
- Partners who are living together in a relationship
- Children born since the registration date, or the start of the tenancy, or other dependent children joining the household where the applicant or tenant is the principal carer of the child. Evidence will need to be produced to confirm dependent relationship(s). Tenants must inform the organisation of any change to their household
- An adult relative who has become a member of the household because they are in need of support and cannot live independently. (this also applies to transfer applications)
- Housing applications from partners who are not living together due to lack of space in either of their accommodations will be considered as a household with both accommodations being taken into account when assessing the application

15.1.1. **Offers and refusals** Applicants have a choice as to whether to accept an offer of a property. If a property is refused without good reason, housing options will contact the applicant to discuss their reasons. If as a result of two unreasonable refusals, it is considered that the applicant's requirements are unlikely to be met, the applicant will be removed from the register, subject to right to review. They will be notified of this decision and the grounds in writing and of their right to review. Where necessary, this notification will be done in an alternative language or form. Any re-application may be given reduced priority.

15.2. Applicants owed a duty under homelessness legislation may be offered a property which falls outside their preferred options. Such offers will be made in line with the relevant statutory procedures. If such a reasonable offer is refused, then the applicant may have their priority within this policy reduced, in line with the section on reduced priority. In these circumstances applicants are entitled to a time limited review and if this found in their favour, they would be reinstated.

16. Removal from the register

16.1. Under certain circumstances, applicants may be removed from the register. These are as follows:

- 16.2. Applicants who have provided false or misleading information or failed to disclose information relevant to their application. In these cases applicants will be asked to complete a new application. The date of this application will be taken and they may be given reduced preference for this new application, as stated above
- 16.3. Applicants who have refused two reasonable offers. In this case they will be removed from the register and if they re-apply may be given reduced priority.
- 16.4. Applicants who fail to respond to correspondence including offer letters within the set response times. These applicants will be removed from the register through a formal notification and appeal process.

17. Local Lettings Policies

- 17.1. The policy recognises that partners may wish to include policies designed to tackle local housing issues through the use of local letting policies.
- 17.2. All local lettings policies will be based on a sound evidence base and will be developed after a robust assessment of this evidence base has been carried out.
- 17.3. Examples of local housing issues which may require local lettings policies include:
- concentrations of deprivation
 - under occupation
 - overcrowding
 - facilitating tenant employment through job related moves
 - the needs and sustainability of rural communities, for example where affordability of housing is an issue.
 - allowing transfers for existing social tenants even where they do not have reasonable preference.
 - Some properties, usually in defined locations, can only be let subject to additional occupation criteria as they are subject to a Planning Obligation under s106 of the Town and Country Planning Act 1990.
 - Regeneration areas
 - Large new developments
- 17.4. The development of local lettings policies will follow the protocol which accompanies this policy and may be modified from time to time. This protocol and local lettings policies will be reviewed and monitored via a mechanism set up by the partner organisations.

18. Monitoring and review of Allocations policy

- 18.1. The operation of the policy will be monitored on an on-going basis. It will also be subject to an annual review. Where appropriate, recommendations for alterations will be submitted for approval. These would then have to be ratified by each partner before being adopted.

19. Reviews and appeals

- 19.1. An applicant has the right to be informed, upon request, of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them.
- 19.2. An applicant has the right to request a review of any decision made in relation to their housing application, including:

- (a) any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them;
- (b) any decision as to their eligibility for the allocation of social housing;
- (c) any decision as to the assessment of their application in relation to the banding scheme;
- (d) any decision made in relation to removing an applicant from the register in accordance with section 16;
- (e) any decision in relation to reducing priority in accordance with section 12;
- (f) any decision made by one of the local authority partners in relation to whether there is reason to believe that they are homeless or threatened with homelessness and, if so, any consequent decisions relating to eligibility for assistance, to any duties owed, to notifying or referring to another authority, to the suitability of accommodation offered or any other matter relevant to their housing application.

19.3. On a request for a review being duly made, the partners shall review the decision.

19.4. Applicants will be informed of the decision of the review and the grounds for it.

Appendix: The Banding Scheme

The criteria for determining which band an applicant is placed in are set out below. All decisions taken will be consistent with this scheme.

<p>BAND 1</p> <p>This band applies to those applicants who meet the following criteria:</p> <ol style="list-style-type: none">1. They fall within one or more of the 5 reasonable preference categories set out in section 8 of this policy; AND2. They have an urgent housing need (as in the examples below); AND3. They have a local connection as defined in section 10 of this policy
<p>Examples of Urgent Housing Need:</p> <ol style="list-style-type: none">1. Urgent medical, welfare or disability related need <p>Applicants whose household includes someone who:</p> <ol style="list-style-type: none">has a medical condition which is life-threatening or likely to become so, and which is directly linked to their housing conditions and likely to improve with rehousinghas been assessed by the relevant practitioner as having a need to move urgently to an accessible property.Has a serious physical or mental illness, disability or medical condition or behavioural disorder, which is causing serious dysfunction to themselves or the family unit such that they are completely unable to cope in their present accommodation and re-housing would alleviate the problem. For example, terminal illness or advanced progressive condition.Is hospitalised and is unable to return to their home as it is totally unsuitable for their long term needs by way of design, location and/or is unsuitable for disabled adaptations.is disabled and unable to access essential facilities within the property e.g. bathing or WC, or access to the property itself is totally unsuitable. The property cannot be economically adapted to meet their needs.needs to move to provide support to a relative or person with serious illness, disability or medical condition and that person can only cope in their present accommodation with the applicant's support.is living in overcrowded accommodation which leaves the person vulnerable to serious infection, for example where they are suffering from late stage HIV.

idence will be required in these cases to support the validity of the claim

2. Loss of home as result of a disaster:

Awarded to applicants with a reasonable prospect of an accommodation offer within a relatively short period who suddenly and permanently lose their existing home as a result of a disaster.

3. Leaving armed forces or serious injury whilst serving in armed forces:

- (a) Any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces.
- (b) People needing accommodation because of leaving the armed forces and the loss of military accommodation. People who have left the armed forces under Discharge as of Right (DAOR) are excluded from this provision and will not be given band one status under this category.

4. People accommodated by the local authority in care or approved supported housing who are deemed ready to move on

5. Urgent cases where the household needs access to social housing to prevent a child from being taken into/remaining in care

Examples include:

- (a) Foster parents who urgently need accommodation to take a child..
- (b) Cases where a child care plan has identified the need for accommodation to prevent the child being looked after by the authority (e.g. for child in need/looked after child/child protection).

6. Existing tenants who are either under-occupying by one or more bedroom and wish to transfer to a smaller property or who are occupying an adapted property which they do not need, provided that one of the following applies:

- They are suffering financial hardship because of welfare reform;
- Their moving would release a property for someone in urgent need who would otherwise probably have to wait an unreasonably long time to be

re-housed.

7. Homeless due to violence or threat of violence :

Those owed a full homelessness duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent re-housing including:

- (a) Victims of domestic or other violence;
- (b) Victims of hate incidents (including crimes and non-crimes in policing terms and this will cover victims of hate violence, threats of violence and hate harassment of any kind;

Witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.

8. Exceptional case of urgent need where the circumstances or the urgency of the circumstances are not dealt with elsewhere in this scheme.

Such cases may or may not be transfer tenants. Each case will be judged, authorised and recorded according to the agreed procedure and regularly monitored.

AND 2

This band applies to those applicants who meet the following criteria:

- 1. They fall within one or more of the 5 reasonable preference categories set out in section 8 of this policy; AND**
- 2. They have a local connection as defined in section 10 of this policy; AND**
- 3. They do not have an urgent housing need**

The only exception is that applicants who are intentionally homeless and entitled to reasonable preference will not be placed in band two even if they have a local connection, unless they fall within one of the other reasonable preference categories (i.e. categories 3, 4 or 5 in section 8)

Examples of those who will fall within this band are as follows:

- 1. Applicants who are homeless within the meaning of Part 7 of the Housing Act 1996, with the exception of applicants who have become homeless intentionally under the definition of intentionality contained in section 191 of the 1996 Act.**

This category includes homeless applicants both in priority need and not in priority need, provided they have not become homeless intentionally.

The definition of homelessness used is contained in sections 175-177 of the Housing Act 1996 Part 7. Under this definition a person who does not have accommodation which is legally and physically available to them to occupy and which is reasonable for them to occupy would be classed as homeless. This includes the following:

- Applicants who have no accommodation available to them where they can live with other people who normally live with them as a member of their family or other people who might reasonably be expected to live with them.
- Applicants who have accommodation available to them but the partners agree that it would not be reasonable for them to continue to occupy it.
- Applicants who have accommodation but they cannot secure access to it or, in the case of a moveable structure such as a caravan, there is no lawful place they can live in it.

People will be accorded this status depending on an assessment by the relevant local authority's homelessness team or the team of a contracted out service as applicable. Applicants who refuse a reasonable offer made to them under homelessness legislation may have their priority reduced.

2. Applicants who are owed a duty by a local housing authority under section 193(2) or 195(2) of the Housing Act 1996, who are occupying accommodation secured by any such authority under section 192(3) of the 1996 Act, or who are unintentionally threatened with homelessness within 56 days and are in priority need.

This category includes applicants who are:

- (a) unintentionally homeless and in priority need and who have been accepted as being owed a full duty under section 193(2);
- (b) unintentionally homeless and not in priority need but for whom accommodation has been made available by the authority under section 192(3);
- (c) unintentionally threatened with homelessness in the next 56 days and are in priority need (this includes those unintentionally threatened within 28 days, in priority need and owed a duty under section 195(2) of the 1996 Act).

This category does not include applicants who have become homeless, or are

threatened with homelessness, intentionally.

People will be accorded this status depending on an assessment by the relevant local authority's homelessness team or the team of a contracted out service as applicable. Applicants who refuse a reasonable offer made to them under homelessness legislation may have their preference reduced.

3. Applicants suffering from unsatisfactory housing conditions

This category includes the following:

- (a) Applicants whose current property:
 - (a) lacks a bathroom with facilities or the facilities are located in an insanitary location e.g. within kitchen;
 - (b) lacks a kitchen and/or appropriate facilities;
 - (c) lacks an inside W/C;
 - (d) lacks a hot or cold water supply to the property due to defect with the property;
 - (e) lacks an electrical supply due to defect with property;
 - (f) lacks a gas supply due to defect with property where such a supply is required to operate existing or necessary services such as heating.
- (b) Applicants who share facilities with occupiers who are not part of the applicant's household on a permanent basis. This applies to the sharing of a kitchen, bathroom/shower or toilet.
- (c) Applicants living in overcrowded housing. A housing situation is deemed to be overcrowded if it lacks at least one bedroom. This must be on a permanent basis. The following are taken to be minimum bedroom requirements:
 - a. A married couple or couple living together need one bedroom.
 - b. A married couple or couple living together with a child under 12 months need one bedroom.
 - c. A single person over the age of 16 or a single parent needs one bedroom (applicable to a single parent with a child under 12 months).
 - d. A child 10-16 can only share a bedroom with a child of the same sex.
- (d) Applicants who have been referred by environmental health for re-housing because they are living in accommodation where category 1 hazards exist.

Note that all customers residing in insanitary or hazardous housing will be referred to environmental health in order to resolve the problem and enable the customer to remain in their home. The person would only be referred for re-housing if, despite their best efforts, it is the opinion of environmental health that the problem cannot be resolved within a reasonable period of

time.

4. People who need to move on medical or welfare grounds (including grounds relating to disability)

The following categories of applicant would qualify:

- a) Applicants whose household includes someone with a medical condition which is directly linked to unsuitable housing and where re-housing is necessary to significantly improve their health.
- b) Current accommodation presents access problems to a member of the household which have a detrimental impact on their welfare, which cannot be resolved in the current property and would be significantly alleviated if they were suitably re-housed. Such cases would be assessed by the relevant practitioner as requiring a move to an accessible property.
- c) Applicants whose household includes someone who has social care needs which are not being met and re-housing is necessary to significantly improve their care.

5. People who need to move to a particular locality, where a failure to do so would cause hardship

Cases include:

- a) It is unreasonable for the applicant to stay in their current property due to exceptional financial hardship.
- b) The applicant or member of their household is at risk of being admitted to residential care or hospital if re-housing is not made.
- c) The applicant needs to move due to relationship breakdown and there is a need to safeguard and promote the welfare of children associated.
- d) The applicant is a care leaver, vulnerable and has a high housing need that is best met by the provision of long term settled housing. Applicants must be a former 'relevant child' as defined by the Children Leaving Care Act 2000.
- e) The applicant or member of their household has permanent employment which cannot continue unless they live in a specific locality within the area and are otherwise adequately housed.
- f) The applicant is giving or receiving essential support, which can only be delivered if they live in a specific locality within the area.

6. Exceptional case of housing need where the circumstances are not dealt with elsewhere in this scheme.

Such cases may or may not be transfer tenants. Each case will be judged, authorised and recorded according to the agreed procedure and regularly monitored.

AND 3

This band applies to those applicants who meet the following criteria:

- 1. They fall within one or more of the 5 reasonable preference categories set out in section 8 of this policy; AND**
- 2. They have an urgent housing need; AND**
- 3. They do not have a local connection as defined in section 10 of this policy**

Examples of urgent housing need are as follows:

1. Urgent medical, welfare or disability related need

Applicants whose household includes someone who:

- (a) has a medical condition which is life-threatening or likely to become so, and which is directly linked to their housing conditions and likely to improve with rehousing
- (b) has been assessed by the relevant practitioner as having a need to move urgently to an accessible property.
- (c) Has a serious physical or mental illness, disability or medical condition or behavioural disorder, which is causing serious dysfunction to themselves or the family unit such that they are completely unable to cope in their present accommodation and re-housing would alleviate the problem. For example, terminal illness or advanced progressive condition.
- (d) Is hospitalised and is unable to return to their home as it is totally unsuitable for their long term needs by way of design, location and/or is unsuitable for disabled adaptations.
- (e) is disabled and unable to access essential facilities within the property e.g. bathing or WC, or access to the property itself is totally unsuitable. The property cannot be adapted to meet their needs.
- (f) is living in overcrowded accommodation which leaves the person vulnerable to serious infection, for example where they are suffering from late stage HIV.

vidence will be required in these cases, in line with the agreed procedures, to support the validity of the claim

2. Loss of home as result of a disaster

warded to applicants with a reasonable prospect of an accommodation offer within a relatively short period who suddenly lose their existing home as a result of a disaster.

3. Leaving armed forces or serious injury whilst serving in armed forces

- (a) Any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces.
- (b) People needing accommodation because of leaving the armed forces and the loss of military accommodation. People who have left the armed forces under Discharge as of Right (DAOR) are excluded from this provision and will not be given band one status under this category.

4. People accommodated by the local authority in care or approved supported housing who are deemed ready to move on

5. Urgent cases where the household needs access to social housing to prevent a child from being taken into/remaining in care

Examples include:

- (a) Foster parents who urgently need accommodation to take a child. Cases where a child care plan has identified the need for accommodation to prevent the child being looked after by the authority (e.g. for child in need/looked after child/child protection).

6. Exceptional case of urgent need where the circumstances or the urgency of the circumstances are not dealt with elsewhere in this scheme

Such cases may or may not be transfer tenants. Each case will be judged, authorised and recorded according to the agreed procedure and regularly monitored.

AND 4

This band applies to those applicants in either of the following cases:

- a. **They fall within one or more of the 5 reasonable preference categories set out in section 8 of this policy AND they do not have a local connection as defined in section 10 of this policy AND they do not have an urgent housing need;**
- b. **They are intentionally homeless and have a local connection, but do not have an urgent housing need and, aside from being intentionally homeless, do not fall within any other reasonable preference category.**

Examples of those who will fall within this band are as follows:

1. Applicants who are homeless within the meaning of Part 7 of the Housing Act 1996.

This category includes homeless applicants both in priority need and not in priority need, and who are homeless either unintentionally or intentionally.

The definition of homelessness used is contained in sections 175-177 of the Housing Act 1996 Part 7. Under this definition a person who does not have accommodation which is legally and physically available to them to occupy and which is reasonable for them to occupy would be classed as homeless. This includes the following:

- Applicants who have no accommodation available to them where they can live with other people who normally live with them as a member of their family or other people who might reasonably be expected to live with them.
- Applicants who have accommodation available to them but the partners agree that it would not be reasonable for them to continue to occupy it.
- Applicants who have accommodation but they cannot secure access to it or, in the case of a moveable structure such as a caravan, there is no lawful place they can live in it.

People will be accorded this status depending on an assessment by the relevant local authority's homelessness team or the team of a contracted out service as applicable.

2. Applicants who are owed a duty by a local housing authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996 (or under section 65(2) or 68(2) of the housing Act 1985) or who are occupying accommodation secured

by any such authority under section 192(3) of the 1996 Act.

This category includes applicants who are:

- (a) unintentionally homeless and in priority need and who have been accepted as being owed a full duty under section 193(2);
- (b) unintentionally homeless and not in priority need but for whom accommodation has been made available by the authority under section 192(3);
- (c) threatened with homelessness in the next 28 days and owed a duty under section 195(2) of the 1996 act (i.e. have not intentionally become so threatened and are in priority need);
- (d) are owed a section 190(2) duty, have been assessed as being in priority need, but are intentionally homeless and have been provided with accommodation for a period of time to enable them to secure their own accommodation.

People will be accorded this status depending on an assessment by the relevant local authority's homelessness team or the team of a contracted out service as applicable.

3. Applicants suffering from unsatisfactory housing conditions

This category includes the following:

- (a) Applicants whose current property:
 - a. lacks a bathroom with facilities or the facilities are located in an insanitary location e.g. within kitchen;
 - b. lacks a kitchen and/or appropriate facilities;
 - c. lacks an inside W/C;
 - d. lacks a hot or cold water supply to the property due to defect with the property;
 - e. lacks an electrical supply due to defect with property;
 - f. lacks a gas supply due to defect with property where such a supply is required to operate existing or necessary services such as heating.
- (b) Applicants who share facilities with occupiers who are not part of the applicant's household on a permanent basis. This applies to the sharing of a kitchen, bathroom/shower or toilet.
- (c) A housing situation is deemed to be overcrowded if it lacks at least one

bedroom. This must be on a permanent basis. The following are taken to be minimum bedroom requirements:

- a. A married couple or couple living together need one bedroom.
 - b. A married couple or couple living together with a child under 12 months need one bedroom.
 - c. A single person over the age of 16 or a single parent needs one bedroom. (applicable to a single parent with a child under 12 months).
 - d. A child 10-16 can only share a bedroom with a child of the same sex.
- (d) Applicants who have been referred by environmental health as residing in insanitary or hazardous housing posing a category 1 hazard, where it has been impossible for the environmental health department to satisfactorily resolve the issue.

Note that all customers residing in insanitary or hazardous housing will be referred to environmental health in order to resolve the problem and enable the customer to remain in their home. The person would only be referred for re-housing if, despite their best efforts, it is the opinion of environmental health that the problem cannot be resolved within a reasonable period of time.

4. People who need to move on medical or welfare grounds (including grounds relating to disability)

The following categories of applicant would qualify:

- a) Applicants whose household includes someone with a medical condition which is directly linked to unsuitable housing and where re-housing is necessary to significantly improve their health.
- b) Current accommodation presents access problems to a member of the household which have a detrimental impact on their welfare, which cannot be resolved in the current property and would be significantly alleviated if they were suitably re-housed. Such cases would be assessed by occupational therapy as requiring a move to an accessible property. These cases will be managed through an accessible housing register.
- c) Applicants whose household includes someone who has social care needs which are not being met and re-housing is necessary to significantly improve their care.

5. People who need to move to a particular locality, where a failure to do so would cause hardship

Cases include:

- a) It is unreasonable for the applicant to stay in their current property due to exceptional financial hardship.

- b) Applicants who need to downsize because they are unable to afford their current property due to welfare reform.
- c) The applicant or member of their household is at risk of being admitted to residential care or hospital if re-housing is not made.
- d) The applicant needs to move due to relationship breakdown and there is a need to safeguard and promote the welfare of children associated.
- e) The applicant is a care leaver, vulnerable and has a high housing need that is best met by the provision of long term settled housing. Applicants must be a former 'relevant child' as defined by the Children Leaving Care Act 2000.

6. Exceptional case of housing need where the circumstances are not dealt with elsewhere in this scheme.

Such cases may or may not be transfer tenants. Each case will be judged, authorised and recorded according to the agreed procedure and regularly monitored.

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**
DATE: **WEDNESDAY, 14 JANUARY 2015**
REPORT BY: **CHIEF OFFICER (COMMUNITY AND ENTERPRISE)**
SUBJECT: **ANTI-SOCIAL BEHAVIOUR POLICY**

1.00 PURPOSE OF REPORT

1.01 This purpose of this report is to highlight to members of the Housing Overview and Scrutiny Committee, the changes made by the Anti-Social Behaviour Crime and Policing Act 2014 as they affect housing management. In order to utilise the new tools and powers made available by the new legislation, it has been necessary to revise the council's Antisocial Behaviour Policy, and members are asked to note and support the revisions contained in the policy which is annexed to this report.

2.00 BACKGROUND

2.01 The Antisocial Behaviour, Crime and Policing Act 2014 has simplified the numerous tools and powers which have been available to agencies working to tackle crime and antisocial behaviour.

The Act received royal assent on 13 March 2014. The new tools relevant for housing in the Act came into force in October 2014 (except civil injunctions which have been delayed to later in 2015).

3.00 CONSIDERATIONS

3.01 The following are the new powers introduced by the act which are available to social landlords such as Flintshire County Council's Housing Team:

- 3.02
- New civil injunction – to replace the existing Antisocial Behaviour injunction, The civil burden of proof is still required to attain the order, increasing to the criminal burden of proof if breached, however now orders can be obtained against anyone over the age of ten, provided the applying organisation works closely with the Youth Offending Team (YOT). The new injunctions can also compel the perpetrator to take part in positive activities such as rehabilitation for drink or drugs, or even training opportunities. As before, powers of arrest can be

appended where there is threat of or actual violence.
Unfortunately the new injunctions are delayed until 2015.

- 3.03 • Absolute ground for possession – this can be used where the tenant, or a member of their household, or visitor, has been convicted of a serious offence (committed since October 2014), or has been found by a court to have breached a civil injunction/Criminal Behaviour Order/Noise Abatement Notice, or where the tenant's property has been closed for more than 48 hours under a Closure Order.
- 3.04 • Community Trigger – victims of ASB can appeal to a panel of agencies (police, housing, local authority etc) if they feel they have not received a sufficiently robust response to their case. The Panel considers each case and if in agreement that service has been inadequate, provides an action plan. The council has an agreed process with Community Safety, North Wales Police and other housing providers which have been published on the council's website.
- 3.05 • Community Protection Notice (CPN) – a new power which can be used by social landlords, whereby following a warning, a CPN can be issued to a person over 16/business/organisation committing ASB which spoils a community's quality of life. Further breach can result in a fine or the perpetrator being made to pay for remedial works. This new power provides an additional, and potentially more effective tool to deal with the kinds of neighbourhood issues that Housing Officers have to deal with, for example untidy gardens and littering.

4.00 RECOMMENDATIONS

- 4.01 Members are asked to support and note the new tools and powers available to social landlords and to support the amendments to the ASB Policy to enable the council to make effective use of the legislation.
- 4.02 Members are asked to support the council's continued approach of dealing with each complaint of ASB on a case by case basis, and only taking legal enforcement action when it is reasonable and proportionate to do so.

5.00 FINANCIAL IMPLICATIONS

The new legislation eases the financial burden on social landlords of possession cases where the new absolute ground is used as the perpetrator only needs to have been found guilty in the criminal court of the qualifying offence, and doesn't need to be proven again in the civil courts. Similarly new powers such as the community protection

notice allow social landlords to tackle neighbourhood issues at a lower level, which is expected to reduce the need to rely on court action.

6.00 ANTI POVERTY IMPACT

6.01 No identified issues

7.00 ENVIRONMENTAL IMPACT

7.01 The use of community protection notices is expected to have a positive environmental effect.

8.00 EQUALITIES IMPACT

8.01 No identified issues.

9.00 PERSONNEL IMPLICATIONS

9.01 No additional staff required.
Training has been provided to the Neighbourhoods Team.

10.00 CONSULTATION REQUIRED

10.01 None required.

11.00 CONSULTATION UNDERTAKEN

11.01 The legislation has undergone extensive consultation. Details of the new legislation are to be published in the next issue of Housing News.

12.00 APPENDICES

12.01 Revised Antisocial Behaviour Policy

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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Flintshire County Council

Anti-Social Behaviour Policy for Council Tenants



January 2015

INTRODUCTION

“We want Flintshire to be a county where people of all ages and from all backgrounds and abilities feel safe, confident, supported and protected from harm, including abuse and neglect. We want to reduce the impact that crime and anti-social behaviour can have on the lives of people.”

(Community Strategy 2009-2019)

It is now widely recognised that no single agency or organisation, can in isolation, resolve all issues of anti-social behaviour and the role of social landlords in tackling antisocial behaviour has been increasingly acknowledged through the development of legislation in this area. This policy therefore, sets out the approach of Flintshire County Council’s Housing Department in preventing, reducing and tackling anti-social behaviour and its impact in our neighbourhoods. Throughout this policy the term “council” will be used to refer to Flintshire County Council.

The council recognises that the effects of anti-social behaviour can be far reaching, reducing the quality of life of victims and witnesses and their families and communities, impacting on the local environment, adversely affecting the local economy and putting extra pressure on public and third sector services. As such, a failure to tackle anti-social behaviour would pose a risk to the sustainability of our neighbourhoods.

The outcomes we aim to achieve are to:

- Prevent anti-social behaviour from happening in the first place.
- Increase confidence within the community to report anti-social behaviour
- Reduce the impact of anti-social behaviour on victims, witnesses and those around them.

- Take decisive action to tackle those who behave in an anti-social manner to stop it from happening again.
- Provide a service that is value for money and which provides sustainable outcomes.

How will we know if we are achieving our aims?

- We will survey all the users of our service to determine how satisfied customers were with the process and the outcome and whether they would be prepared to report ASB again.
- We will measure our performance in relation to service standards that we will agree in consultation with our customers and publish this information.
- We will benchmark the levels and type of reported ASB through Housemark, a national benchmarking organisation.
- We will measure the percentage of cases that we deal with that are resolved, and we will review the sustainability of positive outcomes.
- We will monitor property termination reasons and property offer refusals to ascertain the effects of ASB on the reputation of an area.
- We will measure the number and success rates of our legal cases.
- We will use the results of the STAR Survey (or similar) to measure how residents feel we are performing.
- We will overlap our data with other Community Safety Partners to obtain a more holistic view of ASB in our neighbourhoods.

The responsive service that we provide will be available to residents where one of the following conditions is met:

- The victim of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household, or was a visitor to their home at the time that the incident occurred and/or
- The perpetrator of the anti-social behaviour is a Flintshire County Council tenant, or is a member of their household or was a visitor to their home at the time that the incident occurred and/or
- The behaviour complained of is directly or indirectly affecting our housing management function.

The Policy also supports the aims of the Welsh Housing Management Standard for Tackling ASB.

The Housing Act 1996 (as amended by the Anti-Social Behaviour Act 2003) requires all social landlords to publish a statement of their policies and procedures for tackling ASB.

This full Statement of Flintshire County Council's Community & Enterprise Policy for tackling Anti-Social Behaviour is available for inspection at the County Offices, Chapel Street, Flint, Flintshire CH6 5BD and is available on the Flintshire County Council website. A hard copy will be supplied if requested for a reasonable charge.

A summary of this policy will be made available on request free of charge.

LEGAL AND STRATEGIC CONTEXT

The Community & Enterprise Directorate approach must be seen within the context and framework created by legislation. The Authority's policies and procedures have been written in accordance with existing legislation and will be updated in accordance with new legislation.

The policy also has regard to Guidance issued by the Welsh Ministers and good practice literature from a range of sources, including the Chartered Institute of Housing, Social Landlords Crime and Nuisance Group and the National Housing Federation.

The Policy also reflects the wider strategic aims and policy initiatives of both Flintshire County Council and its Community & Enterprise Directorate, and in particular those highlighted in the Community Strategy and associated documents.

The Crime and Disorder Act 1998, as amended by the Police Reform Act 2002, sets out statutory requirements for "responsible authorities" to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder related issues in their areas.

The statutory partnerships are known as Crime and Disorder Reduction Partnerships or Community Safety Partnerships.

The "responsible authorities" usually include (but are not restricted to):

- The Police
- Local Authorities
- Fire Authorities
- Police Authorities
- Primary Care Trusts

Section 17 of the Crime and Disorder Act 1998 requires all authorities to have due regard to the likely effect upon crime and disorder of anything they do in the exercise of any of their functions. Each Authority must also do all that it reasonably can to prevent and reduce crime and disorder in its area.

DEFINITION OF ANTISOCIAL BEHAVIOUR

The Crime and Policing Act 2014 defines anti-social behaviour as:

- (a) Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,***
- (b) Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or***
- (c) Conduct capable of causing housing-related nuisance or annoyance to any person.***

The Authority will clearly establish and publicise through its [proposed] tenancy agreement the acceptable level of behaviour expected of its tenants, members of their household and visitors to their properties.

Anti-social behaviour can include the following examples and can be categorised under these headings to enable like for like benchmarking with other areas and housing providers:

- Noise
- Verbal abuse/harassment/intimidation/threatening behaviour
- Hate-related incidents
- Vandalism and damage to property
- Pets and animal nuisance
- Nuisance from vehicles
- Drugs/substance misuse/drug dealing
- Alcohol-related
- Domestic abuse
- Physical violence
- Litter/rubbish/fly-tipping
- Garden nuisance
- Misuse of communal areas/public space or loitering
- Prostitution/sexual acts/kerb crawling
- Criminal behaviour/crime

The above is not a full list of what anti-social behaviour is but serves as a guide.

Additionally, the service intends to comply with the National Standards of Incident Reporting (NSIR) through the development of the case management system “ReACT”.

APPROACH TO TACKLING ANTI-SOCIAL BEHAVIOUR (ASB)

Prevention

The Council recognises that wherever possible preventing nuisance and anti-social behaviour from happening in the first place, is preferable to dealing with it after it has happened.

The Council’s approach begins at the application process where potential new tenants are asked to disclose any relevant criminal convictions, or previous enforcement action as a result of anti-social behaviour. The Authority takes a firm but fair approach to assessing applications by individuals and families who have a history of anti-social behaviour. In some cases the Council may decide that an applicant is to be treated as ineligible for allocation to a tenancy with the Council as a result of his or her past unacceptable behaviour, or the behaviour of a member of his or her household.

Each application and the surrounding circumstances will be considered individually before reaching a decision to treat an applicant as ineligible because of past unacceptable behaviour.

Chapter 1 of Part 5 of the Housing Act 1996 allows local housing authorities and Housing Action Trusts to adopt an introductory tenancy scheme for all new tenants. Flintshire County Council offers all new tenants an introductory tenancy. These last for 12 months and are like a ‘trial’ period.

The tenant(s) automatically become a secure tenant after 12 months, unless the council has either:

- started action to evict the tenant
- extended the introductory tenancy for a further 6 months

There are restrictions of the rights of an introductory tenant, for example, they are not permitted to:

- make major improvements to the property
- swap your property with another council tenant
- apply for the Right to Buy scheme

Where the council has evidence that an introductory tenant is responsible for serious or persistent anti-social behaviour, the council will use its discretion to determine the most appropriate response. Where the behaviour complained of is so severe and/or is criminal in nature, the decision to serve notice to commence proceedings to end the tenancy may be deemed to be the most appropriate response.

The obligations of the tenancy and the responsibilities of being a tenant with the Authority are explained to prospective tenants before they sign the tenancy agreement so that they are fully aware of the standards of behaviour that are expected.

The Authority is also able to take steps to prevent ASB through environmental improvements and through target hardening areas and properties which may be at risk. The Authority also reserves the right to develop local lettings policies and to make 'sensitive lets' in dwellings that have been, or may be connected to anti-social behaviour.

Support for Complainants, Victims and Witnesses of ASB

The Authority recognises that being a victim of, or witnessing anti-social behaviour can be a stressful and upsetting experience. It is also acknowledged that the decision to report ASB is sometimes a difficult and complex process. Complainants can be fearful of reprisals, be unsure who to report incidents to, and be worried about whether they will be believed. The council will aim to ensure that training is provided to all ASB and Housing Officers in how to interview victims and witnesses of ASB.

When an initial complaint of anti-social behaviour is made, the officer in receipt of the complaint will use the national risk assessment matrix to help them determine whether the complainant is at high risk. This is so that immediate steps can be taken to reduce the risk to the victim if deemed necessary.

Where officers determine that the complainant is high risk, they will attempt to work with the victim or witness and any other necessary partner agencies to try to manage and reduce the risk. This may mean taking immediate action if someone has been threatened with violence and there is a significant risk of harm, or it may mean providing extra security to someone's home. In extreme cases, it may even mean finding someone temporary accommodation whilst the problem is resolved.

The council will seek to assign a named officer to each case, so that the victim or witness will have a 'named contact' within the council who they know they can contact. This person will be the investigating, and may be a Housing Officer or Antisocial Behaviour Officer depending upon the severity or complexity of the issue.

In most cases, the Investigating Officer will usually agree an 'Action Plan' with customers who report anti-social behaviour so that they can discuss and agree when, how often and in what manner the customer will be contacted to provide them with progress updates on their case and what steps each party will take to resolve the problem. The most successful outcomes occur when residents and officers work co-operatively together. This 'Action Plan' will ensure that case planning is consensual and meets the needs of the victim. In the event of a victim or witness requesting actions that cannot be accommodated, reasons will be provided.

The Authority recognises that ASB often occurs outside of normal office hours and that victims and witnesses often feel that this is the time when they most need to speak to someone to report what is happening. In order to make provision for an 'out of hours' service, the Authority will employ a specialist service who are able to provide witness support at night, and during weekends and bank holidays.

Customer confidentiality will be respected at all times. Details of the complainant's identity or that of any other witnesses will never be disclosed to the alleged perpetrator (or anyone acting on behalf of the perpetrator) by the council without consent. The only exceptions to this are where disclosures become necessary for safeguarding reasons and/or a disclosure of the information is ordered by the Court.

Sometimes, the most effective resolution is to apply to the Court for an order to make the anti-social behaviour stop. The council recognises that this can be quite a daunting prospect

for victims and witnesses who may never have been into a court before. The best witness evidence is that which is given personally, in the court by the witness. In some circumstances, the council can apply to the court for 'special measures' where for example, witnesses can give evidence from behind a screen or via a video link. Special measures are subject to the agreement of the court.

There are also measures that can be taken to enable anonymous statements, or use of hearsay evidence and these will be fully explained to victims and witnesses so that they can make informed choices.

Sometimes complaints are made anonymously either over the telephone or in writing. The Authority will, where appropriate, look into the complaint made but we will be unable to feedback to the complainant and may not be able to take as effective action as we would be able to if we had contact details. Where complaints are made anonymously over the telephone, we may explain our approach to confidentiality in case management in order to encourage the complainant to provide us with their details.

Investigating the Complaint

In most circumstances it will be necessary to thoroughly investigate the complaint that has been made before any legal action is taken. In some circumstances however, for example, where there is an immediate risk of harm, the council may have to review the evidence that it has available to make a decision on whether an emergency application for injunctive relief is required.

Investigations may include (but are not limited to) interviews with the victim(s), witness(es) and perpetrator(s), site visits, CCTV installation, noise monitoring, use of professional witnesses and liaison with other agencies.

The investigation will be carried out thoroughly and without bias by an appropriately trained officer of the council. Records of the investigation and any subsequent findings will be recorded on the Authority's case management system.

The primary aim at all times will be to end the anti-social behaviour, and reduce the likelihood of it recurring.

Where the Investigating Officer has found evidence of anti-social behaviour they will consider the most appropriate intervention(s), remedy and sanction(s)

Exchange of Information

Section 115 of the Crime and Disorder Act 1998 provides a power to exchange information where disclosure is necessary to support the local Crime and Disorder (Community Safety) Strategy or objectives outlined within it. This must be primarily aimed at reducing crime and disorder in accordance with the Act's provisions.

Section 115 puts beyond doubt the power of any organisation to disclose information to Chief Officers of Police, Police Authorities, Local Authorities, Probation, Health Authorities, or to persons acting on their behalf. These bodies also have the power to use this information. Section 115 provides a power to share information but does not override other legal obligations such as the common law duty of confidence, the requirements of the Human Rights Act, compliance with the 1998 Data Protection Act or other relevant legislation governing disclosures.

Information as to any relevant criminal charges, cautions and convictions against an individual may be disclosed, as may details of any relevant calls made to the Police in relation to a particular address or visits made by the Police to an address. Relevant information may be shared about an individual's involvement with a particular agency (e.g. Probation Services). Other information relevant to the investigation of a case and in an effort to address the behaviour of the individual concerned may also be disclosed.

Flintshire County Council is a signatory to Flintshire Community Safety Partnership Information Exchange Protocol, which allows information to be exchanged under the Crime and Disorder Act 1998. The Police, who are also a signatory to this protocol, have an important and general power at common law to disclose information for policing purposes, which includes the prevention of ASB.

Multi-Agency Approach

The council recognises that frequently a multi-agency or multi-departmental approach will be required to resolve anti-social behaviour. **Page 119**

Housing Services will on all occasions seek to be represented on the ASB Joint Action Group to enable joined up problem solving around victims, perpetrators and locations.

The service also commits to being actively involved in any other multi-agency group (for example, MARAC) where appropriate, where by doing so, outcomes can be improved for customers.

Non-Legal Remedies

It is usually more effective to intervene quickly and assertively to resolve issues.

Housemark estimate that there are approximately 300,000 cases of anti-social behaviour reported to Local Authority Housing Departments and other social landlords each year (Housemark 2011/12 Benchmarking Report) and of these only 1.6% was resolved through the use of legal action with earlier interventions, warning letters and formal interviews with perpetrators being the most common methods of resolving complaints.

Prior to legal action being commenced, it is usually the expectation of the Court that the Council will have made efforts to resolve the ASB using non-legal remedies unless the behaviour is of a particularly serious nature. It is also the aim of the Authority to try to resolve complaints of ASB without taking legal action where possible. The use of Acceptable Behaviour Agreements and Parenting Agreements will therefore be considered in appropriate cases.

The Council will also promote the use of Restorative Practice in appropriate cases in order to make perpetrators accountable for their behaviour, and take steps to put right any harm that has been done.

Sometimes, when a complaint has been investigated, the Council may decide the behaviour complained is not nuisance which the council can take enforcement action to resolve. Sometimes this will be due to a clash of lifestyles, for example someone using their washing machine in the day when their neighbour works nights and sleeps in the day, other times it may be due to differences of opinion or behaviours which may be described as “inconsiderate” rather than “anti-social”. In such cases, the Council will still try to offer suggestions and solutions to resolve the dispute, but ultimately where disagreement continues, and the Council has no powers to act, the case will need to be closed.

Recognition for tenants who do not commit anti-social behaviour

The Council recognises that it is extremely dis-heartening to local residents who see tenants of the authority behaving anti-socially only to seemingly be rewarded with a range of improvement works, such as new kitchens and bathrooms whilst other tenants with impeccable tenancy conduct, may have to wait for their improvements, as priority for works is currently based upon geographical location. The council recognises that whilst it does need to invest in the stock that it owns, it is possible to give preference to those tenants who do not behave in an anti-social manner ahead of those who are responsible for causing serious or persistent nuisance and anti-social behaviour.

It is the policy of the authority therefore, that when a tenant or member of their household is served with any kind of Notice for ASB, is subject to a Court Order for ASB or the authority is pursuing an order against the tenant (or member of their household) due to ASB that their priority for improvement works should be decreased so that preference is given to those tenants who do not commit ASB.

This will not affect the repairing obligations which the council is required to meet.

Legal Remedies

The Authority aims to tackle anti-social behaviour as quickly and efficiently as possible. In most cases this will result in early intervention by Investigating Officers to nip problems in the bud, but in more serious, complex or persistent cases, it may be necessary for the Authority to take legal action against the perpetrator.

The Authority employs a team of specialist Anti-Social Behaviour Officers. These Officers are trained to secure effective legal remedies when these are the most appropriate response.

Local authority landlords are able to apply for a range of court orders to address nuisance and anti-social behaviour. The Authority is committed to making best use of these legal powers to resolve cases without the need to evict alleged perpetrators. The Home Office have expressly stated that evicting someone from their home should be “a last resort to be

used exceptionally and where other interventions to tackle anti-social behaviour have been tried and failed”

Eviction of Secure tenants will only be considered as a last resort when other remedies have been tried and failed, or when the authority deems a particular case of ASB to be so serious that possession is the most appropriate response in the circumstances.

The Authority has a responsibility to all of its tenants and therefore before considering any possession proceedings will need to consider the behaviour of the alleged perpetrator and its impact upon the local community.

Where the tenant is still an introductory tenant in their probationary period, and there are any breaches of tenancy, the Council will take steps to let the tenant know, so that they can put them right. Breaches of tenancy conditions will be investigated and if not resolved, the Council may take action to extend or end the tenancy.

An Introductory tenant legally has the right to ask for a review of the decision to end or extend their introductory tenancy.

If the tenant asks for a Review, they will also have the right to attend, take someone with them, and send someone to represent them to the Review and speak or ask questions. They could also make a written representation. The tenant is only entitled to a review if they request a review of the decision. The tenant must do this before the end of the period of 14 days beginning with the day on which the Notice has been served. It is helpful if the tenant does this by returning the Review Request Form provided with the Notice. The Council will then arrange a Review and inform the tenant of the time and place, within 5 working days.

However, if the tenant does not request a Review within 14 days they will lose their right to a Review.

Absolute Ground for Possession

The Crime and Policing Act 2014 introduces new ‘mandatory’ grounds for possession.

Part 5 of the Act (sections 94-97) introduces new absolute grounds for possession for both secure and assured tenancies, as well as particular notice and (for certain secure tenancies) review requirements.

In order to rely on the new absolute grounds, a number of alternative conditions must be met. The five alternative conditions are set out in section 84A of the Housing Act 1985 (secure tenancies) requiring there to have been:

- **Condition 1.** A serious offence conviction (such as murder, manslaughter, malicious wounding, threats to kill, burglary or an offence relating to section 4 of the Misuse of Drugs Act 1971) with the offence having been committed after 20 October 2014.
- **Condition 2.** A proven breach of an injunction to prevent nuisance and annoyance under Part 1 of the Act at committal proceedings.
- **Condition 3.** A conviction for breach of a criminal behaviour order under Part 2 of the Act.
- **Condition 4.** The property is or has been subject to a closure order and access has been prohibited for a continuous period of more than 48 hours.
- **Condition 5.** A conviction for breach of a statutory nuisance abatement notice or an order to abate a statutory nuisance.

Four of the conditions (that is, all except Condition 4) can be expressly invoked not only by the behaviour of the tenant but also by that of someone living in the premises or a visitor).

Locality

There are also locality requirements in Conditions 1-3, with Conditions 4 and 5 specifically relating to the premises. This has the effect that the behaviour complained of, and already proven in court, must have at least in part been committed:

- In the locality of the demised premises.
- Against a resident who lives in the locality.
- Against the landlord, its staff and/or contractors in connection with its housing management functions.

Notices

New notices prior to the issue of proceedings are also required under the Act (section 83ZA of the Housing Act 1985 and section 8(3A)-(4F) of the Housing Act 1988).

The new notices must:

- State that the court will be asked to make an order under section 84A for the possession of the dwelling-house.
- Set out the reasons for the landlord's decision to apply for the order (including the condition or conditions in section 84A on which the landlord proposes to rely). Where possession is also sought on one or more of the grounds set out in Schedule 2 to the HA 1985, the notice must also specify the ground on which the court will be asked to make the order and give particulars of that ground.
- Inform the tenant of any right that the tenant may have under section 85ZA to request a review of the landlord's decision and when such a request must be made.

There are time limits as to when these notices can be served, for example, within 12 months of relevant conviction or appeal or within three months of the closure order or appeal.

Right to a Review

There are statutory review requirements for secure tenants to seek review of the council's decision to seek possession. The tenant must make such a request in writing within seven days of the notice for possession under section 83ZA being served. The council must then review its decision and notify the tenant in writing of the final review decision. If the decision confirms the original decision, the council must also notify the tenant of the reasons for the decision.

Riot-related anti-social behaviour

In response to the 2011 riots, a new discretionary ground has also been added by section 99 of the Act (in force since 13 May 2014), which can now be seen at Ground 2ZA of Schedule 2 to the Housing Act 1985 (secure tenancies)

“The tenant or an adult residing in the dwelling-house has been convicted of an indictable offence which took place during, and at the scene of, a riot in the United Kingdom.”

“Riot” has the same definition as in section 1 of the Public Order Act 1986, that is:

“(1) Where 12 or more persons who are present together use or threaten unlawful violence for a common purpose and the conduct of them (taken together) is such as would cause a person of reasonable firmness present at the scene to fear for his personal safety, each of the persons using unlawful violence for the common purpose is guilty of riot.

(2) It is immaterial whether or not the 12 or more use or threaten unlawful violence simultaneously.

(3) The common purpose may be inferred from conduct.

(4) No person of reasonable firmness need actually be, or be likely to be, present at the scene.

(5) Riot may be committed in private as well as in public places.

(6) A person guilty of riot is liable on conviction on indictment to imprisonment for a term

Civil Injunctions

Part 1 of the Crime & Policing Act 2014 introduces a new civil injunction, although the introduction of these provisions has been delayed until 2015.

The new civil injunctions, designed to tackle nuisance and anti-social behaviour, will replace Antisocial Behaviour Injunctions and stand-alone Antisocial Behaviour Orders. They will be available to minors as well as adults and will be obtainable from the County Court or, alternatively, the Youth Court for 10-17 year olds. The test for the injunction differs slightly according to whether the injunction application relates to housing-related behaviour or is anti-social behaviour ("ASB") occurring more widely in a community. In addition you must show that the making of the order is just and convenient to prevent further ASB. The standard of proof for this 2 stage test is assessed on the balance of probabilities and therefore is a civil test rather than the higher criminal test applicable to ASBOs.

The Act introduces a formal statutory duty to 'consult' in all but without notice cases - if an application is against a minor, you must consult with the Youth Offending Team; for all other applications you must inform any other body or individual 'the applicant thinks appropriate.'

In contrast to previous civil injunctions, the new legislation introduces the express ability to seek positive obligations that can be placed on a Defendant - to attend drug or alcohol projects, for example.

An order excluding a person from their home will still be available under the new Act, but only for those over 18

Community Protection Notices

The community protection notice is intended to deal with particular, ongoing problems or nuisances which negatively affect the community's quality of life by targeting the person responsible. The notice will direct the individual, business or organisation responsible to stop causing the problem and it could also require the person responsible to take reasonable steps to ensure that it does not occur again.

This notice is intended to replace current measures such as litter clearing notices, defacement removal notices and street litter control notices. It is not meant to replace the statutory nuisance regime – and where the behaviour is such as to amount to a statutory nuisance under section 79 of the Environmental Protection Act 1990 (EPA), it should be dealt with as such. The statutory nuisance regime is long established and covers a number of different issues including noise, artificial light, insects and smoke.

The power to issue a notice will be available to police officers (and police community support officers (PCSOs) if designated by the chief constable), authorised persons within the local authority and staff of registered providers of social housing (if designated by the relevant local authority).

Rehabilitation and support for perpetrators

The Authority recognises that some people need help to change their behaviour. As such, where Officers identify support needs they will make appropriate referrals or signpost perpetrators to agencies or organisations that can provide support.

There are a wide range of agencies in Flintshire providing help and support services and Officers will be able to signpost people to the appropriate one, depending upon the support needs of the individual.

Vulnerable Persons

The Authority acknowledges that some vulnerable residents, including those with learning or physical disabilities; mental health illness or other support needs, may have their behaviour perceived as anti-social. Where the council becomes aware of such instances we will endeavour to work with individuals, support providers and the community where possible to find an effective solution.

Anti-social behaviour Officers must try to balance the need to protect individuals and communities from anti-social behaviour with the needs of a vulnerable perpetrator. If a perpetrator is thought not to have 'mental capacity' they may not be able to understand what is wrong with their behaviour. If an application for an order is made in court, they may not be able to understand the proceedings, the requirements of the order or what constitutes a breach.

ASB Officers will make efforts to consult with health and social care practitioners where they suspect that the perpetrator of the ASB does not have mental capacity.

CULTIVATION, DISTRIBUTION, SELLING OR SUPPLY OF ILLEGAL DRUGS

The Authority recognises the misery that can be caused by the use illegal drugs in our communities. We can identify the links to crime and disorder and the subsequent impact on our local economy and the increased pressure that illegal drugs can place on public services. The Authority acknowledges the crucial role that it can play in taking a firm stance against those who unlawfully benefit through the illegal cultivation, distribution, sale and supply of illegal drugs.

It is the policy of the Authority that while all cases will be considered on an individual basis having regard to the particular circumstances of the case, in most cases where a tenant has been convicted of cultivating, selling, distributing or supplying illegal drugs legal action for possession of the property will be commenced.

The Authority is aware however, that in some circumstances, the homes of vulnerable tenants are 'taken over' by criminals who intimidate the individual into activities around illegal drug production or distribution. In such circumstances, it is the policy of the council to work with the police to bring the offenders to justice. However, there will be a clear expectation that the tenant will co-operate with the council and the police to enable this to happen. Failure to co-operate, and/or where the Investigating Officer finds no evidence that the tenant has been coerced into illegal activity may result in legal action against the tenant.

Where tenants are drug users with no associated nuisance activity rather than criminals who seek to benefit from the proceeds of illegal drug supply, a more supportive approach will be taken. Officers of the council are able to make referrals for specialist support or signpost tenants to appropriate agencies.

HATE CRIME & INCIDENTS MOTIVATED BY HATE

Hate crimes and incidents are any crimes or incidents that are targeted at a person because of hostility or prejudice towards that person's:

- disability
- race or ethnicity
- religion or belief
- sexual orientation
- transgender identity

They can be perpetrated against the person or the property, and the victim does not have to be a member of the group at which the hostility is targeted.

The view of the Authority is that none of its residents should be harassed or targeted due to any of the above characteristics. It is the aim of the Council to continuously develop its

approach to tackling hate crime and incidents and will do so in partnership with North Wales Police.

The Authority is aware that recent research suggests that hate related crimes and incidents are under-reported, particularly those where disabled people are targeted. The Council will work closely with partners to increase awareness of what constitutes a hate crime or incident, and to provide ways in which hate crimes and incidents can be identified and reported. This includes establishing the Neighbourhood Housing Team as a Community Reporting Facility in conjunction with North Wales Police, and training Housing Officers and ASB Officers to be able to recognise and report incidents, and to take steps to facilitate effective support for victims and witnesses.

The Authority will take prompt and decisive action to deal with any tenant where there is evidence of them perpetrating hate crime. This may include applying for an injunction to protect the victim.

DOMESTIC ABUSE

The Council's [proposed] Tenancy Agreement makes it clear that domestic abuse is unacceptable behaviour. By 'Domestic Abuse' we refer to the widened definition which will be implemented across government from March 2013. The widened definition is as follows:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour. Coercive behaviour is: an

act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

It is the policy of the Authority to treat all disclosures of domestic abuse confidentially. The exceptions to this are where a child or vulnerable adult would be put at risk. In such cases, it will be made clear to the reporting person that the information would need to be shared with other agencies to facilitate effective safeguarding.

This policy therefore should be read alongside our policy for safeguarding vulnerable adults and children.

Reports of domestic abuse will be referred to the ASB Team who will attempt to make contact with the victim within one working day in order to carry out an initial risk assessment with them. This is subject to the victim having made available their contact details, being agreeable to such contact and being available for such contact. In some circumstances it will not necessarily be safe for an Officer to make contact and each case will need to be assessed individually.

The Council will offer victims of domestic abuse a named officer who will deal with their case, and will aim to offer a choice of a male or female officer.

A DASH risk assessment will be used to assess risk. This is a national Domestic Abuse, Stalking and Honour Based Violence (DASH 2009) Risk Identification, Assessment and Management Model. Its introduction means that all police services and a large number of partner agencies across the UK will be using a common checklist for identifying and assessing risk, which will save lives. ACPO [Association of Chief Police Officers] Council accredited the DASH (2009) Model to be implemented across all police services in the UK from March 2009. Where it is identified that there is a high risk, a referral will be made to the Multi-Agency Risk Assessment Conference (MARAC).

Where urgent action is required as a result of the risk assessment, it will be the responsibility of the named officer to facilitate this. This may include urgent target hardening (usually referred to as Sanctuary), emergency/temporary re-housing, and request for a critical marker and/or legal action.

The Authority will make referrals for appropriate support where possible, which may include the IDVA [Independent Domestic Violence Advocate] service.

IDVAs are trained specialists who provide a service to victims who are at high risk of harm from intimate partners, ex-partners or family members, with the aim of securing their safety and the safety of their children. Serving as a victim's primary point of contact, IDVAs normally work with their clients from the point of crisis, to assess the level of risk, discuss the range of suitable options and develop safety plans. They are pro-active in implementing the plans, which address immediate safety, including practical steps to enable victims to protect themselves and their children, as well as longer-term solutions. IDVAs will represent their clients at the Multi Agency Risk Assessment Conference (MARAC) and help implement safety plans which will include actions from the MARAC as well as sanctions and remedies available through the criminal and civil courts, housing options and services available through other organisations. IDVAs support and work over the short- to medium-term to put victims on the path to long-term safety. (Source – The Home Office, 2012)

Where a victim has fled their home which is a Council Property due to violence or abuse and the perpetrator remains in situ, the Council may initiate legal proceedings to re-possess the property. Where the tenancy is a joint tenancy and the vacating tenant serves a notice to end the tenancy this would have the effect of terminating the tenancy for both tenants. In such circumstances the tenant will be advised of this, and a recommendation will be made that the tenant should obtain their own independent legal advice before giving notice to end the tenancy.

Sometimes victims of domestic abuse find themselves the subject of complaints by neighbours due to the behaviour of the perpetrator. In cases where domestic abuse comes to light during the course of an anti-social behaviour investigation, the Neighbourhood Housing Manager should be advised who will advise of the best course of action. This may involve liaising with the Domestic Abuse Co-ordinator, Community Safety Team and/or other agencies. It is not the intention of the council to penalise victims of domestic abuse for the behaviour of their abusive partner (or ex-partner or other family member) over whose behaviour they have no control. There is however, an expectation that a victim of domestic

abuse should work with the Council to address the problems as the council has a responsibility to the wider community as well who may also be affected by the behaviour. Each case will therefore be addressed on an individual basis, considering the various factors of the situation.

EFFECTIVE COMMUNICATION & PUBLICISING INFORMATION

The Community & Enterprise Directorate, through its Tenancy Conditions, Customer Involvement Officer, Housing Newsletter, information and advice booklets and the local media, will ensure that tenants and residents of Flintshire are aware and reminded of their responsibilities to their neighbours and communities in relation to their conduct and behaviour. The consequences and sanctions of engaging in ASB will be similarly publicised.

The Authority recognises the importance of communicating successful action, not just to the victims and witnesses who are directly involved in cases, but also to the wider community.

This communication is vital to reassure residents, and to encourage reporting of incidents so that anti-social behaviour can be tackled.

Often court orders will contain prohibitions imposed by the court and it is necessary for the local community to be aware of the detail so that they can report any breaches of the order.

The Authority recognises that those subjected to a court order who have their details published, may view this as a punitive measure, however, it is not intended to be so.

Following guidance from the Home Office set out in 2005, the Authority has devised a pro forma to record its decisions to publicise ASB cases and outcomes and a copy of these will be retained by the Council.

The decision to publicise information will involve a 'necessity test' to satisfy that one or more of the following aims for publicising information is relevant.

- To notify the public that a court order has been obtained in order to reassure the public that action has been taken.
- To notify the public of specific court orders so that they can assist in their enforcement.
- To act as a deterrent to anti-social behaviour.

The pro forma which will be completed by the Anti-Social Behaviour Team and initially approved by the Neighbourhood Housing Manager will be sent to the Head of Housing and Executive Member for Housing for their approval and comment. This will include consideration of the following; the main objectives of the publicity, the decision to publish, the decision making process, what publicity should look like, human rights, data protection, type of publicity, and extent of information to provide.

Each case will be considered on its own individual merits, and careful consideration will be given to publicising actions where any of the parties are considered to be vulnerable.

This will then be referred to the Corporate Communications Team who will prepare any press releases, or other forms of information to be communicated.

THE COMMUNITY TRIGGER

The Crime and Policing Act 2014 introduces the “Community Trigger”.

The Community Trigger is a process which allows members of the community to ask Flintshire’s County Council to review their responses to complaints of anti-social behaviour.

The Community Trigger was introduced by law in October 2014 and can be used if any individual has complained to Flintshire County Council, North Wales Police or a Registered Social Landlord about 3 incidents of anti-social behaviour in a six-month period. Each report needs to have been made within 1 month of the incident occurring. The trigger is available if an individual believes their complaints have not been appropriately addressed or no action has been taken. The trigger cannot be used to report general acts of crime, including hate crime or anti-social behaviour.

Flintshire County Council has a co-ordinated approach to addressing community trigger requests, and initial requests will be processed by the Community Safety Team who will liaise with a nominated officer in housing.

The same criteria and process has been agreed across North Wales with relevant agencies and stakeholders.

COMMITMENT TO SERVICE IMPROVEMENT

Flintshire County Council's Community & Enterprise Directorate will strive to provide excellent services which meet the needs of customers.

We aim to continually evolve the service to make best use of the tools and powers available and to ensure that the services we buy in and the service we provide are good value for money.

By consulting with customers we aim to shape what we do in partnership with our customers. This also means being proactive about involving hard to reach customers and considering the diverse needs of our residents.

We will aim to provide transparent performance information so that our customers can see how we are performing in relation to the targets we will set ourselves.

We will aim to benchmark our performance against that of other social landlords and councils so that we can make meaningful comparisons and identify areas for improvement.

We will monitor customer satisfaction with our service, and we will use the feedback that we get from customers to raise the bar on our performance.

We will offer regular, up to date training for our staff to enable them to effectively carry out this difficult and challenging work.

EQUALITY & DIVERSITY

The Authority aims to ensure that its ASB Policy respects and upholds the organisation's commitment to equality and diversity and in a manner that is fair to all regardless of their; age, religion & belief, disability, gender, race, sexual orientation, transgender status, marriage & civil partnership, pregnancy & maternity or any other issue that may cause potential discrimination in service delivery.

The Authority will ensure that where necessary it assists anyone needing to access this service. This may include providing assistance to access translation services, type-talk and providing literature in a range of formats such as larger text, picture and Braille formats or in different colours.

In compliance with the Council's Welsh Language Scheme, all services and documents can be made available in Welsh where this is required by customers.

HEALTH & SAFETY

All activities carried out by the Authority will be in accordance with the Health & Safety Management system including risk assessments and accompanying safe systems of work.

CONSULTATION, MONITORING & REVIEW

The Authority will consult with customers, partner agencies and organisations and the voluntary sector to continually develop good practice in this area.

The Authority will monitor the effectiveness and implementation of this policy to ensure that it achieves its aims of protecting its tenants and residents of its communities.

The Authority will benchmark its ASB service using Housemark to review the effectiveness of its activities and performance.

The Council will periodically review the policy and procedures for tackling ASB and will always have due regard to legislative requirements and best practice.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **HOUSING OVERVIEW & SCRUTINY COMMITTEE**

DATE: **WEDNESDAY 14TH JANUARY, 2015**

REPORT BY: **HOUSING AND LEARNING OVERVIEW & SCRUTINY FACILITATOR**

SUBJECT: **FORWARD WORK PROGRAMME**

1.00 PURPOSE OF REPORT

1.01 To consider the Forward Work Programme of the Housing Overview & Scrutiny Committee.

2.00 BACKGROUND

2.01 Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Strategic Assessment of Risks & Challenges.

2.02 In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:

1. Will the review contribute to the Council's priorities and/or objectives?
2. Are there issues of weak or poor performance?
3. How, where and why were the issues identified?
4. Do local communities think the issues are important and is there any evidence of this? Is there evidence of public dissatisfaction?
5. Is there new Government guidance or legislation?
6. Have inspections been carried out?
7. Is this area already the subject of an ongoing review?

3.00 CONSIDERATIONS

3.01 Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work Programme of the Committees of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

4.00 RECOMMENDATIONS

4.01 That the Committee considers the draft Forward Work Programme attached as Appendix 1 and approve/amend as necessary.

5.00 FINANCIAL IMPLICATIONS

5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 N/A.

11.00 CONSULTATION UNDERTAKEN

11.01 Publication of this report constitutes consultation.

12.00 APPENDICES

12.01 Appendix 1 – Forward Work Programme

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None.

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CURRENT FWP

Date of meeting	Subject	Purpose of Report	Scrutiny Focus	Responsible / Contact Officer	Submission Deadline
<p>24 February, 2015</p>	<p>Work of RSL's operating in Flintshire</p>	<p>To enable the Committee to meet with representatives of Housing Associations operating in Flintshire.</p>	<p>Service Improvement</p>	<p>Chief Officer (Community and Enterprise)</p>	<p>16 February 2015</p>
	<p>Review of Strategic Housing Partnership</p>	<p>To review the Strategic Housing Partnership</p>	<p>Service Delivery</p>	<p>Chief Officer (Community and Enterprise)</p>	
<p>24 March 2015</p> <p>Members of the Environment OSC invited for this item</p>	<p>Quarterly Performance Reporting</p>	<p>To consider Q3 performance outturns for improvement targets.</p>	<p>Performance Reporting</p>	<p>Chief Officer (Community and Enterprise)</p>	<p>16 March 2015</p>
	<p>Private Sector Housing Renewal</p>	<p>To consider progress on the delivery of Flintshire's first Renewal Area, general service development and county wide projects.</p>	<p>Performance Monitoring</p>	<p>Chief Officer (Community and Enterprise)</p>	
	<p>Vibrant and Viable Places</p>	<p>To review progress made following the allocation of funding as part of the Vibrant and Viable Places Bid.</p>	<p>Performance Monitoring</p>	<p>Chief Officer (Community and Enterprise)</p>	

24 April 2015	Council House Development	To consult the Committee on the outcome of the procurement programme and delivery of new homes	Service Delivery	Chief Officer (Community and Enterprise)	16 April 2015
	Community Infrastructure Levy (CIL)	To enable the Committee to further review this Policy.	Service Delivery	Chief Officer (Community and Enterprise)	
	Update on Tenant Involvement	To consider tenants satisfaction results and the involvement of tenants in service improvements.	Performance Monitoring	Chief Officer (Community and Enterprise)	
1 June 2015	Update on North East Wales Homes & Property Management	To update Members on the work of the North East Wales Homes & Property Management	Performance Monitoring	Chief Officer (Community and Enterprise)	21 May 2015
8 July, 2015	Quarterly Performance Reporting	To consider Q4/Year End performance outturns for improvement targets.	Performance Reporting	Chief Officer (Community and Enterprise)	30 June 2015
	Improvement Plan 2015/16	To consider the draft Improvement Plan 2015/16	Performance Reporting	Chief Officer (Community and Enterprise)	

REGULAR ITEMS

Month	Item	Purpose of Report	Responsible / Contact Officer
Quarterly / Annual	Performance Reporting	To consider performance outturns for improvement targets against directorate indicators.	Chief Officer (Community and Enterprise)
Six monthly	Private Sector Housing Renewal	To consider progress on the delivery of Flintshire's first Renewal Area, general service development and county wide projects.	Chief Officer (Community and Enterprise)
Annually	Update on Delivery of Choices Document	To receive an update report on the delivery of the Choices Document.	Chief Officer (Community and Enterprise)
Six monthly	Welfare Reform Update – including Universal Credit	To update Members on the impact of Welfare Reform and the cost to the Council.	Chief Officer (Community and Enterprise)
Six monthly	Update on North East Wales Homes & Property Management	To update Members on the work of the North East Wales Homes & Property Management	Chief Officer (Community and Enterprise)
Annually	Vibrant and Viable Places	To review progress made following the allocation of funding as part of the Vibrant and Viable Places Bid.	Chief Officer (Community and Enterprise)

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