

## **REVIEW OF THE CAUSES OF TENANCY FAILURE AND HOW IT CAN BE PREVENTED - UPDATE ON REVIEW RECOMMENDATIONS.**

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### **REASON FOR ITEM**

During 2013/14 the Committee conducted a review on the '*causes of tenancy failure and how it could be prevented*'. This report provides a brief overview of tenancy failure and an update on the status of the twelve recommendations made by the Committee which were considered by Cabinet on 23 January 2014.

### **OPTIONS AVAILABLE TO THE COMMITTEE**

1. To note the progress made by officers on the Committee's recommendations.
2. To question officers on its content.

### **INFORMATION**

#### **Tenancy Failure: An Overview**

There is considerable social and economic cost associated with tenancy failure. Tenancy failure occurs when tenancies are terminated prematurely such as through abandonment or eviction. Real costs include; void costs, legal fees and arrears alongside the staff costs associated with homelessness assessments and the provision of temporary accommodation. There are also wider social costs to the local authority, the family in the failed tenancy and the impact on the community. These wide ranging impacts highlight the need for effective tenancy sustainment.

The Council has a dual role, both as the strategic housing authority, planning for the housing needs of residents across all tenures, and as a social landlord. Tenancy sustainment services are involved in both of these roles. Families that are unable to sustain their tenancies are more likely to have:

- Disruption to a child's schooling and so lower educational attainment
- Poor health and well being
- Reduced ability to secure long-term paid employment and therefore greater reliance on state benefits

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- Poorer financial awareness and therefore greater likelihood of making poor financial decisions
- Reduced life chances

Successful tenancies are good for individual households, their landlords, the local authority as a whole and the wider community.

Notwithstanding this, there must be a recognition that situations will present where ending a tenancy is necessary, appropriate and proportionate. This could be associated with extreme anti-social behaviour with significant 'community impact' or wilful non-payment of rent.

### **Tenancy Failure: The Review**

The review looked at the Council's current role and responsibilities for tenancy sustainment in Council housing, as well as the existing support services for those not in council housing, and current thinking on the development of the service.

Set against a backdrop of welfare reform and reduction to Housing Benefit, where it was anticipated that cases of arrears, debt and ultimately homelessness might rise, the Committee heard and supported the risk based, early interventionist approach being developed by the Council to help people remain in their homes. It was acknowledged that the impact of the welfare reforms was still at an early stage and that there was still work to do on the BID process.

The review made a series of recommendations which seek reduce instances of tenancy failure by supporting new ways of working across Council teams, including through the work of adults and children's social care services and takes a tenure neutral approach.

### **Update Response to POC - recommendations**

The Report of the Social Services, Housing and Public Health Policy Overview Committee 2013/14 on the 'Review of the causes of tenancy failure and how it can be prevented' was considered by Cabinet on 23<sup>rd</sup> January 2014. Cabinet welcomed the report and endorsed the recommendations made.

- 1. That Cabinet endorse the concept that support services that help sustain people in their own home must be tenure neutral and focus on practical help that will enable people to stay in their home.**

As part of the service transformation process the Independent Living Support Service has been remodelled and the role of the staff is now as Housing Key Workers (see Appendix

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1). The focus of these Key Workers is on sustaining tenancies, they work across housing tenures and have a current case load of 107 clients. Referrals are taken from three groups:

a. New in occupation

These referrals are for clients at the start of a new tenancy where it is known that there is an underlying vulnerability and that if left without support, there is a high risk of tenancy failure. The Housing Key Workers are able to provide extensive support for a period of up to three months. They link in to services to 'wrap around the client', reduce risks and make them more manageable. At the end of the three month period responsibility is handed back to the Community Housing Team with an accompanying ongoing support plan where appropriate.

b. Non-secure tenants at risk of failure

These referrals relate to clients in temporary accommodation, including bed and breakfast where there is a threat of action to evict. No eviction activity can take place without having first referred the matter to Housing Key Workers who will then have the opportunity to work with the client for up to four weeks. During this time, practical support as necessary will be provided, such as referrals to drink/drug agencies. At the end of this period the key worker will report back through the Tenancy Sustainment Conference where a decision will be made regarding future action.

c. Established arrangements at risk of failure

The third client group, are those that are established in their housing situation where, for whatever reason, the housing arrangements are under threat. This could, for instance relate to rent arrears or behaviour issues that may have been precipitated by a change in circumstances such as unemployment, illness, bereavement or relationship issues.

A separate Tenancy Sustainment Officer continues to work with both landlords and tenants in properties made available to the council under the Finders Fee scheme. While the nature of this work has not changed significantly, it does now benefit from being located within the Housing Key Worker team. This service has sustained 83 tenancies since April this year.

**2. Endorse the risk based approach to tenancy sustainment currently being developed by officers with an emphasis on early intervention and problem solving.**

Secure tenants

A revised 'End to End Tenancy Management Process' is now in place. Underpinning the entire process is the adoption of a risk-based approach to the management of tenancies. Central to this approach is:

- The initial and ongoing assessment of risk
- A more tailored approach to the management of the tenancy which is person centred
- The adoption of a planned (risk based) approach to the management of the tenancy
- The use of annual 'tenancy checks ' alongside 'new tenant visits' and 'probationary tenancy visits' as a minimum
- Drawing in more specialist resources where required
- Recording planned and unplanned 'tenancy events' in a single 'living plan' during the life-time of the tenancy which is held on Civica

The priority is to create the right conditions for sustainable, successful tenancies which will thrive, irrespective of their length or type. A risk based approach will ensure that intervention happens at an early stage to help 'at-risk tenants' retain a secure home while meeting the responsibilities of their tenancy agreement.

The 'end to end' process supports staff in doing the right thing, at the right time, with the right documentation. Good practice requires effective and robust management of the tenancy and the need to ensure that the tenant is fully aware of the nature of their occupation arrangements and the key stage processes that will take place during the life-time of the tenancy. This necessitates a greater need for effective communication, the periodic sharing of key messages and above all, regular contact. The management of the tenancy must operate on the principle of 'no surprises' for the tenant.

All new tenants receive a 'new tenant visit' within four weeks of tenancy commencement. This visit enables establishment of the landlord and tenant relationship and is the first occasion for the Housing Officer to 'assess' the tenant's needs and requirements for any support to effectively sustain the tenancy. Prior to the visit, the Housing Officer carries out background research to review available information on household details and known vulnerabilities and support needs.

At the culmination of the new tenant visit process, a 'tenancy management plan' is populated. The plan exists for the lifetime of the tenancy and provides the reader with all

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they need to know about managing the tenancy 'at a glance', including, who is working with the tenant, key tenancy management events, planned events, and a current assessment of 'risk'.

A risk management tool is in place to support Housing Officers in the initial and ongoing assessment of risk and categorisation of the tenancy. As part of the new tenant visit, all new tenants are categorised as being at low, medium or high risk of tenancy failure. The tool assists in completing the tenancy management plan and recognising the impact of a range of 'trigger incidents'. For example, an established secure tenant in good health with a good network of family and friends is likely to be more resilient to the impact of bereavement than perhaps a person with underlying mental health issues with no family or social networks.

During the course of the tenancy it will be necessary to reassess the tenant in recognition that people move in and out of vulnerability and/or are disproportionately affected by life events which put their tenancy at risk.

### Non-secure tenancies

Housing Officers are notified of all new lettings associated with the granting of non-secure tenancies via a weekly lettings report. This includes all new 'short-life' and in-house 'PSL' lettings. The approach to assessing unmet needs and 'front-loading' advice and support at the start of the tenancy is replicated for all non-secure tenants.

### **3. That in support of ongoing service transformation, consideration is given to ways of improving joint working across Council Teams, making these more flexible and proactive as well as promoting early intervention.**

Service transformation has resulted in a housing model based around three areas of work prevention, sustainment and placement. The role of the housing key workers is central to the sustainment area and there is a focus on early intervention. The new tenant visit process and associated assessment of the tenant may conclude that the tenant is presenting as at 'high risk' of tenancy failure. Unless intensive support is provided the likelihood is that the tenancy will fail. In these circumstances, referral to a housing key worker is appropriate and will maximise the potential from early intervention.

The following ten core areas are seen as critical to the adoption of a risk-based approach to the management of tenancies:

- Managing the tenancy and the accommodation
- Self-care and living skills
- Managing money and personnel administration

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- Social networks and relationships
- Drug and alcohol misuse
- Physical health
- Emotional and mental health
- Meaningful use of time
- Offending
- Motivation and taking personal responsibility

These risk factors are inextricably linked to vulnerability i.e. individuals falling into one or more categories of vulnerability are likely to present as higher risk in the context of both tenancy sustainment and the cost of managing the asset. In general terms, vulnerable individuals can be described as:

- Those experiencing a physical illness/disability
- Those experiencing a mental illness/disability
- The elderly
- Expectant mothers
- Children defined as 'in need' under the Children Act 1989
- Those who do not speak or read English
- Those experiencing racial harassment and other forms of hate crime
- Those experiencing domestic violence
- 16 and 17 year olds
- Those leaving institutional care
- Those living in temporary accommodation

Housing key workers are an integral part of the tenancy management model which has the effective support of vulnerable people at the centre. This model contributes to the strategic objective of preventing homelessness and sustaining all forms of occupation arrangement. This involves 'doing the right thing at the right time' to enable residents to be appropriately supported at the earliest opportunity.

As part of this approach housing key workers provide a dedicated 'team around the tenant' who deliver tailored support plans to address or manage underlying issues which impact on the tenant/household and their ability to remain in their current accommodation. Loss of that accommodation would generally result in a homeless acceptance. Housing key workers work across all forms of tenure, including non-secure tenancies.

Referral to housing key workers is linked to 'high risk' cases where failure to intervene will generally mean that the occupation will fail. There may also be a strong likelihood that the resident will reach a crisis point requiring more expensive care, such as hospital admission, or a more expensive form of accommodation such as 'supported housing'. As

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part of this approach, there is a general acceptance that housing officers are managing higher levels of risks than was traditionally the case. Preventing 'drift' into more expensive services and more intensive levels of support is a core theme across the Council.

After an initial assessment and production of a support plan, the housing key worker will work with the tenant for a period of up to three months. Housing Officers have a significant role to play in both risk assessment and risk management. As part of this role, housing officers are developing an increasing range of control measures to manage 'low' and 'medium' risks. The management of all identified risks are contained in a 'tenancy management plan'. It is only when high level risks present, which necessitate more specialist intervention, that cases are referred to housing key workers.

On successful completion of a tailored support plan, resulting in the risk level being reduced and the tenant retaining their tenancy, the case is passed back to the housing officer as part of a planned exit strategy. The 'support plan' ends and the housing officer then takes over responsibility for the management of the reduced risks via an updated 'tenancy management plan'.

The housing key workers have established links to a variety of other teams within the Council and external service providers. Following a referral, a triage process signposts to relevant services, such as: HAGAM, HDAS (Hillingdon Drug and Alcohol Service), GPs, Look Ahead, mental health services.

### Prevention Services

The objective of the housing key workers is to prevent the failure of tenancies at risk. If there is no longer a chance of the tenancy being sustained, i.e when a private landlord issues a S21 for possession, this would not fall within the remit of housing key workers but with the homelessness prevention or outreach team who then work with the client to prevent homelessness.

There have been advances made in joint working across council teams and opportunities to strengthen this are continuing to be sought.

- 4. That, welcoming the service transformation taking place, Officers consider reviewing the provision of support services in order to promote tenancy sustainment. Further, the Committee suggests that, having established the principle and mechanisms of tenancy sustainment, that the initial work proposed in this review be used as a basis for a possible review (in the next Municipal year) that focuses on discrete areas including ensuring sufficient support for those in most need, in particular those with mental health issues or other vulnerabilities.**

Mental health services have been subject to some reshaping so that rather than being area based, teams are arranged around different aspects of service. There is a mental health accommodation panel, which is chaired by the manager of the housing key workers. About a quarter of referrals to housing key workers have a mental health issue. The panel provides for a pathway that enables a number of steps down from more intensive to less intensive services. This moves clients from social care to housing services and from accommodation based to floating support services and towards independent living.

Although aimed primarily at stepping down through the services, there is also the ability for clients to move in the other direction, where additional support is required. The outcome is more likely to be an increase in the amount of support hours needed rather than a change in accommodation.

For clients with low level mental health needs, support can be given by Housing key Workers where a risk has been identified and referrals, as appropriate, are made to other agencies such as DASH, Age Concern, HAGAM and HDAS.

- 5. That the Cabinet Member for Social Services, Health and Housing requests that Council's front line staff receive refresher training to give basic advice and sign posting and consideration be given to the following:**
- **Undertaking a review of service directories and website information**
  - **Developing information available through social networking**
  - **Updating information leaflets available to residents on the provision of advice on benefits and relevant campaigns.**

A comprehensive review of the service directory has been completed and this will continue to be updated on an ongoing basis. The Housing Key Workers are now established as experts in networking with the range of support providers in Hillingdon and are able to offer a comprehensive signposting and referral service.

The 'people' as opposed to 'property' aspects of housing services are now organised under teams concerning with 'prevention', 'placement' and 'sustainment'. Briefings on new ways of working have been delivered to staff and both internal and external referrals

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systems for the Housing Key Workers are in place. The contact centre provide a 'front of house' service and it is important to ensure that they are kept up to date and included in any training given. They have been briefed on the support that can be offered by the housing key workers.

Bespoke training for specific issues is rolled out to a variety of front line housing staff. At present training in safeguarding is being delivered by colleagues in health and social care. Other recent training has included basic drug awareness, mental health awareness, domestic violence and relationship breakdown, housing advice, homelessness law, Housing Benefit, and Universal Credit.

Although some leaflets are still produced by various organisations and made available, the main focus is on developing on line resources and on enabling access to digital resources.

**6. The Council further highlight that discretionary housing payments are available but limited and keep the policy under review to ensure that there is sufficient provision in the budget.**

The budget for Discretionary Housing Payments (DHP) for 2014/15 is just under £1 million, of which approx £520,000 has been spent to date and a further £85,000 has been allocated. The total amount of DHP that can be paid in the financial year is limited by government. It can be used for rent deposits, rent in advance and moving costs. In some cases it can be paid if Housing Benefit is reduced because of the Household Benefit Cap or because the client is deemed to be under-occupying their home and rents from the Council or a Housing Association. There is ongoing monitoring of DHP payments.

**7. The Council build on existing work to encourage the take up of benefits and the use of outreach services to interact with harder to reach groups and make effective use of community facilities such as libraries.**

Housing Advice surgeries have been run for older people by age concern and Age Concern are also able to offer advice to older people on a range of other issues. From time to time specific projects take place to encourage take-up.

**8. (That Cabinet) reaffirms the proposals made by the Deputy Leader and Cabinet Member for Education and Children's Services in February 2009, where free independent financial and budget management lessons were made to schools and invites the Cabinet Member to take this opportunity to remind schools that such an offer is available.**

These recommendations were presented to and approved by Cabinet on 23<sup>rd</sup> January 2014.

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- 9. That Housing Services, Private Sector Landlords and Registered Social Landlords pursue joined up working on providing and /or sign posting budget information in their tenant's publicity materials so that where possible universal information, articles and media could be produced and used economically.**

The new tenant visit includes information relating to financial matters regarding the tenancy. The Hillingdon Citizen's Advice Bureau (CAB) is able to assist tenants with debts and budget management and housing staff signpost to their services as appropriate. The CAB now provides a 'fast track' service for tenants of Hillingdon Council who are in rent arrears. Advisors will help draw up a realistic weekly budget and debt repayment plan and identify if there are any ways of maximising income such as claiming any extra benefits and Tax Credits.

- 10. The Council assist with the promotion and advertising of the services of the Hillingdon Credit Union and seek to increase its membership through the development of a marketing plan. That as part of this work, officers also consider the promotion and availability of accounts just for benefits and rent to ensure that these essential housing costs are paid first.**

Free training is available to all tenants and as part of this programme an explanation is given of the work of the credit union and encouragement is given to join.

A review of tenant engagement is taking place and an increased focus on both digital and financial inclusion is to be considered as part of this. Related work will look at the council's performance in relation to the Consumer Standards, part of which is also concerned with this agenda.

In preparing for the introduction of Universal Credit, some work was undertaken looking at the potential use of 'Jam Jar' accounts. This work didn't reach a conclusion and some of the accounts considered involved considerable expense. Delays to Universal Credit has meant that there is less urgency, however there is a continuing need to consider further changes in practice as a result of the welfare reform agenda.

- 11. Asks officers to develop a universal checklist of those agencies including Private Sector Landlords supporting tenancy sustainment and for this to be used to monitor success using outcomes based indicators and calculate the associated costs.**

A 'new tenant visit checklist' has been put in place for use by LBH Housing Officers. This works through a series of questions which not only capture key information about the

tenant/household but also serves to ensure that the tenant has properly 'settled in', is 'plugged-in' to all appropriate and necessary services and is well positioned to work towards the sustainment of a 'successful tenancy'. This approach makes it possible for the Housing Officer to identify 'risks' and support 'gaps' which need to be picked up as an integral part of developing the 'tenancy management plan'.

Having developed tools for use in-house, further work will look to share good practice, including with private sector landlords through the Landlords Forum.

**12. Welcomes the work of the Children, Young People and Learning Policy Overview Committee to help supported children and Young Care Leavers and ensure they are assisted appropriately.**

The National Care Leaver Strategy<sup>1</sup> recognises that care leavers are a vulnerable group of young adults who have particular needs in relation to housing and homelessness. A supportive pathway approach for care leavers invests in early intervention and transition planning. It integrates progression to work and independence with tailored accommodation options.

In Hillingdon the work of the Children, Young People and Learning Policy Overview Committee identified some key issues for care leavers and a number of specific recommendations were made, the majority of which have been completed.

The key worker approach with a focus on early support to avoid escalating needs was identified as an ideal working model for taking forward the transition of care leavers to independent living and improving the support provided to looked after children. There is a need for a continuing focus on joint working to ensure effective working arrangements, and where necessary, protocols between the various agencies involved with care leavers. This work is now being taken forward by the Corporate Parenting Board: Transition sub group, working across the range of services necessary to support care leavers.

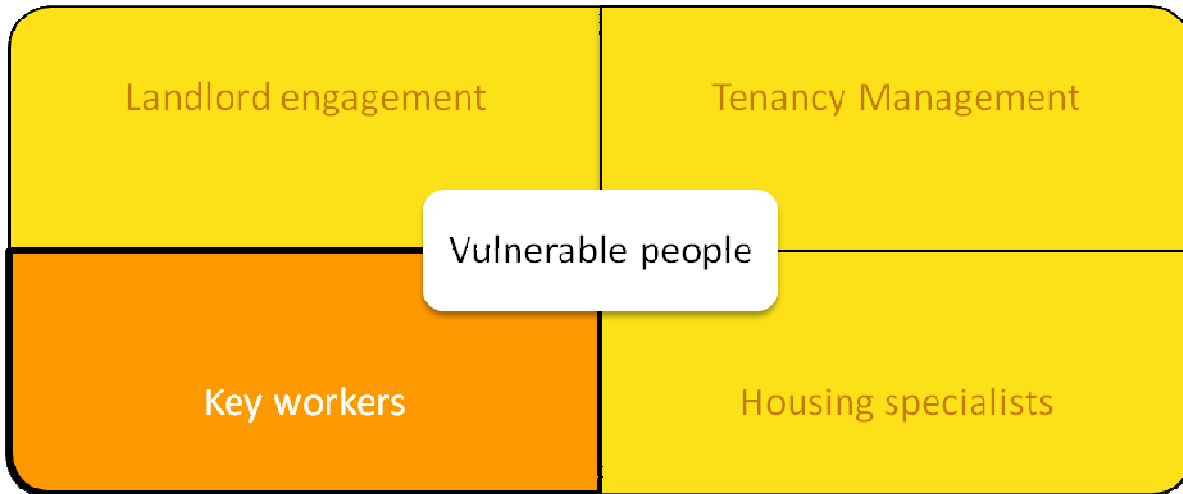
Young people often have difficulties with their first tenancy. Recognising their need for support prior to taking on their first tenancy and continuing support into the early months of being in their home, as well as responding promptly to emerging issues, makes it more likely that transition is successful. These arrangements are embedded in the new tenancy sustainment arrangements.

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<sup>1</sup> Care Leaver Strategy: A cross-departmental strategy for young people leaving care, Department for Education, October 2013

Appendix 1

**Housing Key Workers - Definition and Role**



Housing Key Workers are an integral part of the proposed new model which has the effective support of vulnerable people at the centre.

Moving forward it will be particularly important that all staff operating in the model contribute to the strategic object of preventing homelessness and sustaining all forms of occupation arrangement. This involves ‘doing the right thing at the right time’ to enable residents to be appropriately supported at the earliest opportunity.

As part of this approach Housing Key Workers will provide a dedicated ‘team around the tenant’ who will deliver tailored support plans to address or manage underlying issues which impact on the tenant / household and their ability to remain in their current accommodation. Loss of that accommodation would generally result in a homeless acceptance. Housing Key Workers will work across all forms of tenure

Referral to Housing Key Workers will need to be linked to ‘high risk’ cases where failure to intervene will generally mean that the occupation arrangement will fail. There may also be a strong likelihood that the resident will reach a crisis point requiring more expensive care, such as hospital admission, or a more expensive form of accommodation such as ‘supported housing’.

As part of this approach there must be a general acceptance that other service teams within the model will in turn be managing higher levels of risks than was traditionally the

case. Preventing 'drift' into more expensive services and more intensive levels of support is a common theme across the Council.

Housing Key Worker interventions and support planning as part of the 'team around the tenant' should not be confused with 'preventions'. These are those more immediate and tailored actions undertaken by Homeless Prevention Case-Workers [Housing Specialists] to delay or prevent homelessness occurring.

As part of achieving their key objective it will be essential for Housing Key Workers to work alongside a range of other internal and external service providers. Drawing in appropriate services and delivering joint support plans which are tailored to the needs of individual residents will be a core part of the role.

The Tenancy Management Service will be one of a number of services who will refer cases into and work with Housing Key Workers as part of achieving 'successful tenancies'. Traditionally the Tenancy Management Service has operated to fulfil the Council's role as a corporate landlord. Whilst it is still important to deliver an effective and efficient landlord service, this tenancy management function will continue to expand to cover other forms of non-secure occupation arrangement such as the management of short-life and the in-house Private Sector Leasing Scheme.

Processes have been re-engineered in Tenancy Management to ensure that, irrespective of the tenancy type managed, greater emphasis is given to ensuring we achieve 'successful tenancies'. This necessitates value being added at all stages of our core tenancy management processes. In particular Housing Officers must ensure that they maximise the value from engaging with the tenant during the very early stages of the tenancy to mitigate any risks which could result in that tenancy failing. 'Front loading' tailored and effective tenancy management services early on are key to ensuring that the high social and economic costs of tenancy failure and crisis intervention do not materialise. Housing Officers will have a greater role to play in both risk assessment and risk management in the context of delivering tenancy management services. As part of prototyping, Housing Officers are developing a greater understanding of risk assessment and are identifying an increasing range of control measures to manage 'low' and 'medium' level risks. The management of all identified risks will be contained in a 'tenancy management plan'. It is only when high level risks present, which necessitate more specialist intervention, will cases be referred to the Housing Key Workers. On successful completion of a tailored support plan, resulting in the risk level being reduced, will the case be passed back to the Tenancy Management Service as part of a planned exit strategy. The 'Support Plan' will end and the Housing Officer will then take over responsibility for the management of the reduced risks via an updated 'tenancy management plan'.