

**Scrutiny Standing  
Panel Agenda**



**Housing Scrutiny Standing Panel  
Monday, 17th June, 2013**

You are invited to attend the next meeting of **Housing Scrutiny Standing Panel**, which will be held at:

**Committee Room 1, Civic Offices, High Street, Epping  
on Monday, 17th June, 2013  
at 5.30 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Mark Jenkins (The Office of the Chief Executive)  
Tel: 01992 564607 Email:  
democraticservices@eppingforestdc.gov.uk

**Members:**

Councillors S Murray (Chairman), Ms G Shiell (Vice-Chairman), K Avey, K Chana, Mrs R Gadsby, Ms J Hart, Mrs S Jones, Mrs J Lea, L Leonard, B Rolfe and Mrs J H Whitehouse

**SUBSTITUTE NOMINATION DEADLINE:**

**16:30**

**1. APOLOGIES FOR ABSENCE**

**2. SUBSITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

**3. NOTES OF THE LAST MEETING (Pages 5 - 10)**

**4. DECLARATION OF INTERESTS**

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

**5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 11 - 20)**

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents. Also attached is a report requesting that the Panel's Terms of Reference be amended to incorporate the functions of the recently disbanded Housing Repairs Advisory Group.

**6. CONDITIONS OF TENANCY (Pages 21 - 58)**

(Director of Housing) To consider the attached report.

**7. REVIEW OF HOUSING SERVICE STANDARDS (Pages 59 - 94)**

(Director of Housing) To consider the attached report.

**8. WELFARE REFORM MITIGATION ACTION PLAN (Pages 95 - 120)**

(Director of Housing) To consider the attached report and appendix.

**9. ANNUAL ETHNIC MONITORING REVIEW (Pages 121 - 126)**

(Director of Housing) To consider the attached report.

**10. HOUSING KEY PERFORMANCE INDICATORS (KPIS) 2012/13 OUT-TURNS AND 2013/14 TARGETS (Pages 127 - 142)**

(Director of Housing) To consider the attached report.

**11. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

**12. FUTURE MEETINGS**

The next meeting of the Panel is scheduled for Tuesday 23 July 2013 at 5.30p.m. in Committee Room 1 and then on:

- (1) Tuesday 22 October at 5.30p.m.;
- (2) Wednesday 22 January 2014 at 5.30p.m.; and
- (3) Tuesday 25 March at 5.30p.m.



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**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF HOUSING SCRUTINY STANDING PANEL  
HELD ON TUESDAY, 19 MARCH 2013  
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING  
AT 5.30 - 7.28 PM**

**Members Present:** S Murray (Chairman), A Mitchell MBE (Vice-Chairman), K Chana, Ms J Hart, Ms H Kane, L Leonard, Ms G Shiell, Mrs J H Whitehouse and W Marshall (Tenants and Leaseholders Federation)

**Other members present:** D Stallan

**Apologies for Absence:** Mrs S Jones

**Officers Present** A Hall (Director of Housing), P Pledger (Assistant Director (Property and Resources)), L Swan (Assistant Director (Private Sector & Resources)) and M Jenkins (Democratic Services Assistant)

**60. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

There were no substitute members present at the meeting.

**61. DECLARATION OF INTERESTS**

There were no declarations of interest made at the meeting.

**62. NOTES OF THE LAST MEETING**

**RESOLVED:**

That the notes of the last meeting of the Panel held on 28 January 2013 be agreed.

**63. TERMS OF REFERENCE / WORK PROGRAMME**

(a) Terms of Reference

The Panel's Terms of Reference were noted.

(b) Work Programme

It was agreed that the following Housing Service Strategies should be deferred to next year's Work Programme for the Scrutiny Panel:

- (i) Item 29 Housing Service Strategy on Energy Efficiency
- (ii) Item 30 Housing Service Strategy on Allocations
- (iii) Item 31 Housing Service Strategy on Tenant Participation
- (iv) Item 32 Housing Service Strategy on Harassment

**64. HRA BUSINESS PLAN 2012/13 - PROGRESS REPORT**

The Panel received a report from the Director of Housing regarding the Housing Revenue Account Business Plan Key Action Plan (2012/13) – 12 Month Progress Report.

In March 2012, the Council's Housing Revenue Account (HRA) Business Plan for 2012/13 was produced, incorporating the Repairs and Maintenance Business Plan. This set out the Council's objectives, strategies and plans as landlord, in relation to the management and maintenance of its own housing stock.

An important section of the HRA Business Plan was the Key Action Plan which set out the proposed actions the Council would be taking over the following year. It was good practice that the progress made with the stated actions was monitored. A 6 month progress report was reported to the Panel in October 2012. The panel considered the latest report.

**RECOMMENDED:**

That the 12 Month Progress Report for the Key Action Plan contained within the HRA Business Plan 2012/13 be noted.

**65. HRA BUSINESS PLAN 2013/14**

The Panel received a report from the Director of Housing regarding the Housing Revenue Account (HRA) Business Plan 2013-14.

The Government's Department of Communities and Local Government (DCLG) required all local authorities to produce an annual Business Plan for their Housing Revenue Accounts. The CLG's intention was to ensure that local authority housing was used and maintained to maximum effect. The Business Plans dealt with council's plans and performance for the delivery and quality of its housing services to tenants.

The Council's Audit and Governance Committee required that all of the Council's Business Plans were completed and published by 31 March each year.

**HRA Financial Plan**

In accordance with the Cabinet's instructions, the previous Financial Plan had been formally reviewed by officers on a quarterly basis over the past year. The Cabinet had also asked the Panel to formally review the Financial Plan bi-annually. The Panel had undertaken its first bi-annual review in October 2012, and its second review would be undertaken at this meeting.

**Repairs and Maintenance Business Plan 2013/14**

An important part of the HRA Business Plan related to the Council's objectives, strategies and plans relating to the repair and maintenance of the Council's housing stock over the next 30 years. This included the Council's plans to ensure that the Council continued to meet the Government's Decent Homes Standard in the short term, and maintain the housing stock to a full modern standard, in the longer term. It was advised that it would be a number of years before all of the Council's properties would meet the new standard, due to the amount of catch-up needed.

**RECOMMENDED:**

That the Housing Revenue Account (HRA) Business Plan 2013/14 be recommended to the Housing Portfolio Holder for adoption.

**66. FORMATION OF TENANTS SCRUTINY PANEL**

The Panel received a progress report regarding the Tenant Scrutiny Panel from the Assistant Director of Housing (Private Sector and Resources).

As a front line service, the provision of a high quality housing service was essential. The Housing Directorate's customers were tenants, leaseholders, housing applicants and landlords. In order to meet the standards expected, it was important that its clients played a key role in scrutinising the Council's performance and were involved in setting targets for further improvement.

Under the theme of Community Engagement, one of the Council's Key Objectives for next year was the engagement with communities to put them at the centre of the Council's policy development and service design.

At its meeting in September 2010, the Tenants and Leaseholders Federation agreed to the setting up of a Tenant Scrutiny Panel to undertake the majority of the scrutiny and monitoring functions currently carried out by the Federation.

Following a recruitment process for tenants to be selected for the Tenant Scrutiny Panel, Terms of Reference had been formulated for the Tenant Scrutiny Panel which had been agreed by the Tenants and Leaseholders Federation in July 2012. The Panel now had eight members and had met formally on 21 February 2013 to elect a Chair, Vice Chair and Secretary. The Panel would meet again on 19 March, its first service review would be on how the Housing Directorate deals with complaints.

**RESOLVED:**

That the establishment of the Tenant Scrutiny Panel and the progress to date be noted.

**67. HOUSING SERVICE STRATEGY ON EQUALITY AND DIVERSITY**

The Panel received a report regarding the Housing Directorate's Service Strategy on Equality and Diversity from the Assistant Director of Housing (Private Sector and Resources).

The Housing Directorate's Service Strategies were originally produced around 15 years ago, giving more detail than the Council's main Housing Strategy on the housing services provided. The strategies were produced to a common format setting out how individual housing services would be delivered. The Panel considered and endorsed the updated strategy on Equality and Diversity which would be considered by the Tenants and Leaseholders federation before being forwarded to the Housing Portfolio Holder for approval.

**RECOMMENDED:**

That the Housing Directorate's Service Strategy on Equality and Diversity be recommended to the Housing Portfolio Holder for adoption.

**68. WELFARE REFORM MITIGATION ACTION PLAN QUARTERLY PROGRESS REPORT**

The Panel received a report from the Director of Housing regarding the Welfare reform Mitigation Action Plan Quarterly Progress Report.

On 8 March 2012, the Welfare reform Act 2012 received Royal Assent, legislating for the biggest change to the welfare system for over 60 years. To understand and prepare for the changes, the Council had commissioned the Chartered Institute of Housing (CIH) to undertake a major study into the impact and implications of the welfare reforms on the Council and its residents. The CIH estimated that the total loss in housing benefit and other welfare benefits to both Council and private tenants in Epping Forest, as a result of the welfare reforms, would be around £1.1 million per annum. In addition, the direct financial impact on the Council itself was estimated at between around £240,000 and £460,000 per annum. The CIH had identified that as a result of these changes, there was likely to be a significant increase in the amount of homelessness for the Council to cope with.

**Welfare Reform Mitigation Project Team and Mitigation Action Plan**

In view of the significant effects of the welfare reforms the Welfare Reform Mitigation Project Team was formed in September 2012, chaired by the Director of Housing. The Team had formulated an Action Plan which was adopted by the Cabinet in October 2012. The Cabinet had asked this Panel to monitor progress with the delivery of the Action Plan.

**Progress to date**

The first Quarterly Progress Report on the Welfare Reform Mitigation Action Plan was presented to the Panel at its January 2013 meeting. The latest report was attached to the agenda for this meeting. Good progress continued to be made to date in delivering the 59 actions of the Action Plan.

The key points noted within the latest Progress Report on the current position and progress were as follows:

- (a) There were 391 under-occupying Council tenants affected by the "Bedroom Tax";
- (b) In December 2012, the Government announced that the Benefit Cap would be introduced in only four London Boroughs from April 2013, and then rolled out in all other local authorities before September 2013;
- (c) The Department for Work and Pensions and the Council's Benefits Division had established that 78 households in the District would be affected by the proposed Benefits Cap. The highest loss by a household would be around £210.00 per week. All District Council tenants affected had been written to, offering for their Housing Management Officer to visit them and advise on how to mitigate the effects;
- (d) An updated Housing Service Strategy on Under-Occupation had been agreed;
- (e) As at 15 February 2013, 183 out of a possible 389 visits (47%) had been undertaken to EFDC tenants affected by the "Bedroom Tax." However 21% of tenants had expressed an interest in downsizing;



- (f) It was expected that the earliest the direct payments of Universal Credit would be made to claimants in Essex would now be March 2014;
- (g) The Cabinet had agreed to provide the requested funding of £67,000 to the Citizen Advice Bureau to appoint two full time Debt Advisors for 18 months;
- (h) The Cabinet had agreed that part of the CLG's funding for homelessness prevention for 2013-15 should be used to appoint an additional Homelessness Prevention Officer;
- (i) The Benefits Division had formulated a Draft Discretionary Housing Payments (DHPs) Policy; and
- (j) The Panel had recommended to the Cabinet that some of the Housing Improvements and Service Enhancements Fund for 2013/14 be used to meet all the HRA costs to deliver the Mitigation Action Plan.

**RECOMMENDED:**

That the latest Quarterly Progress report on the Welfare Reform Mitigation Action Plan, as at 1 March 2013, be noted.

**69. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Chairman advised that he would update the Overview and Scrutiny Committee as to the Panel's progress.

**70. FUTURE MEETINGS**

- (a) The next meeting of the Panel was scheduled for Tuesday 23 July 2013 at 5.30p.m. in Committee Room 1. It was advised that an extra-ordinary meeting of the Panel was required for June 2013 to discuss the New Tenancy Agreement for flexible tenants. The Chairman advised that he would not be able to attend a meeting during the last week in June 2013.
- (b) The Housing Portfolio Holder extended his thanks to the Panel Chairman, members and officers for their work over the past year.

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## **Report to Housing Services Scrutiny Standing Panel**

**Date of meeting: 25 June 2013**

**Subject: Amendment to Housing Scrutiny Standing  
Panel's Terms of Reference**

# SCRUTINY



**Officer contact for further information: I Willett, Assistant to the Chief Executive (01992 56 4243)**

**Committee Secretary: M Jenkins (01992 56 4607)**

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### **Recommendations/Decisions Required:**

**To recommend to the Overview and Scrutiny Committee that the Housing Scrutiny Standing Panel's Terms of Reference be amended to absorb the responsibilities of the disbanded Housing Repairs Advisory Group by the addition of the following paragraph:**

**“To consider matters relating to the performance of the Council's Repairs Management Contract and to make any recommendations to the Housing Portfolio Holder or Cabinet, as appropriate, as a result.”**

### **Report:**

The Housing Repairs Advisory Group was set up in 2010 and consisted of the:

- Housing Portfolio Holder;
- Chairman and Vice Chairman of the Housing Scrutiny Standing Panel;
- Chairman and Vice-Chairman of the Tenants and Leaseholders Federation; and
- Director of Housing and Assistant Director of Housing (Property).

The Panel received information on the Housing Repairs Management Contract (awarded to Mears). However the contract has now been in place for over two years and its arrangements have become embedded within the normal operations of the Housing Directorate.

Following consultation with the members of the Housing Repairs Advisory Group, the Constitution and Member Services Scrutiny Standing Panel recommended to Council on 23 April 2013 that this group could be disbanded and its work transferred to the Housing Scrutiny Standing Panel.

The Scrutiny Panel is asked to recommend the proposed addition.

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## TERMS OF REFERENCE - STANDING PANEL

**Title:** Housing

**Status:** Standing Panel

**Terms of Reference:**

(1) To undertake reviews of public and private sector housing policies on behalf of the Overview and Scrutiny Committee, Housing Portfolio Holder or Head of Housing Services and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(2) To undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee, and to make any recommendations arising from such reviews to the Housing Portfolio Holder or Cabinet as appropriate.

(3) To consider and provide comments to the Housing Portfolio Holder on the following matters, prior to consideration by the Cabinet:

- (i) Draft Housing Strategy (to be adopted by full Council in accordance with the Council's Constitution)
- (ii) Draft Private Sector Housing Strategy
- (iii) Draft Private Sector Housing Grants Policy
- (iv) Annual Review of the Housing Allocations Scheme

(4) To consider and provide comments to the Housing Portfolio Holder on draft versions of the following documents:

- (i) Housing Revenue Account (HRA) Business Plan
- (ii) Local Supporting People Strategy
- (iii) Housing Service Strategies

(5) To undertake the Annual Ethnic Monitoring Review of Housing Applicants and Housing Allocations, in accordance with the Code of Practice in Rented Housing.

(6) To monitor progress with the actions plans contained in the following documents, on a six-monthly basis:

- (i) Housing Strategy
- (ii) Local Supporting People Strategy
- (iii) Private Sector Housing Strategy
- (iv) Housing Services Development Plan

(7) To consider the Housing Portfolio Holder's draft response to any consultation papers relating to public or private sector housing that the Housing Portfolio Holder considers warrants a response from the Council.

(8) In relation to Traveller issues to consider and monitor:

- (a) the position regarding tolerated sites and;
- (b) the management of travellers who enter onto land within the district with a view to unauthorised encampments, with particular reference to the legal remedies available, interactions with other agencies such as Essex Police and Essex County

Council and the provision of emergency and/or transit sites within the district;

(c) Government's guidance on the needs of travellers in the context of the Council's review of its District Local Plan and the Essex Housing Needs Assessment;

(d) the results of the Commission for Racial Equality's study on traveller issues in which this Council participated, once published;

(9) To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

**Chairman:** Cllr Stephen Murray

## Housing Scrutiny Standing Panel – 2013/2014

Item	Report Deadline / Priority	Scheduled Date	Progress / Comments	Programme of Future Meetings
<b>Standard (Periodic) Items</b>				17 <sup>th</sup> June 2013 23 <sup>rd</sup> July 2013 22 <sup>nd</sup> October 2013 21 <sup>st</sup> January 2014 25 <sup>th</sup> March 2014
(1) Housing Performance Indicators - 2012/13 Out-turn (Tenant-Selected & KPIs)	Low	June 2013		
(2) Performance against Housing Service Standards and Review <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	June 2013		
(3) Progress Report on the Welfare Reform Mitigation Action Plan	Medium	June 2013		
(4) Annual Ethnic Monitoring Review of Housing Applicants <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	June 2013		
(5) 12-Month Progress Report on Housing Strategy Action Plan 2012/13	Low	July 2013		
(6) Housing Strategy Action Plan 2013/14 <i>(Recommendations to Cabinet)</i>	High	July 2013		
(7) Six-Month Review of the HRA Financial Plan	Medium	October 2013		

(8) Six-monthly Progress Report on Housing Business Plan Action Plan	Low	October 2013	
(9) Progress Report on the Welfare Reform Mitigation Action Plan	Medium	October 2013	
(10) Annual Review of the Housing Allocations Scheme ( <i>Recommendations to Cabinet</i> )	High	N/A	<b>No review this year (2013)</b>
(11) Briefing on the proposed Council rent increase for 2014/15	Low	January 2014	
(12) Six-monthly Progress report on Housing Strategy Action Plan 2013/14	Low	January 2014	
(13) Proposed housing service improvements and service enhancements – 2014/15 ( <i>Recommendations to Cabinet</i> )	High	January 2014	
(14) Progress Report on the Welfare Reform Mitigation Action Plan	Medium	January 2014	
(15) HRA Business Plan 2014/15 ( <i>Recommendations to Housing Portfolio Holder</i> )	High	March 2014	
(16) Six-Month Review of the HRA Financial Plan	Medium	March 2014	



(17) 12-monthly Progress report on Housing Business Plan Action Plan	Low	March 2014		
(18) Progress Report on the Welfare Reform Mitigation Action Plan	Medium	March 2014		
<b>Special (Planned) Items – Including Updated Housing Service Strategies</b>				
(19) New Flexible Tenancy Agreement and Revised Standard Secure Tenancy Agreement <i>(Recommendations to Cabinet)</i>	High	June 2013		
(20) Housing Service Strategy on Allocations (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	July 2013		
(21) Housing Service Strategy on Tenant Participation (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	July 2013		
(22) Housing Service Strategy on Harassment (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	July 2013		

(23) Response to Essex County Council's consultation on the Essex Housing Related Support Strategy	Medium	July 2013	
(24) Progress Report on Private Sector Housing Strategy	Low	July 2013	
(25) Review of parking enforcement on Housing-managed grassed areas	High	Oct 2013	Referred by the Overview and Scrutiny Panel at the request of Cllr Kane
(26) Review of the difficulties with improving communal areas of flat blocks with leaseholders	High	Oct 2013	Referred by the Overview and Scrutiny Panel at the request of Cllr Jennie Hart
(27) Housing Service Strategy on Information (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	Oct 2013	
(28) Housing Service Strategy on the Private Rented Sector (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	Oct 2013	
(29) Housing Strategy 2014-2017	High	Oct 2013	
(30) Housing Service Strategy on Energy Efficiency (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	Oct 2013	

(31) Housing Service Strategy on Anti-Social Behaviour (Review and update) <i>(Recommendations to Housing Portfolio Holder)</i>	Medium	Oct 2013	
(32) Social Housing Fraud Scheme – Progress Report	Low	Jan 2014	
(33) Sheltered Housing and Older People’s Handyperson Schemes – 1 Year Review	Low	Jan 2014	
<b>Items added after the original Work Programme was agreed</b>			
<b>Items for Future Years</b>			
Housing Under-occupation Officer post – 1 Year Review	Low	July 2014	
12-Month Review of Housing Allocations Scheme	High	Oct 2014	
Review of Tenancy Policy Pilot Scheme	High	Oct 2014	

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## **Report to Housing Scrutiny Panel**

**Date of meeting: 17 June 2013**

**Portfolio: Housing – Councillor D. Stallan**

**Subject: Conditions of Tenancy**

**Officer contact for further information:  
Roger Wilson extension 4419**

**Committee Secretary: Mark Jenkins extension 4607**

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### **Recommendations/Decisions Required:**

**(1) That the Housing Scrutiny Panel gives detailed consideration to the attached draft Conditions of Tenancy which are proposed to apply to Flexible (fixed-term) Tenants allocated properties comprising three bedrooms or more from 1 September 2013 in accordance with the Council's Tenancy Policy; and**

**(2) That the Housing Scrutiny Panel submits a report to the July 2013 meeting of the Cabinet recommending:**

**(a) That the draft Conditions of Tenancy apply to all new Flexible (fixed-term) Tenancies from 1 September 2013;**

**(b) That the Council undertakes a consultation exercise with all existing Secure Tenants on a proposal to vary its Standard Tenancy Agreement for all existing and future Secure Tenants in accordance with the requirements of Section 102 of the Housing Act 1985 with the draft Conditions of Tenancy relating to Flexible (fixed term) Tenancies generally also applying to all existing and future Secure Tenancies;**

**(c) That the Director of Housing be authorised to serve a Preliminary Notice on all Secure Tenants on the proposed Standard Tenancy Agreement Conditions explaining their effect, stating the Council's intention to serve a Notice of Variation and inviting comments within 28 days; and**

**(d) That as soon as possible after receiving comments from Tenants, a report be submitted to the Cabinet on the responses received to the Preliminary Notice prior to the adoption of the new Standard Tenancy Agreement by the Cabinet and the Notice of Variation being served.**

### **Report**

1. At its meeting on 15 April 2013, the Cabinet adopted the Council's new Tenancy Policy. Under the Localism Act 2011, providers of social housing have the option to use Flexible Tenancies (also known as fixed term tenancies), which in most cases must be for a minimum period of 5 years or between 2 & 5 years in exceptional circumstances. Flexible (fixed-term) Tenants generally enjoy the same rights as secure tenants, including the Right to Buy subject to the current qualifying criteria.

2. On expiry of the fixed-term, the tenant is assessed against an agreed Assessment Criteria to determine whether or not a further tenancy (Flexible or Secure) will be granted, either of the same or another Council property. If another tenancy is not offered, there is a requirement to provide the Tenant with advice and assistance. Sheltered housing tenants must continue to be granted Secure Tenancies in accordance with the Act.

3. The Cabinet agreed that the Council introduces a Pilot Scheme for Flexible (fixed-term) Tenancies, to be granted to all new tenants who sign-up to the tenancy of a property of three bedrooms or more for a fixed term of 9 years. As the Council's current Introductory Tenancy Scheme for all new secure tenants has proved successful, it was further agreed that Flexible (fixed-term) Tenancies will include in their overall term an additional introductory period of 12 months (or 18 months where the term is extended due to minor breaches of Tenancy Conditions) resulting in a 10-year fixed-term.

4. The Housing Scrutiny Panel has been asked by the Cabinet to review the success of the Pilot Scheme after 12 months of commencement and to submit a report to the Cabinet on its review to consider, in particular:

(a) Whether to discontinue, continue or extend the scheme to include 2 bedroom properties;

(b) Whether in future to means test tenants as part of the Assessment Criteria at the end of the Flexible Tenancy period.

5. The Cabinet also agreed the reviewed Housing Allocations Scheme at the same meeting and agreed that the new Scheme will be implemented from 1 September 2013. From this date the Council will be granting Flexible Tenancies in accordance with the Tenancy Policy.

6. It is therefore necessary for the Council to have a new Flexible (fixed-term) Tenancy Agreement in place by 1 September 2013.

7. Officers have undertaken a detailed review of the Conditions under the Council's current Standard Tenancy Agreement. As the new Agreement will have a bearing on the work of officers across the Housing Directorate, the opportunity was taken to use the exercise as a Staff Development Project. The Project included three workshops where all Housing Managers and other relevant officers discussed their proposed changes and fed them back to the rest of the group. As part of their personal development, following consultation with the Chairman of the Panel, two officers involved have been selected to present the proposed changes to the Agreement to the Panel. The process generally has resulted in a draft Standard Tenancy Agreement which is current and appropriate and includes a number of changes from the current version.

8. In order for generally the same Conditions of Tenancies to be applied to both Flexible (fixed-term) Tenants and Secure Tenants in the future, it is proposed that the Council formally varies the Standard Tenancy Agreement for all existing and future Secure Tenants in accordance with the requirements of Section 102 of the Housing Act 1985 with the intention of the draft Conditions of Tenancy for Flexible (fixed term) Tenants also applying to all existing and future Secure Tenancies.

9. A copy of the current Standard Tenancy Agreement has been circulated separately to all Members of the Panel. A copy of the proposed Conditions of Tenancy which will apply to both Flexible (fixed-term) Tenants and Secure Tenants are attached at Appendix One.

10. The pre-amble which will be at the front of the Flexible (fixed-term) Tenancy Agreement is attached at Appendix Two. The pre-amble which will be at the front of the Secure Tenancy Agreement is attached at Appendix Three.

11. The proposed Conditions of Tenancy have been considered by an external Legal Advisor being a QC in Housing Law. In his Note of Advice, the Legal Advisor stated in summary that the Tenancy Agreement in his opinion is legal and complies with the Unfair Terms in Consumer Contracts Regulations 1999 and the Guidance on unfair terms in Tenancy Agreements 2005. Although no advice was given on the actual conditions themselves, a number of changes to legal terminology was advised which have been incorporated. Some further advice was given on procedural matters around the serving of Notices which will be taken into account by officers when dealing with such matters.

12. The suggested main changes showing the paragraph reference and any officer comments on the change to the draft Conditions of Tenancy compared to the current Standard Tenancy Agreement are set out at Appendix Four.

13. The Housing Scrutiny Panel is asked to give detailed consideration to the proposed draft Tenancy Conditions which will apply to all new Flexible (fixed-term) Tenancies and both existing and future Secure Tenants.

14. Should Members agree that the Standard Tenancy Agreement be varied, in accordance with the Act, all existing Secure Tenants will be served a Preliminary Notice on the proposed Standard Tenancy Agreement Conditions explaining their effect, stating the Council's intention to serve a Notice of Variation and inviting comments within 28 days.

15. As soon as possible after receiving comments from tenants, a report will be submitted to the Cabinet on the responses received to the Preliminary Notice prior to agreeing the final version and the Notice of Variation being served.

#### **Reason for decision:**

Following the adoption of the Tenancy Policy by the Cabinet, the Council must have a new Flexible (fixed-term) Tenancy Agreement in place to be able to grant Flexible (fixed-term) Tenancies on Council properties of three bedrooms or more from 1 September 2013. Furthermore, in order that both Flexible (fixed-term) Tenants and Secure Tenants Conditions of Tenancy are the same, it will be necessary to vary the Council's Standard Tenancy Agreement for all existing and new Secure Tenants.

#### **Options considered and rejected:**

1. Not to consider the new Flexible (fixed-term) Tenancy Agreement
2. Not to recommend to Cabinet that the Council's current Standard Tenancy Agreement for Secure Tenancies be Varied.

#### **Consultation undertaken:**

The Tenants and Leaseholders Federation were consulted at their meeting on 30 May 2013. Their comments are set out at Appendix Five.

#### **Resource implications:**

Budget provision: Cost of around £2,000 for external legal advice funded from existing resources

Personnel: None

Land: None

Community Plan/BVPP reference: N/A

Relevant statutory powers: Housing Act 1985, Localism Act 2011, and the Homes and Communities Agency's Regulatory Framework for Social Housing in England  
Background papers: Current Standard Tenancy Agreement Circulated separately  
Environmental/Human Rights Act/Crime and Disorder Act Implications: N/A  
Key Decision reference: (if required) N/A



**Section 3 – Introductory, Secure and Flexible (fixed-term) Tenancy Agreement  
Conditions**

**Contents**

1. Explanation of Terms
2. Rent and Other Charges
3. Service of Notices
4. Termination of the Tenancy
5. Transfer to another Dwelling
6. Joint Tenancies
7. The Tenant's Obligations
8. Nuisance and Anti-Social Behaviour
9. Pets
10. Smoking in Communal Areas
11. Sheltered Accommodation
12. Maintenance and Decorations
13. Damage
14. Parking
15. Roadways
16. Communal Areas
17. Alterations and Additions
18. Safety
19. The Council's Obligations
20. Internal Decorations Communal Areas
21. Cleaning Services
22. Inspection of Estates
23. Period of Repairs
24. Exceptions to Repair Liabilities
25. Tenant's Rights
26. Improvements
27. Compensation for Improvements
28. Right to Repair
29. Right to Exchange
30. Right to Buy
31. Right to Succeed
32. Household Contents Insurance
33. Compliments and Complaints

## 34. Consultation on Matters of Housing Management

### **General Terms**

#### **1. Explanation of terms:**

- 1.1 In these conditions the terms;
- (a) "The Council" refers to Epping Forest District Council as the local authority and landlord.
  - (b) 'The Tenant' and 'Him' and 'His' refer equally to both sexes and in the case of a Joint Tenancy, to the joint Tenants jointly and severally.
  - (c) 'The Premises' means the separate dwelling let subject to this Tenancy Agreement.

#### **It is agreed as follows:**

### **2. Rent and other charges**

- 2.1 The rent is payable fortnightly in advance and two weeks inclusive rent shall be payable prior to the commencement of each fortnight.
- 2.2 The weekly net rent, which is inclusive of any service/support charges is payable fortnightly and may be altered on written Notice of no less than 4 weeks being given to the Tenant by the Council specifying the rent proposed.
- 2.3 The Tenancy is subject to any housing benefit or rent rebate scheme of the Council (or other statutory agency) that may be in force at any given time. The Tenant is responsible for making rent payments prior to any Housing Benefit determination being made.
- 2.4 If the Tenant's rent account is in arrears at any time (including, at any time during the fixed period of a Flexible Tenancy), the Council may at once serve the Tenant with a Notice of Seeking Possession and subsequently institute legal proceedings for the recovery of the arrears, and/or seek to regain possession of the Premises through the Court. The Council may take all other steps available within the law (or any Protocols) in force at the time to recover the debt outstanding.
- 2.5 Whilst the Tenant is in arrears of rent the Council will not undertake specific discretionary improvements to the Premises unless it is in the best interest of the Council or the Premises, or safety of the Tenant.

### **3 Service of Notices**

- 3.1 The Tenant is hereby served Notice that the Council's address at which Notices may be served by the Tenant is the address stated in Section One (Declaration) of this Tenancy Agreement.
- 3.2 Any legal Notice or any other communication arising from this Tenancy Agreement, shall be validly served on the Tenant by the Council if posted or delivered to the Premises, and will be deemed as having come to the

Tenant's attention.

- 3.3 If the Premises has been or appears to have become abandoned and the Tenant cannot be traced, it will be sufficient in accordance with this Tenancy Agreement to serve a Notice by post or delivery to the Premises as the last known address (Section 233 Local Government Act 1972). Following expiry of the Notice the Tenancy will come to an end.
- 3.4 If the Tenant dies and there is no person qualified to succeed and the Council has not been notified by an appropriate person and the Tenancy has not, prior to the Tenant's death, vested or been otherwise disposed of by Assignment or in pursuance of an order made under Matrimonial or Family Law proceedings, then the Tenancy will be terminated by serving a Notice to Quit on both the Public Trustee and the Tenant's legal representative or Executor and such a Notice will be sufficiently served if left at the Premises, or if affixed or left at the Premises.

#### **4. Termination of the Tenancy**

- 4.1 The Tenancy may be terminated by either party (the Tenant or the Council) by expressed surrender by the Tenant giving, in writing, four weeks' notice (not counting the day on which the Notice is served) to expire on a Sunday. Any Notice given by the Tenant must be signed by the Tenant and sent to the Council. The Tenant also has this right during the fixed term period of any Flexible Tenancy provided there are no arrears outstanding and any other breaches of Tenancy are remedied.
- 4.2 If the Tenancy ceases to be a Secure Tenancy, for any reason, including because the Tenant no longer occupies the Premises, the Council shall be entitled to terminate the Tenancy by serving a 4 weeks Notice to Quit at the Premises, this also applies to Flexible Tenancies during the fixed term.
- 4.3 The Tenancy may be brought to an end by the Council by obtaining an order of the Court for the possession of the Premises and the execution of the order, or by obtaining a Demotion Order. Any Notice served on the Tenant by the Council will be in accordance with Sections 83 & 83 A of the Housing Act 1985, the Protection from Eviction Act 1977, or any legislation in force at the time.
- 4.4 The Tenant will allow the Council access to undertake an accompanied viewing with a potential future Tenant prior to the Tenancy ending.
- 4.5 At the end of the Tenancy the Tenant will give up possession of the Premises to the Council and:
- thoroughly empty and clean the Premises
  - leave the Council's fixtures and fittings in the Premises in a proper state of repair and decoration
  - surrender by delivering all keys (including door entry fobs, keys to sheds etc) to the Council's offices by the last day of the Tenancy
  - deliver up possession of the Premises to the Council

- provide a forwarding address
- clear all rubbish and correct defects deemed by the Council to be the Tenant's responsibility
- pay to the Council any re-charged amounts for failure to comply with the above

4.6 The Council will accept no responsibility for anything left at the Premises by the Tenant at the end of the Tenancy. If the Tenant leaves any possessions at the Premises which are considered to be of a good standard then the Council will take reasonable steps to notify the Tenant. Where it is not possible to trace the former Tenant then the Council will dispose of any possessions. Items of high value will be placed into storage for a period of 28 days and if not reclaimed will be disposed of with any proceeds being used to pay off any of the Tenant's outstanding debts. The Tenant will be re-charged for the service.

## **5. Transfer to another dwelling**

5.1 Prior to a transfer to another dwelling (including by way of mutual exchange), an officer of the Council may visit the Premises to carry out an inspection. The Tenant will be notified of any defects to the Premises, which must be corrected by the Tenant (whether or not a prior visit is undertaken) prior to the transfer taking place. Following the Tenant giving vacant possession, any works to correct defects deemed by the Council to be the Tenant's responsibility will be re-charged to the vacating Tenant.

## **6. Joint Tenancies**

6.1 A Secure or Flexible (fixed-term) Tenancy can be held by one person or by up to four Joint Tenants all of whom must be qualifying persons. However many Tenants there are, there is still only one Tenancy and the rights and duties relating to the Tenancy apply jointly and severally to all Joint Tenants.

6.2 When a Joint Tenant dies, the remaining Tenant/s will continue to hold the tenancy by "survivorship". The names of any Joint Tenants cannot be removed from the Tenancy and if one Joint Tenant terminates the tenancy then the Tenancy comes to an end. Further information is available in the Council's leaflet on Joint Tenancies.

## **7. The Tenant's obligations - The Tenant agrees:**

### **Possession**

7.1 The Tenant as an individual will occupy the Premises as His only or principal home at the commencement of the Tenancy. Where the Tenancy is a Joint Tenancy, each of the Joint Tenants is an individual and at least one of them will occupy the Premises as His only or principal home. If the Tenant fails to occupy the Premises as His only or principal home, the Council will take legal proceedings to obtain possession of the Premises.

7.2 To always reside in the Premises apart from circumstances such as holidays or periods in hospital or in prison. If the Tenant intends to be absent from the Premises for a period of six weeks or more, He shall obtain the Council's

consent in writing setting out the period of the absence, the reason and contact details of His representative.

- 7.3 Not to use the Premises for any other reason than a private dwelling-house. The Tenant may with the written consent of the Council, operate a business from and contained within the Premises provided it does not cause any nuisance or inconvenience to neighbours. The selling or repairing of vehicle/s, is not permitted.
- 7.4 Not to use any of the Council's storage cupboards or electrical intake cupboards for any purpose.
- 7.5 To permit the Council or its representatives on reasonable notice (with the exception of emergencies where immediate access will be required) which may be verbal, to enter the Premises or adjoining property at reasonable times to inspect them or to carry out works including gas safety checks to the Premises. If this is not granted by the Tenant then a Court Injunction, or possession proceedings for breach of this Tenancy Agreement may be sought.

## **8. Nuisance and Anti-Social Behaviour**

- 8.1 The Tenant will not cause by either Himself or His agents nor allow members of His household or visitors to cause, or be likely to cause, a nuisance or annoyance to any other persons in the locality including neighbours or to any tenant, agent, employee, Councillor or contractor of the Council.
- 8.2 The Tenant will not cause or commit or allow anyone living with the Tenant or the Tenant's visitors to cause or commit, or to cause any act likely to cause, any form of harassment or other anti-social behaviour. Harassment and anti-social behaviour is any act or omission which interferes with the peace and comfort of or which may cause nuisance annoyance or injury or offence to any other persons in the locality including neighbours or to any tenant, agent, employee, Councillor or contractor of the Council and includes (but is not limited to):-
- (a) harassment on the grounds of Age, Disability, Gender reassignment, Marriage and Civil Partnership, Pregnancy and maternity, Race, Religion or belief, Sex, Sexual orientation
  - (b) violence (including domestic violence) or threats of violence to any person;
  - (c) use of abusive or insulting words or behaviour either in person or by way of any social media;
  - (d) offensive drunkenness;
  - (e) damage or threat of damage to property belonging to another person including damage to any part of a person's home;
  - (f) writing graffiti and in particular graffiti, which is abusive, threatening or insulting;
  - (g) making unnecessary or excessive noise by any means whatsoever including arguing, door slamming, or the playing of loud music
  - (h) using or allowed use of the Premises for prostitution;

- (i) the taking of, cultivation or storing of, or dealing in or the illegal use of, any controlled drugs;
- (j) keeping un-licensed firearms at the Premises;
- (K) using the Premises for handling or storage of stolen property;
- (l) any nuisance or annoyance caused by pets including barking and fouling; and
- (m) playing ball games close to someone else's home.

8.3 Should any such incidents occur, the Tenant accepts that the Council may take appropriate possession action, or make an application to the Court to obtain a Tenancy Demotion Order; or an Injunction (with a possible power of arrest) against any person whether or not they are the Tenant in accordance with the Housing Act 1996, Crime and Disorder Act 1998, or any legislation in force at the time.

## **9 Pets**

### *Premises with enclosed gardens*

9.1 Not to keep a pet animal such as a dog, cat, or similar unless the Tenant occupies a Premises with direct access to its own enclosed garden. The consent of the Council will be required before more than one dog is kept at the Premises. The Tenant will keep the animal under proper control at all times and be responsible for keeping dogs on a lead in the communal areas and clearing any waste in a hygienic manner, including at the Premises. No type of dog prescribed under the Dangerous Dogs Act 1991 or any other legislation may be kept at the Premises.

### *Premises without an enclosed garden*

9.2 Not to keep any pet animal where the tenant occupies a dwelling without direct access to its own enclosed garden, without the written consent of the Council. The Tenant will keep the animal under proper control at all times and be responsible for keeping dogs on a lead and clearing any waste in a hygienic manner, including at the Premises. Dogs will not be allowed in any communal gardens. No type of dog prescribed under the Dangerous Dogs Act 1991 or any other legislation may be kept at the Premises.

9.3 Not to keep a pet animal if living in a sheltered or grouped housing scheme for older people, with the exception of a caged bird or a similar pet which may be allowed with the written consent of the Council.

9.4 The Council may at any time require the removal of any pet or animal if in its opinion it is kept in a manner prejudicial to the comfort of other Tenants/residents, or the well being of the pet or animal, or detrimental to the Council's property.

## **10. Smoking in Communal Areas**

10.1 That neither the Tenant nor any of His visitors will smoke in any of the enclosed communal areas around the Premises.

## **11. Sheltered Accommodation**

- 11.1 That if the Tenant lives in sheltered accommodation, in the interest of safety, He will not have use of gas apart from communal heating.

## **12. Maintenance and Decorations**

- 12.1 To keep the interior of the Premises in good and clean condition (including the sweeping of chimneys) and to decorate all internal parts of the Premises at reasonable intervals as required by the Council.

- 12.2 To make good at request by the Council any unsuitable decoration or any decoration required on leaving to making the Premises fit for re-letting.

- 12.3 To be responsible for repair/replacement as necessary of the following:

- Glazing including seals to double glazed units
- Clothes lines and posts (unless communal)
- Coat rails
- Curtain Poles/Rails
- Dividing fencing
- Door furniture
- Electric plugs, fuses and bulbs
- Fireplace fittings
- Floor and wall tiles
- Gate hinges and fasteners
- Glazing (with the exception of the elderly and proven vandalism)
- Hearths
- Hot water cylinder jackets
- Keys/Fobs
- Plugs for the bath, basin and sink
- Rear and side garden paths
- Hard-standings and patios
- Tap washers
- Wall brackets etc
- Water butts
- Toilet chains, seats and lids

- 12.4 The Council reserves the right to re-charge the Tenant for any damage caused to the items set out in 12.3 above, which are not repaired or replaced by the Tenant.

- 12.5 To keep the floors in the Premises covered in such a manner as to minimise the transmission of noise arising in the Premises to other parts of the building and to obtain the Council's consent before installing laminate flooring or similar in any flatted accommodation.

- 12.6 To seek the Council's consent to alter any electrical light fittings, only surface mounted light fittings will be considered.

## **13 Damage**

- 13.1 To keep the interior of the Premises and cooking apparatus and floor coverings in repair. To replace all broken glass and to make good damage to

the exterior or interior (including damage to communal areas and fixtures and fittings) caused by the Tenant, or by the Tenant's household or any visitor of the Tenant.

- 13.2 In the event of failure by the Tenant to carry out such remedial works within 28 days, then the Tenant will be required to pay any reasonable costs incurred by the Council in carrying out such works either during the period of the Tenancy or when the Tenancy has ended.
- 13.3 To replace any of the Council's fixtures and fittings removed during the Tenancy and in the event of a failure to replace such fixtures and fittings then to reimburse the Council with the cost of replacing the same during, or after, the termination of the Tenancy, and to pay any reasonable administration costs incurred by the Council in so doing.
- 13.4 To be responsible for clearing blockages in any WC, drain, sewage or waste pipe caused by the act or neglect of the Tenant, anyone residing with the Tenant or the Tenant's visitors and in the event of the Tenant failing to clear such stoppages within a reasonable time then to be responsible for the cost of the Council so doing.
- 13.5 To report to the Council promptly any disrepair or defect for which the Council is responsible at the Premises or the communal areas.
- 13.6 Not to commit any action or act of negligence likely to invalidate the Council's insurances or persist in any such action or act.

#### **14. Parking**

- 14.1 Not to park any motor vehicle within the curtilage of the Premises without a hardstanding being in place, and without having the written consent of the Council for a vehicular crossover being constructed in accordance with the policies of both the Council and the Highways Authority.
- 14.2 Not to park caravans, boats, commercial vehicles (other than small vans), or trailers within the curtilage of the Premises nor on the Council's estates or any of the Council's garage forecourts or anywhere that would cause an obstruction to the emergency services.
- 14.3 Not to park heavy vehicles on the estate for prolonged periods. Heavy vehicles are vehicles whose gross unladen weight is 2 tonnes or more.
- 14.4 Not to park vehicles in ambulance bays at sheltered housing schemes.

#### **15 Roadways**

- 15.1 Not to block local roadways and other vehicular accesses, and to keep them, and car parking spaces, clear of any unroadworthy vehicles and other obstructions which are under the control of the Tenant.

#### **16 Communal Areas**



- 16.1 That if occupying a flat or maisonette (not within a sheltered scheme) to accept a share of the responsibility for the cleaning of the communal parts of the Premises, including all communal windows.
- 16.2 To keep communal facilities in sheltered accommodation including lounges, guest rooms, kitchen and laundries clear from obstruction and following use by the Tenant leave it generally in the same condition as it was found.
- 16.3 To keep clear from obstruction all communal areas including balconies, landing, staircases, walkways, fire and security doors (which must not be wedged open) or any other communal means of access to or from the Premises.
- 16.4 Not to keep any personal belongings or any other items stored in communal areas other than:
- (a) Pictures hung on the wall, providing they do not contain glass on the frame;
  - (b) Mats placed outside front doors, provided that these are rubber backed (non-slip) and have a chamfered edge all round;
  - (c) Curtains at windows, provided they are flame retardant; and
  - (d) Non-flammable items which were aesthetically pleasing (e.g. plant pots) provided that they are stored in recesses away from the means of escape routes, and not on window sills.
- 16.5 Carpets in communal areas of flat blocks are not permitted
- 16.6 To keep any garden (enclosed, remote, or communal) made available to the Tenant in a tidy and cultivated condition. Not to plant any trees e.g. leylandii, conifers without the written consent of the Council, and keep all existing hedges to a maximum height of two metres, and all trees in good condition.
- 16.7 Not to install any shed or similar structure in any communal garden.
- 16.8 To dispose of refuse and rubbish securely and safely hygienically wrapped into plastic bags and placed into waste bins provided and to place the refuse and rubbish in the correct and suitable area (not any communal area or balcony) in a timely manner in accordance with rubbish collection days. To remove and dispose of all unwanted items, which are not normally collected by the refuse collectors.

## **17. Alterations and additions**

- 17.1 To obtain the written consent of the Council and any other relevant agency before any alteration or addition is made to the Premises, or to any of the Council's fixtures and fittings, or to the gas, electrical or other services installed therein; or any temporary or permanent building structure or installation, such as a green house, garden pond, decking, garage or shed, is erected or constructed within the curtilage of the Premises.

- 17.2 Not to fix any installation or item to any external over-clad surface without the Council's consent.
- 17.3 To complete, once started, authorised work within a reasonable time and to the standard of workmanship required by the Council.
- 17.4 To obtain the written consent of the Council before erecting any notice or advertisement relating to commercial purposes, or any television, or radio aerial, or television satellite dish, if affixed to the exterior of the Premises.
- 17.5 To be responsible for the costs of removal and re-installation of any items added as a result of authorised alterations or additions should they obstruct any works the Council may wish to undertake to the Premises or adjoining premises.
- 17.6 To obtain the written consent of the Council before removing any tree or before any part of the garden is concreted or paved over (other than existing paths).

## **18 Safety**

- 18.1 Not to use or store at the Premises, adjacent garage, or store cupboard, inflammable liquids, gas, or similar.
- 18.2 The Council strongly advises that the Tenant installs and regularly tests smoke and carbon monoxide alarms in the Premises.

## **19. The Council's Obligations - The Council Agrees:**

### **Possession**

- 19.1 To give the Tenant possession of the Premises at the commencement of the Tenancy.
- 19.2 Not to interrupt or interfere with the Tenant's right to peacefully occupy the Premises provided that the Tenant complies with this Tenancy Agreement and its obligations, except in the following special circumstances:
  - (a) Where access is required subject to reasonable notice, (which may be verbal) to enter the Premises to inspect the condition, undertake the annual gas safety check, or to carry out repairs or other works to the Premises or adjoining property. If this is not granted by the Tenant then an application may be made for a Court Injunction to provide access. In the event of an emergency, (e.g. fire, flood) if forced entry is necessary in the absence of the Tenant, then the property will be made secure thereafter.
  - (b) Where possession is required by the Council for the purposes of redevelopment, major rehabilitation or other major works, and the Council in its opinion has offered the Tenant suitable alternative accommodation.
  - (c) In order to comply with any Order of the Court to grant the Tenancy to

another person.

### **Repair of structure and exterior and interior of the premises**

- 19.3 To undertake qualifying repairs at the Council's expense within a prescribed period (to a standard acceptable to the Council) to the structure and exterior of the Premises including communal lighting, drains, gutters, external pipes, roof, outside doors, window sills, window catches and frames, internal walls, floors, ceilings, doors, window frames, and skirting boards, chimneys, chimney stacks, but not including sweeping of chimneys.
- 19.4 To provide at the commencement of the Tenancy, wire and post boundary divider. Any further dividing fencing, to a higher specification to wire and post fencing will be the responsibility of the Tenant.
- 19.5 To keep in good repair the following installations:
- (a) The installations in the Premises for the supply of water, gas, and electricity, and sanitation including basins, sinks, baths, and sanitary conveniences;
  - (b) The installation in the Premises for space heating or heating water;
  - (c) Electric wiring (including sockets and switches originally installed by the Council), gas and water pipes; and
  - (d) The lift service where provided.
- 19.6 In the case of flats and maisonettes to take all reasonable steps to keep in good repair the communal entrances, halls, stairways, rubbish chutes, and any other common parts for use of the Tenant or His visitors.

## **20. Internal Decoration - Communal Areas**

### **Communal areas**

- 20.1 Make every reasonable endeavour to arrange for the internal redecoration of entrance lobbies, staircases and landings in blocks of flats and/or maisonettes and communal lounges, kitchens and laundries at sheltered housing schemes at reasonable intervals.

### **External decoration**

- 20.2 To make endeavours at reasonable intervals to arrange for the external painting of the Premises.

### **Redecoration after structural damage**

- 20.3 In the case of Premises at which the Council has responsibility for structural defects under this Tenancy Agreement, within 3 months of rectifying the defects or such longer period as may be required due to circumstances outside the Council's control, to make good as necessary any decorative damage caused by the defects.

## **21. Cleaning services**

21.1 To provide a cleaning service at the communal areas of certain blocks of flats for which a service charge will be levied.

21.2 To arrange for the cleaning of any lifts.

## **22. Inspection of estates**

22.1 To regularly inspect estates and the buildings and equipment thereon to ensure they are maintained to a reasonable standard.

## **23. Period of repairs**

23.1 To remedy within a reasonable time all defects reported by the Tenant to the Council for which the Council is responsible, in accordance with this Tenancy Agreement.

## **24. Exceptions to Repair Liabilities**

24.1 Not to be liable to keep in repair and working order appliances (or their connection to the supply) that makes use of the supply of gas, water and electricity unless these appliances have been provided by the Council.

24.2 Not to be liable to carry out repairs which have become necessary due to the Tenant not using the Premises in a tenant-like manner or by not observing this Tenancy Agreement.

24.3 Not to be liable to rebuild or otherwise reinstate the Premises to its former condition in the case of substantial destruction.

24.4 Not to be liable to repair or maintain anything, which the Tenant is entitled to remove from the Premises, excepting any damage caused by some act or omission of the Council.

## **25. Tenants Rights**

### **Lodgers/Subletting**

25.1 The Tenant may allow any persons to reside as lodgers in the Premises, but the Tenant will not without the written consent of the Council sub-let or part with possession of part of the dwelling house. If the Tenant parts with the possession of the dwelling or sub-lets the whole of it (or sub-lets first part of it and then the remainder) the Tenancy ceases to be secure and cannot subsequently become secure.

25.2 The Tenancy is not capable of being assigned save by way of exchange or pursuant to an Order made in various matrimonial proceedings or to a person who would be qualified to succeed the Tenant if the Tenant died immediately before the assignment and in all such cases upon conditions which are set out in the Housing Act 1985 or any subsequent legislation.

## **26. Improvements**

- 26.1 Not to undertake any alteration in, or addition to, the Premises including the Council's fixtures and fittings or provision of services to the Premises. Not to erect any satellite dish without the Council's consent.
- 26.2 The Tenant shall not make any improvement without the written consent of the Council.

## **27. Compensation for Improvements**

- 27.1 Tenants may be compensated after the end of the Tenancy for 'qualifying' improvements carried out to the Premises by the Tenant in accordance with the Leasehold Reform Housing and Urban Development Act 1993, or any subsequent legislation in force at the time the Tenancy is terminated.

## **28. Right to Repair**

- 28.1 Should specified repairs (which the Council is obliged to carry out within the specified times-scale in accordance with the Housing Act 1985) not be carried out the Tenant may carry out such repairs to the Premises, and recover from the Council such sums which are determined under the scheme for qualifying repairs.

## **29. Right to Exchange**

- 29.1 The Tenant may, with the written consent of the Council, enter into a mutual exchange with another secure/assured Tenant, provided that the other secure or assured Tenant has the written consent of their landlord. The Council will grant consent subject to the provisions and clauses under either the Housing Act 1985 or the Localism Act 2011 or any subsequent legislation.

## **30. Right to Buy**

- 30.1 The Tenant will have the right to buy the Premises subject to conditions and exceptions in accordance with the Housing Act 1985 (or any subsequent legislation).

## **31. Right to Succeed**

- 31.1 On the death of the Tenant, a person is qualified to succeed the tenant under a secure tenancy if the person occupies the dwelling as the person's only or principal home at the time of the tenant's death and is the tenant's spouse or civil partner, or is a person who was living with the tenant as if they were a spouse or civil partner.
- 31.2 This express term of the Tenancy Agreement makes provision for a member of a person's family (as defined under S113 of the Housing Act 1985 (the Act)), to succeed to the tenancy provided:
- (a) at the time of the Tenant's death, the dwelling-house is not occupied by a spouse or civil partner, or a person who was living with the Tenant as if

they were a spouse or civil partner of the Tenant as his only or principal home; and

(b) there is no under-occupation;

in which case a family member will be allowed to succeed to the tenancy if they meet all of the succession rules set out under the Act and have been residing at the property as their only or principal home for over three years.

31.3 If the property is under-occupied by a family member, and the family member meets all of the succession rules set out under the Act and has been residing at the property as their only or principal home for over three years, they will be made one offer of suitable smaller alternative accommodation. If the successor tenant refuses to move, then the Council will take Court action to seek possession under the Act.

31.4 If the property is occupied by a family member who has resided at the property for less than three years then they will be required to vacate. If the occupier refuses to vacate, then the Council will take Court action to seek possession under the Act.

31.5 In accordance with the Act, if the tenant himself was a successor there are no further rights of succession. This express term of the Tenancy Agreement makes provision for a person to succeed a successor to the tenancy where the remaining occupant would otherwise have been a successor tenant and will therefore be treated in the same way as if he had the right to succession.

## **32. Household Contents Insurance**

32.1 To note the advice of the Council to take out adequate Home Contents Insurance to cover for loss or damage (including water damage) of decorations, goods, or belongings owned by the Tenant and kept at the Premises, including outbuildings.

## **33. Complaints and Compliments**

33.1 If the Tenant has a complaint or wishes to register a compliment about any service provided by the Council they can do so under the Council's procedures in force at the time.

## **34. Consultation on Matters of Housing Management**

34.1 The Council will consult with its Tenants on matters relating to housing management and any changes to this Tenancy Agreement, by which Tenants will be substantially affected, in accordance with current Government legislation and good practice. This will include informing the Tenant of any proposal in respect of the matter giving the Tenant the opportunity to make their views known within a specified period, considering any representations made prior to any decision being taken.

**Who to contact:**

**Tenants living in the North area:**

**Council rent and other tenancy issues:**

**Area Housing Office (North)**

Civic Offices, High Street, Epping CM16 4BZ  
Phone: 01992 564545

**Tenants living in the South area:**

**Council rent and other tenancy issues:**

**Area Housing Office (South)**

63 The Broadway, Loughton, Essex IG10 3SP  
Phone: 01992 564186

**Limes Farm Housing Office**

The Limes Centre, Limes Avenue, Chigwell, Essex IG7 5LP  
Phone 01992 564765  
Office open Mon to Fri 9.00 am - 12.00 pm  
(Wednesdays 9.00 am – 4.30 pm)

**All areas:**

**Housing Repairs**

Telephone: 01992 564199

**Out of hours emergency repairs**

Phone: 01992 564000 5.00pm - 9.00am

**Careline and Older Peoples Services**

Phone: 020 8508 8596

The information given in this leaflet was correct at 31 August 2013. Please be aware that there may have been changes since that time, such as new laws or council policies.

Please tell us if you would like your Tenancy Agreement provided in any other way, as a large print version for example.

Epping Forest District Council

Housing Directorate, Civic Offices, High Street, Epping, Essex CM16 4BZ  
Telephone: Epping (01992) 564000 [www.eppingforestdc.gov.uk/housing](http://www.eppingforestdc.gov.uk/housing)

September 2013

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# Introductory Flexible (fixed-term) Tenancy Agreement

## Definition of Tenancy Terms

The term Tenancy refers to both the Introductory Periodic Tenancy and any replacement Flexible (fixed-term) Tenancy and the terms Tenant/s and Tenancy Agreement shall be understood accordingly. Provided no Notice of Possession Proceedings have been served, the Introductory Periodic Tenancy will convert to a Flexible (fixed-term) Tenancy after the period of the Introductory Tenancy comes to an end.

## Data Protection Act

The Tenant accepts that the Council will keep and use personal information about you and will use this information to:

- check the accuracy of information we already hold
- meet our obligations under this Tenancy
- apply our rights under the Tenancy
- keep to our legal responsibilities, and the responsibilities we have to other organisations
- meet our responsibilities to other Tenants, and
- comply with our legal obligations in relation to the Equality Act 2010.

The Tenant agrees that we can give your personal information to other appropriate organisations so we can meet our obligations.

Other organisations may include:

- contractors appointed to carry out repair, maintenance or improvement work to the property
- any body or person connected with legal proceedings
- Any Government agency
- social care
- benefits and council tax divisions
- other local housing providers
- medical professionals, and
- professional advisers.

If you have any questions on how we use your personal information, you should write to us.

By signing this Tenancy Agreement, you are authorising the Council to make any enquiries that it wishes, both now and in the future, with any recognised credit reference agency, Council Directorate (including benefits and council tax), Police, Doctor and supplier of gas, water or electricity with regard to the prevention and

detection of fraud.

This Tenancy Agreement is an important document and is the contract between the Tenant and the Council as the landlord. It is divided into four sections as follows:

### **Section 1**

**Declaration (part 1)**, sets out Tenant/s information, details of the Premises, rent and charges

### **Section 2**

**Information on Introductory Tenancies and Flexible (fixed-term) Tenancies** sets out general information relating to the Tenancy

### **Section 3**

**Tenancy Conditions**, these conditions apply to Introductory, Flexible (fixed-term) and Secure Tenancies.

### **Section 4**

**Declaration (part 2)**, sets out the occupants of the household and includes further tenant/s information. It is also the part of the document which binds the Tenant to the conditions of the Tenancy Agreement.

### **Section 2 – Information on Introductory Tenancies and Flexible (fixed-term) Tenancies**

## **Contents**

1. Introductory Tenancy Scheme
2. Flexible (fixed-term) Tenancy
3. The Council's right to end an Introductory Tenancy
4. Assessment Criteria – Decision on re-granting a Flexible Tenancy
5. Provision of Information about Tenancies
6. Prevention of Social Housing Fraud

## **1. Introductory Tenancy Scheme**

- 1.1 The Council operates an Introductory Tenancy Scheme whereby all new potentially Secure Tenants (sometimes referred to as “lifetime tenants”) and Flexible (fixed-term) Tenants are “on trial” for a period of 12 months in order that the Council can satisfy itself that the Introductory Tenant can sustain a Tenancy and meet with the conditions of the Council’s Tenancy Agreement.
- 1.2 A written Notice will be served before the Introductory Tenancy is granted making clear the arrangements for the transition from Introductory to Flexible status providing no possession proceedings have been commenced, setting out the length of the fixed-term and other expressed terms of the tenancy.
- 1.3 Should any conditions be breached, the Council will be able to seek possession of the property through the County Court with the judge having to grant possession, provided all of the procedures have been followed correctly.
- 1.4 In circumstances where the Council has concerns about an Introductory Tenant, but not serious enough to apply to the County Court for possession, the introductory period can be extended by a further 6 months following the serving of a Notice of Extension in accordance with the Housing Act 2004. The Notice of Extension will give the Introductory Tenant the right to request a Review of the decision to extend the trial period (in writing within 14 days of being served with the Notice of Extension) under Section 125B of the Housing Act 2004.
- 1.5 If the “trial” period is successfully completed, Introductory Tenancies automatically become either Secure Tenancies or Flexible (fixed-term) Tenancies.
- 1.6 As part of this Agreement, the Tenancy Conditions set out at Section 3 must be complied with, with the exception that the right to buy will not apply until the tenancy is Secure.

## **2. Flexible (fixed-term) Tenancy**

- 2.1 The Flexible Tenancy (granted under sections 107A to 107E of the Housing Act 1985 and the Flexible Tenancies (Review Procedure) Regulations 2012) will be for a fixed term of 9 years and will have an introductory period of 12 months added to the beginning of the fixed-term, making the tenancy 10 years in duration. Where the introductory term is extended by a further 6 months (due to minor breaches of tenancy conditions) the fixed term will be for 8½ years making the tenancy 10 years in duration.
- 2.2 The Introductory Tenancy will convert to a Flexible (fixed-term) Tenancy after the trial period unless the Council has commenced action to end the Introductory Flexible (fixed-term) Tenancy.
- 2.3 Any additional discretionary rights granted to the Introductory Tenant which

are set out in the Tenants' Handbook does not imply (by word or action) any right to a Flexible (fixed-term) Tenancy before the Introductory Tenancy term has ended.

### **3. The Council's right to end an Introductory Tenancy**

- 3.1 If during the period of the Introductory Tenancy any of the conditions of the Tenancy are breached, the Council may take action to evict the Tenant. Before the Council takes such action it will:
- (a) Send two letters formally warning of the action (except in cases of extreme Anti-Social Behaviour or Social Housing Fraud), giving the Tenant the opportunity to resolve any breaches of Tenancy conditions.
  - (b) Serve a Notice of Possession Proceedings giving the reasons for taking the action.
  - (c) Give the right to request a Review of the Council's decision to evict the Tenant (in writing within 14 days of being served with the Notice of Possession Proceedings) under Section 128 of the Housing Act 1996.
  - (d) The Council will proceed to Court seeking an Order for possession and the execution of the Order. If the Court is satisfied that the Notice of Possession Proceedings and Review have been carried out correctly they must grant the Court Order.

### **4. Assessment Criteria – Decision on re-granting a Flexible Tenancy**

- 4.1 At the commencement of the Flexible Tenancy, the Council will provide in a leaflet the Flexible (fixed-term) Tenancies Assessment Criteria & Review Procedures. The leaflet sets out the Assessment Criteria that the Tenant will be assessed against to determine, at the end of the fixed-term, if a further tenancy will be granted. At least 6 months prior to the ending of the fixed-term, the Council will serve a Notice in writing stating that it either proposes to grant a further Tenancy (Flexible or Secure – on the same or another property) on the expiry of the existing fixed-term or that it intends to end the Tenancy. If a further Tenancy is not granted the Tenant will be able to seek a review of the decision. There is no right to a review of the type of tenancy offered.

## **5. Provision of Information about Tenancies**

- 5.1 The Council has published a Tenants' Handbook which sets out information about its Secure Tenancies in such a form that explains, in simple terms, the effect of this Tenancy Agreement. The Tenants' Handbook will be provided when the Tenancy arises or as soon as practicable afterwards. The Council will regularly update Tenants on any changes to the Tenants' Handbook. In addition, matters relating to the Tenancy are also set out in the Council's Tenancy Policy and Housing Allocations Scheme copies of which will be provided on request free of charge.

## **6. Prevention of Social Housing Fraud**

- 6.1 The Council will take a photograph of the Tenant at sign up which will be retained for the purpose of the prevention and detection of social housing fraud. The Tenant will provide the Council with an updated photograph every 10 years. In addition, the Council may from time to time pass the Tenant's personal data to credit agencies for the same purpose.
- 6.2 The Council will undertake "Tenancy Audits" from time to time to ensure that Tenants are complying with their Conditions of Tenancy with particular attention being paid to illegal Subletting. Access to the Premises may be required for this purpose.



## **Appendix 3**

### **Secure Tenancy Agreement**

#### **Definition of Tenancy Terms**

The term Tenant/s Tenancy or Tenancy Agreement refers to an Introductory Periodic Tenancy, which, provided no Notice of Possession Proceedings have been served, will become a Secure Periodic Tenancy after the period of the Introductory Tenancy comes to an end.

#### **Data Protection Act**

The Tenant accepts that the Council will keep and use personal information about you and will use this information to:

- check the accuracy of information we already hold
- meet our obligations under this Tenancy
- apply our rights under the Tenancy
- keep to our legal responsibilities, and the responsibilities we have to other organisations
- meet our responsibilities to other Tenants, and
- comply with our legal obligations in relation to the Equality Act 2010.

The Tenant agrees that we can give your personal information to other appropriate organisations so we can meet our obligations.

Other organisations may include:

- contractors appointed to carry out repair, maintenance or improvement work to the property
- any body or person connected with legal proceedings
- any Government agency
- social care
- benefits and council tax divisions
- other local housing providers
- medical professionals, and
- professional advisers.

If you have any questions on how we use your personal information, you should write to us.

By signing this agreement, you are authorising the Council to make any enquiries that it wishes, both now and in the future, with any recognised credit reference agency, Council Directorate (including benefits and council tax), Police, Doctor and supplier of gas, water or electricity with regard to the prevention and detection of fraud.

This Tenancy Agreement is an important document and is the contract between the Tenant and the Council as the landlord. It is divided into four sections as follows:

### **Section 1**

**Declaration (part 1)**, sets out Tenant/s information, details of the Premises, rent and charges

### **Section 2**

**Information on Introductory Tenancies and Secure Tenancies** sets out general information relating to the Tenancy.

### **Section 3**

**Tenancy Conditions**, these conditions apply to Introductory, Flexible (fixed-term) and Secure Tenancies.

### **Section 4**

**Declaration (part 2)**, sets out the occupants of the household and includes further Tenant/s information. It is also the part of the document which binds the Tenant to the conditions of the Tenancy Agreement.

### **Section 2 – Information on Introductory Tenancies and Secure Tenancies.**

## **Contents**

1. Introductory Tenancy Scheme
2. Secure Tenancy
3. The Council's right to end an Introductory Tenancy
4. Provision of Information about Tenancies
5. Prevention of Social Housing Fraud



## **1. Introductory Tenancy Scheme**

- 1.1 The Council operates an Introductory Tenancy Scheme whereby all new potentially Secure Tenants (sometimes referred to as “lifetime tenants”) and Flexible Tenants (“fixed-term tenants”) are “on trial” for a period of 12 months in order that the Council can satisfy itself that the Introductory Tenant can sustain a Tenancy and meet with the conditions of the Council’s Tenancy Agreement.
- 1.2 Should any conditions be breached, the Council will be able to seek possession of the property through the County Court with the judge having to grant possession, provided all of the procedures have been followed correctly.
- 1.3 In circumstances where the Council has concerns about an Introductory Tenant, but not serious enough to apply to the County Court for possession, the introductory period can be extended by a further 6 months following the serving of a Notice of Extension in accordance with the Housing Act 2004. The Notice of Extension will give the Introductory Tenant the right to request a Review of the decision to extend the trial period (in writing within 14 days of being served with the Notice of Extension) under Section 125B of the Housing Act 2004.
- 1.4 If the “trial” period is successfully completed, Introductory Tenancies automatically become either Secure periodic tenancies or Flexible (fixed-term) Tenancies.
- 1.5 As part of this Agreement, the Tenancy Conditions set out at Section 3 must be complied with, with the exception that the right to buy will not apply until the tenancy is Secure.

## **2. Secure Tenancy**

- 2.1 Introductory, potentially Secure Tenancies are granted to appropriate homeseekers in accordance with the Council’s Tenancy Policy. The legislation governing Secure Tenancies is found in Part 1V of the Housing Act 1985. The rights of a Secure Tenant are set out in the Act, and are commonly referred to as the “Tenants Charter”. A Secure Tenancy can only be ended by way of a Possession Order granted by the County Court.

## **3. The Council’s right to end an Introductory Tenancy**

- 3.1 If during the period of the Introductory Tenancy any of the conditions of the Tenancy are breached, the Council may take action to evict the Tenant. Before the Council takes such action it will:

- (a) Send two letters formally warning of the action (except in cases of extreme Anti-Social Behaviour), giving the Tenant the opportunity to resolve any breaches of tenancy conditions.
- (b) Serve a Notice of Possession Proceedings giving the reasons for taking the action.
- (c) Give the right to request a Review of the Council's decision to evict the Tenant (in writing within 14 days of being served with the Notice of Possession Proceedings) under Section 128 of the Housing Act 1996.
- (d) The Council will proceed to Court seeking an Order for possession and the execution of the Order. If the Court is satisfied that the Notice of Possession Proceedings and Review have been carried out correctly they must grant the Court Order.

#### **4. Provision of Information about Tenancies**

- 4.1 The Council has published a Tenants' Handbook which sets out information about its Secure Tenancies in such a form that explains in simple terms the effect of this Tenancy Agreement. The Tenants' Handbook will be provided when the Tenancy arises or as soon as practicable afterwards. The Council will regularly update Tenants on any changes to the Tenants' Handbook. In addition, matters relating to your Tenancy are also set out in the Council's Tenancy Policy and Housing Allocations Scheme copies of which will be provided on request free of charge.

#### **5. Prevention of Social Housing Fraud**

- 5.1 The Council will take a photograph of the Tenant at sign up which will be retained for the purpose of the prevention and detection of social housing fraud. The Tenant will provide the Council with an updated photograph every 10 years. In addition, the Council may from time to time pass the Tenant's personal data to credit agencies for the same purpose.
- 5.2 The Council will undertake "Tenancy Audits" from time to time to ensure that Tenants are complying with their Conditions of Tenancy with particular attention being paid to illegal Subletting. Access to the Premises may be required for this purpose.

## Appendix Four

### Suggested Main Changes to the Tenancy Conditions

Paragraph/Page Reference	Changes or Additions	Comments
Page One	Data Protection Act Statement	To clarify the use of personal information and the way it is stored, and confirming that the Council will be authorized to make enquiries with recognised agencies
Section 1. Page 3	Introductory Tenancy Scheme	More comprehensive details on the Scheme
Section 2 Page 3	Flexible (fixed-term) Tenancy	Information on this Tenancy Type
Section 4 Page 4	Flexible (fixed-term) Tenancy Assessment Criteria	Explains about the Criteria to determine at the end of the fixed-term if a further tenancy will be granted
Section 5 Page 4	Provision of Information about Tenancies	Information provided in accordance with the Act
Section 6 Page 5	Prevention of Social Housing Fraud	Requirement to provide a photograph of the Tenant/s and to allow access to undertake "Tenancy Audits"
Paragraph 4.4 Page 9	Condition to return <u>all</u> keys and leave a forwarding address	None
Paragraph 4.5 Page 10	Better clarification on how items left at the Premises will be dealt with	None
Section 6 Page 10	Clearer information on	None

	Joint Tenancies	
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**Appendix Four (Continued)**

<b>Paragraph/Page Reference</b>	<b>Changes or Additions</b>	<b>Comments</b>
Paragraph 7.2 Page 10	Tenant required to seek the Council's consent if they are going to be absent from the Premises for six weeks or more. Also, that contact details are provided of a representative and the reason for the absence.	Tenants currently seek consent if they are going to be absent for 2 months or more, considered that 6 weeks is reasonable.
Paragraph 7.3 Page 11	<ul style="list-style-type: none"> <li>• The Tenant may with the written consent of the Council operate a business from and contained within the Premises provided it does not cause any nuisance or inconvenience to neighbours</li> <li>• Selling of vehicles are not permitted from or at the Premises</li> </ul>	<p>To allow Tenants to operate a business from home that would not have any affect on the local community e.g. office based work</p> <p>None</p>
Paragraph 7.4 Page 11	Not to use any of the Council's Storage Cupboards etc	As this often happens and can cause a hazard it is considered important to include
Paragraph 8.2 Page 11	Add Councillor 6 <sup>th</sup> line	None
Paragraph 8.2 (a) Page 10	Expanded to include all Protected Characteristics under the Equality Act	None

	2010	
Paragraph 8.2 (g)	Playing of loud music added	None
Paragraph 8.2 (i)	Expanded to include taking, cultivation, storing of drugs etc	None

**Appendix Four (Continued)**

<b>Paragraph/Page Reference</b>	<b>Changes or Additions</b>	<b>Comments</b>
Section 9 Page 12	<p>Conditions regarding Pets are enhanced to include:</p> <ul style="list-style-type: none"> <li>• Permission required to keep more than one dog where the Premises has direct access to its own enclosed garden</li> <li>• Permission required to keep a dog where the Premises does not have direct access to its own enclosed garden</li> <li>• Permission for any type of dog prescribed under the Dangerous Dogs Act 1991 will not be granted</li> <li>• Dogs must be kept on a lead and the tenant must clear any waste in a hygienic manner</li> </ul>	None
Paragraph 12.5 Page 13	To seek the Council's permission before installing laminate flooring or similar	None

	if the Premises is within a block	
Paragraph 12.6 Page 13	Not to install any recessed spot lighting	Recessed spot lighting is considered by the Housing Repairs Service to be difficult to remove when the property is void and are a safety hazard and difficult to repair
Paragraph 14.4 Page 14	Not to park vehicles in ambulance bays at sheltered housing schemes	None

#### Appendix Four (Continued)

Paragraph/Page Reference	Changes or Additions	Comments
Section 16 Pages 14 & 15	<p>Following conditions added in respect of communal Areas:</p> <ul style="list-style-type: none"> <li>• To keep communal areas in sheltered housing in good condition and clear of obstructions</li> <li>• Not to wedge open fire or security doors</li> <li>• Details the types of personal belongings that can only be kept in communal areas</li> <li>• Clarifies clearly how refuse and rubbish should be disposed of</li> </ul>	Clarifies what types of personal belongings can be stored in communal areas following the decision of the Cabinet on this issue
Paragraph 16.7 Page 15	Not to install any shed or similar structure in any	Communal gardens are shared by a number of

	communal garden	tenants living in blocks of flats. It is considered that such permission can not be granted as it could result in vast numbers of sheds in these areas. The Legal Advice is that if sheds were allowed a license would be required between the resident and the Council which would be costly to the resident
Paragraph 17.2 Page 15	Not to fix items to externally over-clad areas without the Council's consent	To ensure that over-cladding installed by the Council is not damaged
Paragraph 18.2 Page 16	Advice to install and test smoke and carbon monoxide alarms	None
Section 34 Page 19	Consultation on matters of housing management are clarified in accordance with the requirements of the Act.	None

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**Comments of the Tenants and Leaseholders Federation**

Paragraph/Page Reference	Comments	Officer response
Section 9 Page 12	<p>Considered that reference to “pet animal such as dog, cat or similar” and “not to keep any pet animal ..... without the written consent of the Council” is not clear. Concerned that this infers a tenant would need to seek consent to keep a goldfish for example.</p>	<p>Amend Condition 9.1 to:</p> <p>The consent of the Council will be required before more than one dog is kept at the Premises. The Tenant will keep the dog under proper control at all times and be responsible for keeping dogs on a lead in the communal areas and clearing any waste in a hygienic manner, including at the Premises. No type of dog prescribed under the Dangerous Dogs Act 1991 or any other legislation may be kept at the Premises. The Council’s written consent will be required to keep any other animal that may cause a nuisance.”</p> <p>Amend Condition 9.2 Delete first sentence and replace with:</p> <p>“The Council’s written consent will be required to keep any animal that may cause a nuisance.”</p>
Paragraph 12.5 Page 13	<p>The Federations view is that laminate flooring should not be allowed in any circumstances</p>	<p>Officers suggest that Condition 12.5 is not amended and that Tenants are required to seek the Council’s consent. If laminate flooring was not allowed in any circumstances, when the Standard Secure Tenancy Agreement is varied, the Council would have to enforce the removal of laminate flooring in all properties. If tenants seek permission, then the Council can take into account health issues, whether it is a ground</p>

		floor or sheltered property etc.
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Paragraph/Page Reference	Comments	Officer response
Paragraph 16.7 Page 15	The Federations view is that in addition to sheds, tenants should not be allowed to install any structure in communal gardens including play equipment. Furthermore, it should be stated that no areas should be fenced off.	Amend Condition 16.7 to: “Not to fence off any part of nor install any structure, including sheds and play equipment in any Council owned communal garden”

## **Report to Housing Scrutiny Standing Panel**

**Date of meeting: 17 June 2013**

**Portfolio: Housing – Cllr D. Stallan**

**Subject: Housing Service Standards – Performance  
Report 2012/13 and Review**



**Officer contact for further information:**

**Alan Hall – Director of Housing (01992 564004)**

**Committee Secretary: Mark Jenkins**

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### **Recommendations:**

- (1) That performance against the previously-agreed Housing Service Standards in 2012/13 (where measured), as set out in Appendix 1, be noted;**
- (2) That, subject to the views of the Tenants and Leaseholders Federation, the proposed changes and additions to the Housing Service Standards (as set out in bold italics within Appendix 1) be recommended to the Housing Portfolio Holder, and that the relevant leaflets be updated at an appropriate time; and**
- (3) That the Housing Service Standards, and performance against the Service Standards in 2013/14, be reviewed again in July 2014.**

### **Background**

1. In 2007, following consultation with the Housing Scrutiny Panel and the Tenants and Leaseholders Federation, the Housing Portfolio Holder agreed a range of Housing Service Standards, covering all of the Housing Directorate's main areas of activity, and that the Service Standards should be reviewed annually.
2. It was also agreed that the Housing Directorate's performance against the Housing Service Standards (where possible and appropriate) should be considered annually.
3. All tenants are provided with a leaflet setting out all of the agreed Housing Service Standards, which is included as part of the Tenants Handbook given to new tenants.

### **Performance against the Housing Service Standards in 2012/13**

4. Performance against the Housing Service Standards - and the Standards themselves - have been reviewed by the Housing Scrutiny Panel, Tenants and Leaseholders Federation and Housing Portfolio Holder annually since their introduction.
5. Appendix 1 provides details of the Housing Service Standards and – where measurable and appropriate – the Housing Directorate's performance in meeting the standards in 2012/13. As a comparison, Appendix 1 also provides details on the performance in 2011/12 and 2010/11.

6. It is emphasised that it is not possible to measure performance against every Service Standard. In a number of cases, there is nothing that can be measured, since the Standard is a “statement of intent”; in a number of other cases, whilst performance could potentially be measured, it is considered that the time and resources that would be required to properly record and monitor performance is not warranted.

### **Proposed Changes to the Service Standards**

7. The Director of Housing has reviewed the Housing Service Standards, having regard to performance in 2012/13 and changes in legislation and Council policy. As a result, a number of changes are proposed, including some proposed new Service Standards. These are set out in bold italics under the description of the relevant standard in the first column of Appendix 1.

8. It is recommended that the proposed changes and additions to the Housing Service Standards - as set out in Appendix 1 - be recommended to the Housing Portfolio Holder for approval, and that the relevant leaflets be updated at an appropriate time. It is also suggested that performance against the Service Standards is reviewed again in July 2014.

### **Consultation Undertaken:**

The Tenants and Leaseholders Federation (or the new Tenant Scrutiny Panel) will be consulted on the performance against the Service Standards and the proposed changes at next meeting. Their views and comments will be reported in the subsequent report to the Housing Portfolio Holder.

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
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# We aim to....

**GENERAL**

<b>(G1)</b> Report on our performance against these Service Standards to your Tenants and Leaseholders Federation every year, and review the Standards in the light of performance	Director of Housing	Whether or not performance is reported	Yes	Yes	Yes	
<b>(G2)</b> Generally satisfy at least 80% of our tenants with the overall housing service provided	Director of Housing	Overall level of tenant satisfaction as surveyed through the national STAR survey	88%	88 %	83 %	The Satisfaction Survey is undertaken every two years
<b>(G3)</b> Respond to your letters within 10 working days on routine matters, or acknowledge within 5 working days and then provide you with a full response within 28 days on more complex issues	Director of Housing	Not measured.	N/A	N/A	N/A	
<b>(G4)</b> Give you an opportunity to appeal within 3 months to a senior officer about any decision made about	Director of Housing	(a) Senior Officer appeals	4 appeals	11 appeals	16 appeals	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
your housing that affects you, and then (for certain specified types of appeals) <sup>(a)</sup> give you a further opportunity within a further 3 months to appeal to the Housing Appeals and Review Panel of district councillors <sup>(a)</sup>		(b) Panel appeals / reviews heard	7 appeals / reviews	11 appeals / reviews	9 appeals / reviews	During the year, the right of appeal to the HARP was withdrawn.
<b>(G5)</b> Give you an opportunity to complain about anything you are unhappy about, fully investigate your complaint, and inform you of the outcome of your complaint within the Council's published timescales.	Director of Housing	(a) No. of Step 2 complaints (to Asst. Director of Housing) received	15 comps	17 comps	18 comps	
		(b) No. of Step 3 complaints (to Chief Executive, investigated by Complaints Officer) received	5 comps	13 comps	9 comps	
<b>(G6)</b> If you are unhappy about the way your complaint has been dealt with by housing officers, arrange to have your complaint heard by a panel of district councillors	Director of Housing	No. of Step 4 complaints received	0 comps	0 comps	0 comps	
<b>(G7)</b> Deliver a copy of the Council's "Housing News" to your home (giving useful information about your housing) at least three times each year	PHO (Information/ Strategy)	No. of issues of Housing News produced	1 issue	2 issues	1 issues	Due to staffing shortages within the Information & Strategy Section it was not possible to provide 3 issues. However, these have now been resolved

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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**HOMELESSNESS**

<b>(H1)</b> Give you an interview with a Homelessness Prevention Officer within 7 days of initial contact, or on the same day if an emergency	Asst. Housing Options Manager (Homelessness)	Not measured.	N/A	N/A	N/A	
<b>(H2)</b> If necessary, provide you with suitable temporary accommodation, whilst we investigate your homelessness application, until we provide you with a written decision	Asst. Housing Options Manager (Homelessness)	Total no. of applicants in temporary accommodation at end of year	114 apps	63 apps.	47 apps.	The main reason for the increased homelessness is due to the current economic climate
<b>(H3)</b> If requested by you, review a homelessness decision that you are unhappy with (by either a senior officer or the Housing Appeals and Review Panel of district councillors) within 8 weeks <sup>(b)</sup>	Director of Housing	% Within target time (unless with the permission of the applicant to extend period)	100%	100 %	100 %	
<b>(H4)</b> Advise you of your right of appeal to the County Court within 21 days on a point of law if you are unhappy with the homelessness decision after it has been reviewed  <i>(Statutory right and timescale)</i>	Asst. Director of Housing (Operations)	% of applicants notified of their right	100%	100 %	100 %	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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<b>(H5)</b> Keep you in temporary accommodation for at least 3 months after providing you with our written decision, before making you an offer of suitable permanent accommodation.	Asst. Housing Options Manager (Homelessness)	Average period in temporary accommodation	34.5 weeks	28 weeks	25 weeks	The increase is due to demand on temporary accommodation, as a result of increased homelessness (see H2)
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**HOUSING REGISTER AND ALLOCATIONS**

<b>(HR1)</b> Register your housing application or garage application, and advise you of the level of priority (band) given, within 10 working days of receipt of all the information we need from you and other people.	Asst. Housing Options Manager (Allocations)	(a) Average time to register	3-4 days	3-4 days	3-4 days	
		(b) No. of applications awaiting registration at end of year	0 apps	5 apps.	10 apps.	
<b>(HR2)</b> Notify you in writing of any change in your priority banding, within 7 days of the change being made	Asst. Housing Options Manager (Allocations)	Not measured	N/A	N/A	N/A	
<b>(HR3)</b> Write to you at least every year if you have not expressed any interest in vacant properties under the Home Options Scheme, and ask if you wish to remain on the Housing Register	Asst. Housing Options Manager (Allocations)	Not measured	N/A	N/A	N/A	



**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
<b>(HR4)</b> Give you at least 5 calendar days notice between offering you a tenancy and the tenancy commencement date	Asst. Housing Options Manager (Allocations)	Not measured.	N/A	N/A	N/A	
<b>(HR5)</b> Unless you are a homeless applicant <sup>(c)</sup> , allow you to choose the vacant Council or housing association home you would like to be offered (through our Home Option Scheme), subject to the interest expressed by other applicants with higher priority	Asst. Housing Options Manager (Allocations)	Not measured	N/A	N/A	N/A	
<b>(HR6)</b> If you are not a Council tenant already, offer you an Introductory Tenancy initially, followed by <b>either</b> a Secure Tenancy or <b>a Flexible Tenancy</b> automatically after 1 year, if you have not caused any anti-social behaviour, have had any significant rent arrears or broken any other Conditions of Tenancy.	Area Housing Managers	Not measured.	N/A	N/A	N/A	<b>Proposed Revised Standard</b>
<b>(HR7)</b> Give you a decision on your request for a mutual exchange within 5 working days of receiving an application from you and the other party/parties, with all the required information provided.	Asst. Housing Options Manager (Allocations)	Not measured.	N/A	N/A	N/A	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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**HOUSING MANAGEMENT**

<p><b>(HM1)</b> If you are a new tenant, visit you at home within 10 weeks of your tenancy commencing, to introduce you to your local housing officer and to discuss the main conditions of your tenancy and any queries you may have</p>	<p align="center">Area Housing Managers</p>	<p>(a) No. of new tenant visits undertaken</p>	145 visits	167 visits	158 visits	
		<p>(b) No. of visits undertaken within 10 weeks</p>	122 visits (84%)	123 visits (74%)	148 visits (94%)	<p>The main reason for the target time not being met was due to difficulties officers have in contacting new tenants to arrange visits</p>
<p><b>(HM2)</b> Provide you with the following options to pay your rent:</p> <ul style="list-style-type: none"> <li>• At one of the Council's Cash Offices</li> <li>• At any post office</li> <li>• At any "PayPoint" access point</li> <li>• By direct debit</li> <li>• By credit card</li> <li>• By text</li> <li>• By standing order</li> <li>• Through the internet</li> <li>• By telephone</li> <li>• By salary deduction (if you work for the Council)</li> </ul>	<p align="center">Housing Resources Manager</p>	<p>Not measured</p>	N/A	N/A	N/A	

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<b>(HM3)</b> Give you a choice of <del>three</del> <b>four</b> dates in the month to pay your rent by direct debit.	Housing Resources Manager	No. of direct debit payment dates available as at end of year	3 payment dates	3 payment dates	3 payment dates	<b>Proposed Revised Standard</b> - From May 2013, 4 payment dates are now offered (1, 18, 25 and 28 of each month)
<b>(HM4)</b> Provide you with written confirmation of the balance on your rent account in April/May each year (unless your account is clear or only in credit or arrears by less than £1)	Area Housing Managers	Whether or not balance confirmations are sent out by end of May	Yes	Yes	Yes	
<b>(HM5)</b> Provide you with a detailed statement of your rent account for the previous 12 months on request or automatically every three months if you are in arrears by more than £1	Area Housing Managers	Not measured	N/A	N/A	N/A	
<b>(HM6)</b> Make every effort to enter into an agreement with you to clear any rent arrears that you have through reasonable instalments, before we take any legal action to recover the arrears	Area Housing Managers	Not measured.	N/A	N/A	N/A	
<b>(HM7)</b> Make every effort to meet with you to discuss any rent arrears before any court hearing takes place	Area Housing Managers	(a) No. of visits to tenants' homes to discuss rent arrears	574 visits	735 visits	600 visits	

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		(b) No. of office interviews held to discuss rent arrears	982 i/views	1191 i/views	1,277 i/views	
<b>(HM8)</b> If you are an Introductory Tenant or a Demoted Tenant <sup>(d)</sup> , give you an opportunity to appeal to a senior officer against any proposed legal action within 2 weeks of you being advised of the proposed legal action.	Asst Director of Housing (Operations)	(a) No of reviews held for introductory tenants	4 reviews	13 reviews	12 reviews	
		(b) No. of reviews held for demoted tenants	0	0	0	
<b>(HM9)</b> Remove abandoned vehicles from housing estates (after making enquiries of the DVLA on ownership and contacting the owner) within 5 weeks of receiving a complaint	Area Housing Managers	% of abandoned vehicles removed within 5 weeks of EFDC completing enquiries of the DVLA	100%	100 %	100 %	
<b>(HM10)</b> Remove clearly abandoned and potentially dangerous vehicles from housing estates within 5 working days of receiving a complaint	Area Housing Managers	Not measured	N/A	N/A	N/A	
<b>(HM11)</b> If you live in a flat with more than four flats in the block, clean the communal area weekly and re-charge you the cost to the Council.	Area Housing Managers	Not measured	N/A	N/A	N/A	

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<b>(HM12)</b> Where we clean communal areas of blocks or flats, inspect the standard of cleaning at least twice a year	Area Housing Managers	Whether or not blocks of flats have been inspected at least twice a year	Yes	Yes	Yes	
<b>(HM13)</b> Undertake a formal inspection of your estate by a housing officer with a representative of any recognised tenant association covering your area and make a note of any required work at least once every year.	Area Housing Managers	No. of estate inspections undertaken	103 inspects	89 inspects.	91 inspects.	
<b>(HM14)</b> Give you a decision on your request for permission to carry out improvements to your Council home (or former Council home) within 2 weeks of us receiving your request and all the required information.	Area Housing Managers	Not measured	N/A	N/A	N/A	
<b>(HM15)</b> When you vacate your Council home, inform you of your right to compensation for certain improvements you have undertaken within 7 days of you informing us of your vacation and give you a decision on your request for compensation to your Council home within 2 weeks of us receiving your application and all the required information.	Area Housing Managers	No. of compensation claims agreed	6 claims	2 claims	5 claims	

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<b>(HM16)</b> If you are unable to succeed <sup>(e)</sup> to a tenancy because there has already been one succession, we will offer you a new tenancy of the property in which you are currently living or, if you are not a spouse and are under-occupying the property, the tenancy of another property.	Area Housing Managers	Not measured	N/A	N/A	N/A	
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<b>(HM17)</b> Comply with the Government's Respect Standard for Housing Management in dealing with anti-social behaviour on housing estates	Area Housing Managers	Date of self-certification for compliance with the Standard	June 2007	June 2007	June 2007	
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**REPAIRS, MAINTENANCE & IMPROVEMENTS**

<b>(R1)</b> Continue to ensure that your home meets the Government's Decent Home Standard	Housing Assets Manager	% of non- decent homes at the end of the financial year	0	0	0	
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<b>(R2)</b> Carry out emergency repairs within 24 hours of you reporting the defect.  <b>Replace with:</b>  <b>Attend all emergency repairs within 4 hours (including out of hours)</b>	Housing Repairs Manager	% emergency repairs completed within target time	100%	99 %	98 %	These improvements have been achieved as a result of the Repairs Management Contract with Mears – including the introduction of appointments for all repairs and mobile working  <p align="right">(Contd...)</p>
		<b>(Target – 99%)</b>	<b>100%</b>	<b>N/A</b>	<b>N/A</b>	

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<p><b>(R3)</b> Carry out urgent repairs within 5 working days of you reporting the defect.</p> <p><i>Replace with:</i></p> <p><b>Carry out all repairs within 7 working days</b></p>	Housing Repairs Manager	(a) Average time to complete urgent repairs	3 days	4 days	5 days	<p><b><i>Proposed Revised Standards and Performance Measures</i></b></p> <p>The proposed changes reflect the Council's revised KPI targets with Mears agreed by the Housing P/H in November 2012</p>
		(b) % urgent repairs completed within target time	99%	90 %	69 %	
		Average time to complete urgent repairs	<b>6.2 days</b>	<b>N/A</b>	<b>N/A</b>	
<p><b>(R4)</b> Carry out routine repairs within 6 weeks of you reporting the defect.</p> <p><b>Delete Service Standard (covered by Revised (R3) above)</b></p>	Housing Repairs Manager	(a) Average time to complete routine repairs	6 days	13 days	18 days	
		(b) % routine repairs completed within target time	99%	96 %	92 %	
<p><b>(R5)</b> Provide you with, <b>and keep</b>, an appointment to undertake repairs, within the Council's target times, at the time you report a repair – with a choice of three periods on any day, including a "School Times" option</p>	Housing Repairs Manager	% of all repairs, for which an appointment is made <b>and kept</b>	<b>98.6% (Q4)</b>	N/A (New)	N/A (New)	

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<p><b>(R6)</b> Confirm to you by text the details of any repairs you report and the appointment date on the day you report the repair</p> <p><b>Delete Service Standard</b></p>	Housing Repairs Manager	Not measured	N/A	N/A	N/A	<p><b>Proposed deletion of Service Standard</b></p> <p>Although this has been the Council's intention, which is being pursued by Mears, it has not yet been possible to introduce.</p>
<p><b>(R7)</b> Remind you of your repairs appointment by text the day before, and give you an estimated time of arrival on the day of appointment</p>	Housing Repairs Manager	Not measured	N/A	N/A	N/A	
<p><b>(R8)</b> Keep any appointments that we make for tradesmen to carry out repairs to your home.</p> <p><b>Delete Service Standard (covered by Revised (R5) above)</b></p>	Housing Repairs Manager	% appointments kept	98.64%	94 %	98 %	<p><b>Proposed deletion of Service Standard</b></p>
<p><b>(R9)</b> Satisfy at least 97% of tenants with the general standard of the repairs service we provide <sup>(f)</sup>.</p>	Housing Repairs Manager	% tenant satisfaction	100%	99 %	99 %	
<p><b>(R10)</b> If a repair needs to be inspected first, give you an appointment for a Housing Inspector to visit your home for a morning or afternoon within 10 working days of your request.</p>	Housing Repairs Manager	Not measured	N/A	N/A	N/A	



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<b>(R11)</b> Arrange for Repairs Inspectors to randomly inspect the quality of work of a sample of repairs carried out by our Housing Repairs Service and contractors	Housing Repairs Manager	Average number of properties visited per week to inspect repairs	9 props / week	9 props / week	20 props / week	
<b>(R12)</b> If you are dissatisfied with a repair, arrange for a Supervisor to telephone or visit you within 5 working days of you telling us of your dissatisfaction.	Housing Repairs Manager	(a) No. of repair requests completed	12,488 repairs	16,764 repairs	12,854 repairs	
		(b) No. of dissatisfied tenants	0 tenants	0 tenants	7 tenants (0.05 %)	
		(c) No. of dissatisfied tenants considered justifiable	0 tenants	0 tenants	0 tenants	
		(d) No. of dissatisfied tenants considered due to minor problem	0 tenants	0 tenants	7 tenants (100 %)	
		(f) No. of cases where dissatisfaction was considered to be not due to the Repairs Service	0 cases	0 cases	0 cases	

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		(g) No. unable to gain access	0 tenants	0 tenants	0 tenants	
<p><b>(R13)</b> If we do not complete certain specified repairs within specific timescales, arrange for another repairs contractor to carry out the repair within the same timescale on request <sup>(9)</sup></p> <p><i>(Statutory requirement)</i></p>	Housing Repairs Manager	No. of tenants exercising their "Right to Repair"	0 tenants	0 tenants	0 tenants	
<p><b>(R14)</b> If a second contractor does not complete certain specified repairs within specific timescales, pay you compensation of £10 + £2 per day until the repair is carried out (upto a maximum of £50) <sup>(9)</sup></p> <p><i>(Statutory requirement and amounts)</i></p>	Housing Repairs Manager	Amount of compensation paid	£ Nil	£ Nil	£ Nil	
<p><b>(R15)</b> Service all the gas appliances in your home (or undertake a safety check if you have installed the appliance yourself), and provide you with a copy of the associated safety certificate, once a year</p>	Housing Assets Manager	% of properties where servicing not undertaken within 12 months (due to no access provided)	North – 0.06 % South – 0.18 %	North – 0.06 % South – 0.32 %	North – 0.38 % South – 0.57 %	The gas contractor for the North took over the South as well during 2011/12, following the previous contractor going into liquidation

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<p><b>(R16)</b> Arrange for a gas contractor to visit your home to attend to a gas appliance that is required as an emergency (e.g. a water/gas leak) within 2 hours</p>	<p>Housing Assets Manager</p>	<p>% attended within 2 hours</p>	<p>North – 100 %</p>	<p>North – 100 %</p>	<p>North – 100 %</p>	
			<p>South – 100 %</p>	<p>South – 100 %</p>	<p>South – 100 %</p>	
		<p>% attended within 1 hour</p>	<p>North – 99.8 %</p>	<p>North – 99.3 %</p>	<p>North – 100 %</p>	
			<p>South – 99.6 %</p>	<p>South – 91.8 %</p>	<p>South – 91.3 %</p>	
<p><b>(R17)</b> Arrange for a gas contractor to visit your home and carry out a non- emergency repair to your heating or hot water system (if no part is required):</p> <p>(a) Within 24 hours (if during the week, or if you are an older person); or</p> <p>(b) On the following Monday (if reported over the weekend and you are not an older person)</p>	<p>Housing Assets Manager</p>	<p>% attended within 24 hours (or on the following Monday (if not an older person and reported over the weekend))</p>	<p>North – 100 %</p>	<p>North – 100 %</p>	<p>North – 100 %</p>	
			<p>South – 100 %</p>	<p>South – 100 %</p>	<p>South – 100 %</p>	

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<b>(R18)</b> Arrange for a gas contractor to visit your home to repair a gas appliance within 5 working days (when a part is required)	Housing Assets Manager	% attended within 5 working days	North – 100 %	North – 100 %	North – 100 %	
			South – 100 %	South – 100 %	South 99.9 %	
<b>(R19)</b> If you are over 60 years of age and live in a 1 or 2 bed property, redecorate 1 room in your home, on request, every 5 years and within 13 weeks of your request	Housing Assets Manager	(a) No. of internal decorations completed	71 decs.	86 decs.	96 decs.	The increase in completion times was due to internal procedures not being followed.  This has now been addressed and Q4 figure was an improvement at 5.8 weeks.
		(b) Average time from request to completion	6.8 weeks	3.2 weeks	3.9 weeks	
		(c) No. of internal decorations outstanding at end of year, not completed within target timescale	0 decs.	0 decs.	0 decs.	

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**DISABLED ADAPTATIONS**

<b>(D1)</b> Advise you in writing about whether or not you are eligible for specific adaptations to your Council home within one week of us receiving a request from the Occupational Therapy Service	Housing Assets Manager	(a) Minor adaptations	1.0 days	1.2 days	1.2 days	
		(b) Major adaptations	1.0 days	1.8 days	1.6 days	
<b>(D2)</b> Carry out minor adaptations to your home within 4 weeks of receiving details of the required work from the Occupational Therapy service	Housing Assets Manager	(a) Average time from decision to completion of work	3.0 weeks	3.1 weeks	3.0 weeks	
		(b) No. of minor adaptations at end of the year not completed within the target time	0 Adapts.	5 adapts.	0 adapts.	
<b>(D3)</b> Carry out non-minor adaptations to your Council home within 13 weeks of receiving details of the required work from the Occupational Therapy Service	Housing Assets Manager	(a) Average time from decision to completion of work	14.8 weeks	11.5 weeks	9.8 weeks	During 2012-13, the Disabled Adaptation Contract was retendered, which resulted in delays in issuing Works Orders.

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		(b) No. of non-minor adaptations at end of the year not completed within the target time	7 adapts.	0 adapts.	2 adapts.	
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**SHELTERED HOUSING & CARELINE**

<b>(S1)</b> Test your Careline alarm in sheltered accommodation every 3 months and in non-sheltered accommodation every 6 months	Senior Scheme Manager	(a) % of tenants' alarms tested in sheltered schemes within 3 months of the previous test	94.7%	100 %	N/A	
		(b) % of tenants' alarms tested in sheltered schemes within 3 months of the previous test	100%	100 %	N/A	
<b>(S2)</b> Install:  (a) 90% of urgent basic telecare packages within 2 working days and 100% within 5 working days; and  (b) 100% of non-urgent telecare packages within 15 working days	Housing Manager (Older Peoples Services)	(a) % of urgent basic telecare packages installed within 2 w/days	92.3%	83 %	88.9 %	
		(b) % of urgent basic telecare packages installed within 5 w/days	96.9%	100 %	100 %	

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<i>(Telecare Services Assn Standards)</i>		(c) Average time to install a telecare package	8.9 days	7.1 days	7.6 days	
		(d) % of non-urgent basic telecare packages installed within 15 working days	100%	96 %	94.6 %	
<b>(S3)</b> Renew mains batteries in individual (dispersed) alarms every 5 years	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	N/A	
<b>(S4)</b> Treat all your alarm calls to Careline as potential emergencies, until proved otherwise	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	N/A	
<b>(S5)</b> Answer your alarm calls to Careline, on average, within 10 seconds	Housing Manager (Older Peoples Services)	Average time to respond to calls (including non urgent, routine calls from scheme managers and test calls)	6.0 Seconds	6.5 seconds	6.4 seconds	

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<b>(S6)</b> Answer 97.5 % of all alarm calls to Careline within 60 seconds  <i>(Telecare Services Association Standard)</i>	Housing Manager (Older Peoples Services)	% of calls answered within 30 seconds	99.7 %	99.7 %	99.6 %	
<b>(S7)</b> Liaise with other agencies and nominated contacts to ensure the wellbeing of our Careline customers  <i>(Telecare Services Association Standard)</i>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	N/A	
<b>(S8)</b> Record and monitor all alarm calls to Careline, to help train our staff and look at how we can improve our service	Housing Manager (Older Peoples Services)	Whether all calls have been recorded and monitored	Yes	Yes	Yes	
<b>(S9)</b> Repair:  (a) 90% of critical faults to telecare equipment within 2 working days, and 100% within 4 working days  (b) Repair 100% of non-urgent faults to telecare equipment within 15 working days	Housing Manager (Older Peoples Services)	(a) No. of critical repairs completed within 2 days	95.5%	97 %	96.7 %	
		(b) No. of critical repairs undertaken in 4 days	85.6%	100 %	100 %	



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<i>(Telecare Services Association Standards)</i>		(c) No. of non-critical repairs undertaken within 15 working days	98.5%	100 %	100 %	
<b>(S10)</b> Visit you annually to test the back-up batteries in your Careline alarm and to review your personal details held on our records	Housing Manager (Older Peoples Services)	% of visits undertaken	100%	100 %	N/A	
<b>(S11)</b> Record, maintain and update your Careline records in a confidential and secure manner  <i>(Telecare Services Association Standard)</i>	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	N/A	
<b>(S12)</b> Train all our Careline staff to a high standard	Housing Manager (Older Peoples Services)	Not measured	N/A	N/A	N/A	
<b>(S13)</b> If you live in sheltered accommodation, ensure that your Scheme Manager gives you a home visit (or accounts for you) every day (Monday to Friday – subject to holidays and sickness)	Housing Manager (Older Peoples Services)	Not measured (but monthly records from Scheme Managers are required and checked)	N/A	N/A	N/A	

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<b>(S14)</b> If you live in sheltered accommodation and your Scheme Manager is on holiday or sick, arrange for another Scheme Manager to visit you 3 times a week	Housing Manager (Older Peoples Services)	Whether 3 visits per week have been arranged for absent scheme managers	Yes	Yes	Yes	
<b>(S15)</b> If you do not live in sheltered accommodation, but are visited by a Scheme Manager, ensure that you receive a visit every week, fortnight or month, as appropriate (as determined by a risk assessment)	Housing Manager (Older Peoples Services)	Average no. of visits per week	140 visits	242 visits	246 visits	
<b>(S16)</b> If you live in sheltered or non-sheltered accommodation for older people and have high support needs, provide you with a Tenant Support Plan – explaining the type and level of support that we will give you - and review the Tenant Support Plan every 12 months (or sooner if requested by you)	Housing Manager (Older Peoples Services)	No. of Residents provided with a support plan	164 residents	N/A	N/A	
<b>(S17)</b> Carry out fire drills at sheltered accommodation every six months	Housing Manager (Older Peoples Services)	% of required fire drills undertaken every <del>three</del> <b>six</b> months	100%	88 %	0	<b>Proposed Revised Performance Measure</b> - to reflect current practice

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**HOUSE SALES**

<p><b>(HS1)</b> Confirm whether or not you are eligible for the Right to Buy within 2 weeks of receiving a properly completed application from you</p> <p><i>(Statutory requirement, but the statutory timescale is 4 weeks)</i></p>	Principal Housing Officer (Sales/Leases)	(a) Average periods	F/hold – 22.27 days L/hold 20.79 days	F/hold – 5.8 days L/hold 4.4 days	F/hold – 3.7 days L/hold 4.3 days	<p>The increase in discount on RTB for 2012/2013 led to a significant rise in the number of applications. This in turn affected response times for the small Home Ownership Team.</p> <p>However, all confirmations were responded to within the statutory timescales.</p>
		(b) % within statutory timescale (4 weeks)	F/hold – 100 % L/hold – 100 %	F/hold – 100 % L/hold – 100 %	F/hold – 100 % L/hold – 100 %	
<p><b>(HS2)</b> Advise you of the valuation, discount and purchase price for the property you wish to purchase within 8 weeks of us confirming the Right to Buy if your property is a house or bungalow or 12 weeks if your property is a flat or maisonette</p> <p><i>(Statutory requirement and timescales)</i></p>	Principal Housing Officer (Sales/Leases)	(a) Average time to provide information	F/hold – 4.77 weeks L/hold – 8.69 weeks	F/hold – 5.1 weeks L/hold – 6.6 weeks	F/hold – 4.1 weeks L/hold – 4.3 weeks	
		(b) % within statutory timescale	F/hold – 94.28 % L/hold – 92.85 %	F/hold – 93 % L/hold – 89 %	F/hold – 100 % L/hold – 100 %	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
<p><b>(HS3)</b> Give you an opportunity to appeal against our valuation of your home, and to obtain an independent valuation (free of charge) from the District Valuer, within 3 months of you receiving our valuation</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	No of appeals to DV	5 appeals	0 appeals	0 appeals	
<p><b>(HS4)</b> Complete the purchase of your property within 10 weeks of you confirming that you wish to proceed, provided that you and your solicitor deal with all required matters promptly</p>	Principal Housing Officer (Sales/Leases)	Average time taken to complete a purchase	23 weeks (13 sales)	25 weeks (7 sales)	29 weeks (9 sales)	
<p><b>(HS5)</b> If you do not proceed with your purchase, give you two formal notices of 8 weeks each before cancelling your Right to Buy application</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	N/A	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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**LEASEHOLD SERVICES**

<b>(L1)</b> Provide you with a detailed breakdown of your <u>estimated</u> annual service charge at least 2 weeks before the beginning of the financial year	Principal Housing Officer (Sales/Leases)	No. of weeks before the beginning of the reference year when all estimated service charge accounts were issued for the reference year	4 weeks	4 weeks	4 weeks	
<b>(L2)</b> Provide you with a detailed breakdown of your <u>actual</u> annual service charge within 6 months after the end of the financial year	Principal Housing Officer (Sales/Leases)	No. of months after the end of the reference year when all actual service charge accounts were issued for the reference year	5.5 months	5.5 months	6 months	
<b>(L3)</b> If you fall into arrears with your actual service charge, give you an appropriate amount of time to clear the arrear in accordance with the Council's Sundry Income and Dept Policy <sup>(h)</sup>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	N/A	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
<p><b>(L4)</b> Consult you on proposed major repairs and improvements (over £250) and give you the opportunity to nominate a contractor to provide a tender for the work at least 30 days before seeking tenders</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	N/A	
<p><b>(L5)</b> Consult you on the estimated cost of major repairs and improvements and advise you of the selected contractor before commencing the work, and give you at least 30 days to provide any comments you may have, which we will take into account</p> <p><i>(Statutory requirement and timescale)</i></p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	N/A	
<p><b>(L6)</b> Provide you, on request, with a copy of your current service charge account and other relevant information (perhaps if you wish to sell on the leasehold), for a fee, within 2 weeks of your request</p>	Principal Housing Officer (Sales/Leases)	Not measured	N/A	N/A	N/A	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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<b>(L7)</b> Support a District-wide Leaseholders Association and ensure that it meets at least three times each year	Tenant Participation Officer	No. of meetings held	3 meetings	3 meetings	3 meetings	
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**PRIVATE SECTOR HOUSING**

<b>(PS1)</b> Visit 95% of applicants for our Caring And Repairing in Epping Forest (CARE) Service within 3 weeks of the initial enquiry	Private Housing Manager (CARE & Grants)	% of visits undertaken within 3 weeks	100 %	100 %	99 %	
<b>(PS2)</b> Undertake jobs through our Handyperson Service within 2 weeks of request	Private Housing Manager (CARE & Grants)	Average time for jobs to be completed	3.0 weeks	1.9 weeks	2.1 weeks	
<b>(PS3)</b> Generally satisfy at least 95% of our customers for both CARE's core service and Handyperson Service	Private Housing Manager (CARE & Grants)	% satisfied with CARE's core service and the H/person Service	100%	100 %	100 %	
<b>(PS4)</b> Respond to applicants for Disabled Facilities Grants (DFGs) within 10 working days of receiving a referral from an occupational therapist (OT)	Private Housing Manager (CARE & Grants)	Average time to respond to referrals	10 working days	8 working days	8 working days	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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<b>(PS5)</b> Issue a decision on a formal application for a DFG within 5 working days of receipt	Private Housing Manager (CARE & Grants)	Average time to issue a decision	4 working days	5 working days	2 working days	
<b>(PS6)</b> Respond to applicants for other types of financial assistance for private occupiers within 5 working days of receiving a request	Private Housing Manager (CARE & Grants)	Average time to respond to requests	5 working days	5 working days	5 working days	
<b>(PS7)</b> Issue a decision on a formal application for other types of financial assistance for private occupiers within 5 working days of receipt	Private Housing Manager (CARE & Grants)	Average time to issue a decision	5 working days	5 working days	5 working days	
<b>(PS8)</b> Respond to requests for assistance from private tenants allegedly being harassed by landlords within 24 hours	Private Housing Manager (Technical)	% of responses within 24 hours	100%	100 %	100 %	
<b>(PS9)</b> Respond to initial enquiries for other private sector housing services (e.g nuisance, filthy / verminous properties, mobile homes, HMOs) within 5 working days	Private Housing Manager (Technical)	% of responses within 5 working days	100%	100 %	100 %	
<b>(PS10)</b> Issue licences for houses in multiple occupation (HMOs) within 6 months of receiving a properly completed application	Private Housing Manager (Technical)	% of licences issued within 6 months	100%	100 %	100 %	



**Epping Forest District Council  
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**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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**TENANT PARTICIPATION**

<b>(TP1)</b> Consult you on any significant matters relating to your tenancy and take your views into account when making decisions	PHO (Information/ Strategy)	No. of major consultations undertaken, that affect all tenants	1 consult.	1 consult.	0 consults.	The Tenant Satisfaction Survey was undertaken to assess overall (sample) satisfaction and to seek views on issues such as repairs and contact with the Council.
<b>(TP2)</b> Consult you on major issues that affect your estate (such as improvement schemes) and offer individual choices where appropriate.	PHO (Information/ Strategy)	Not measured	N/A	N/A	N/A	
<b>(TP3)</b> Agree our approach to tenant involvement with the Tenants and Leaseholders Federation and maintain a written Tenant Participation Agreement which we review every 3 years.	Tenant Participation Officer	Whether or not the Agreement was reviewed	Yes	Not required	Yes	

**Epping Forest District Council  
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**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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<b>(TP4)</b> Invite 2 representatives of all the recognised tenants associations in the District to become members of the Epping Forest Tenants and Leaseholders Federation, which will have a written constitution explaining how it will operate.	Tenant Participation Officer	Whether or not 2 representatives from recognised tenants associations have been invited	Yes	Yes	Yes	
<b>(TP5)</b> Consult the Tenants and Leaseholders Federation on proposed new, or changed, housing plans, strategies and policies, and take their views into account before making decisions.	Director of Housing	Not measured	N/A	N/A	N/A	
<b>(TP6)</b> Look for opportunities to form new tenants associations, and support these groups by providing practical or financial support.	Tenant Participation Officer	Not measured	N/A	N/A	N/A	
<b>(TP7)</b> Provide start-up funding of £100 to any recognised steering group wishing to form a recognised tenants association, and a further grant of £200 when formally recognised.	Tenant Participation Officer	(a) No. of new groups provided with start-up funding	0 groups	1 group	0 groups	
		(b) No. of new groups provided with further grant	0 groups	1 group	0 groups	

**Epping Forest District Council  
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**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

<b>Service Standard</b>	<b>Officer Responsible</b>	<b>Performance Measure</b>	<b>2012/13</b>	<b>2011/12</b>	<b>2010/11</b>	<b>Comments</b>
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<b>(TP8)</b> Make premises available for meetings of tenants groups or meet any reasonable costs of hall bookings.	Tenant Participation Officer	Not measured	N/A	N/A	N/A	
<b>(TP9)</b> Consider the training requirements of tenants and leaseholders who are members of the Federation or other tenants associations, and assist in arranging suitable training.	Tenant Participation Officer	Not measured	N/A	N/A	N/A	
<b>(TP10)</b> Provide a variety of ways to involve residents, for those that prefer not to attend meetings, including surveys, panels and public events.	Tenant Participation Officer	Not measured	N/A	N/A	N/A	
<b>(TP11)</b> Review the success of the Council's Tenant Participation Strategy through consultation with the Federation and by conducting a survey once every three years.	PHO (Information/ Strategy)	% of tenants that feel that the landlord listens to their views and acts upon them as recorded by the bi-annual Tenant Satisfaction Survey	61%	62 %	62 %	

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
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**Notes:**

(a) The Housing Appeals and Review Panel will consider appeals on the following issues:

- (1) All homelessness reviews, with the exception of the following types of reviews that are already only undertaken by officers;
  - (i) whether or not single applicants are “homeless” or have a “priority need”;
  - (ii) whether or not an allocation of either temporary or permanent accommodation is suitable for the applicant and his/her family; and
  - (iii) whether or not a homeless applicant should be referred to another local authority, due to their local connection with that local authority;
- (2) Housing succession cases, where the successor is under-occupying Council accommodation, and has been required to transfer to smaller accommodation;
- (3) Non-provision of discretionary home improvement grants;
- (4) Refusal of requests for disabled adaptations to Council properties requested by the tenant;
- (5) Refusal to sell Council owned-land under 50 square metres to occupiers for garden use;
- (6) Refusal of requests from housing applicants for “priority moves” (i.e. those very urgent and rare cases, dealt with outside of the usual Allocations Scheme); and
- (7) Disagreements with tenants and former tenants on the level or liability for current or former rent arrears;

(b) Decisions relating to the priority need of single people, suitability of accommodation and referrals to other councils are considered by a senior officer. All other reviews of homelessness decisions are considered by the Housing Appeals and Review Panel of district councillors.

(c) Homeless applicants are currently able to participate in the Choice Based Letting Scheme, for a period of 8 weeks (4 cycles) after receiving their homelessness decision letter. If no successful expressions of interest are made by the applicant, the Council will initially make expressions of interest on their behalf. If this is still unsuccessful, the Council will make the applicant one offer of accommodation when a suitable property becomes available. ***However, this will change with the introduction of the new Housing Allocations Scheme in September 2013.***

(d) A demoted tenant is someone who held a secure tenancy but whose secure tenancy rights have been taken away by a court and has therefore become a (demoted) tenant - who is allowed to live at the property but with limited rights.

**Epping Forest District Council  
Housing Directorate**

**ANNUAL REPORT ON PERFORMANCE AGAINST HOUSING SERVICE STANDARDS 2012/13**

Service Standard	Officer Responsible	Performance Measure	2012/13	2011/12	2010/11	Comments
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(e) Succession takes place when, in specified circumstances, someone legally takes over the tenancy from their spouse or another family member, following the previous tenant's death. In law, there can only be one succession. A person (spouse or family member) who would otherwise be a successor tenant, but cannot in law because there has already been one succession, will be offered a new tenancy of either the property they are living in or another one, depending on whether or not they under-occupy the property.

(f) Measured through the Council's ongoing repairs satisfaction survey from satisfaction forms provided to tenants for all repairs requested.

(g) Under the Right to Repair legislation, defined repairs must be undertaken within either 1, 3 or 7 days as specified by the legislation.

(h) Under the Council's Sundry Income and Debt Policy, people are given the following time periods to repay the following levels of debts:

Debts below £500      Upto 3 months  
 Debts below £1,500    Upto 6 months

Debts below £2,500    Upto 9 months  
 Debts above £2,500    Upto 12 months

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## Report to Housing Scrutiny Panel

**Date of meeting: 17<sup>th</sup> June 2013**

**Portfolio: Housing – Cllr D. Stallan**

**Subject: Welfare Reform Mitigation Action Plan  
Quarterly Progress Report**

**Officer contact for further information: Alan Hall –  
Director of Housing (01992 564004)**

**Committee Secretary: Mark Jenkins (01992 56 4607)**




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### Recommendations:

**That the latest Quarterly Progress Report on the Welfare Reform Mitigation Action Plan, as at 1<sup>st</sup> June 2013 (attached as an Appendix) be considered and that any comments on progress be provided to the Housing Portfolio Holder and Director of Housing.**

### Background

1. In view of the significant effect that the Government's welfare reforms will have on the Council and residents, a Welfare Reform Mitigation Project Team was formed in September 2012, chaired by the Director of Housing and comprising officers from across the Housing Directorate and the Benefits Division, to consider and implement ways that the effects of the welfare reforms could be minimised – or at least reduced.
2. The Project Team formulated a Welfare Reform Mitigation Action Plan, which was adopted by the Cabinet in October 2012. The Action Plan identifies around 60 separate actions, with lead officers and target dates provided for each action, under the following 7 themes and associated key objectives:

Theme	Key Objective
Strategic	To ensure that a strategic and corporate approach is taken to mitigate the effects of welfare reform, including good data management
Information to Residents and Advice Agencies	To ensure that residents are provided with accurate, useful and timely information, advice and support on the welfare reforms; how they may be personally affected; and action they can take to mitigate the effects
Reducing Under-occupation	To minimise the under-occupation of Council properties by working-age Council tenants in receipt of housing benefit, and to endeavour to assist under-occupying Council tenants to move to smaller accommodation if they wish
Reshaping Service Delivery	To change services, or introduce new services, to assist the Council and residents to mitigate the effects of the welfare reforms
Minimising Homelessness	To minimise the numbers of households who become homeless as a result of the welfare reforms and to assist such households to minimise the resultant effects

Council's Financial Management	To identify and minimise the financial cost and effects of the welfare reforms on the Council as an organisation, and to ensure that appropriate budget provision for the additional costs are made within the HRA Financial Plan
Staff Training and Communication	To ensure that all relevant staff are aware of the welfare reforms, the effects on residents, the Council's response to the reforms and ways that residents can mitigate the effects on themselves

3. In addition to progress with the Action Plan being monitored at officer level by the Project Team, the Cabinet also asked the Housing Scrutiny Panel to monitor progress with the delivery of the Action Plan at its quarterly meetings, which it has done since January 2013.

### Progress to date

4. The third Quarterly Progress Report, as at 1<sup>st</sup> June 2013, is attached as an Appendix. As can be seen, good progress continues to be made to date in delivering the 59 actions of the Action Plan.

5. The key points to note within the latest Progress Report on the current position, compared with the position reported to the Scrutiny Panel at its last meeting, are as follows:

- The latest information from the DWP & Benefits Division (April 2013) is that **the number of households in the District who will be affected by the Benefits Cap has increased by 11**, from 78 to 88 households, with the number of Council tenants increased to 16.
- **These Council tenants will lose an average of £52.18 per week** (compared to the average of £48.58 per week), with 2 Council tenants losing all their Housing Benefit.
- There were originally around 390 under-occupying Council tenants identified as being affected by the "bedroom tax". By 31<sup>st</sup> May 2013, **the number affected by the "bedroom tax" had reduced by around 10%** to 347 tenants.
- As at 1<sup>st</sup> April 2013, **all Council tenants who were willing to be visited by their Housing Management Officer to discuss the implications of the "bedroom tax" on them, and ways of mitigating the effects, had been visited**. A total of 217 visits were undertaken, representing around (56%) of those originally identified.
- **Of those visited** to discuss the implications of the "bedroom tax":
  - (a) 23% of tenants had expressed an interest in downsizing
  - (b) Around half wanting to downsize are seeking 1 bed accommodation, with the remainder seeking 2 bed accommodation.
  - (c) No tenants had expressed an interest in taking in a lodger.
- Between 1<sup>st</sup> January 2013 and 31<sup>st</sup> May 2013, **14 Council tenants affected by the "bedroom tax" have been known to downsize to smaller Council accommodation**, either through transfers or mutual exchanges.
- **In the first two months of the "bedroom tax" coming into operation** (1st April 2013 - 31st May 2013), of the 347 tenants affected throughout the period:



- (a) 53 tenants (15%) who now have to contribute towards their rent (due to under-occupying their Council property) did not pay any rent;
  - (b) 122 tenants (35%) who now have to contribute towards their rent (due to under-occupying their Council property) paid the full amounts required;
  - (c) The total amount of rent arrears that accrued during this 2-month period from tenants who now have to contribute towards their rent (due to their under-occupation) was £6,175. The existing level of rent arrears for these cases at 1<sup>st</sup> April 2013 was £39,400, which increased to £45,575 by 31<sup>st</sup> May 2013.
  - (d) The total amount of rent due from all these tenants affected during this 2-month period was around £93,000, plus the existing rent arrears of around £39,000 – totalling around £132,000.
  - (e) Of this £132,000, only around £70,000 was paid - representing a rent collection rate of just 53% (compared to the Council's overall rent collection rate for all properties in 2012/13 of 97.16% - some 44% lower).
- Following detailed consideration and recommendations by the Housing Scrutiny Panel, and a subsequent consultation exercise, **the Cabinet adopted a new Housing Allocations Scheme on 15 April 2013**, effective from 1<sup>st</sup> September 2013, which includes the following provisions to help mitigate the effects of the welfare reforms:
    - (a) A change to the size of Council properties offered to housing applicants, in order to meet the Local Housing Allowance requirements;
    - (b) A provision that no penalties will be applied for downsizing tenants who refuse an offer of accommodation for which they have expressed an interest;
    - (c) A reduction in the age limit for bungalows, from 60 to 50 years of age for those downsizing;
    - (d) Under-occupying tenants being kept in the highest priority band; and
    - (e) A provision that homeless families with less than 3 years residence in the District should be placed in suitable private rented accommodation if possible.
  - The **budget for providing tenants with financial incentives to downsize to smaller accommodation has been doubled** for 2013/14, from £22,000 p/a to £44,000 p/a. Officers will shortly be recommending to the Housing Portfolio Holder that the incentive scheme be extended to EFDC tenants who downsize through a mutual exchange.
  - The **Epping Forest Re-use Project has been launched**, which has leased a warehouse at Bowers Hill, Epping. The Scheme provides used furniture to those in need, with reduced prices for those in receipt of benefits. The first quarterly payments of both the General Fund and HRA grants (£20,000 and £10,000 in total respectively) have been made.
  - The **CAB's two new temporary Debt Advisor posts have now been filled** and are operational from the three CAB Offices and the Limes Centre, Chigwell - funded by a grant of £67,900 from the Council. The CAB has been asked to keep detailed records of the number of residents assisted.
  - **An appointment has been made to the additional post of Homelessness Prevention Officer**, following the Cabinet's decision to use part of the CLG's funding for homelessness prevention to create the additional post. The new post-holder is due

to start on 6<sup>th</sup> June 2013.

- **The Finance and Technology Portfolio Holder has agreed the Council's new Discretionary Housing (DHP) Policy**, which includes the use of DHPs for rental loans etc. Since April 2013, 47 applications for DHP's have been considered, of which 26 applications have been accepted and 21 have been refused. The cost of the accepted claims to date amounts to £20,600 per annum, representing 10% of the Council's DHP allocation of £206,000.
- The Council's Management Board has identified that **the effects of the welfare reforms on the Council and the community represent one of the Council's 8 most significant risks.**

6. The table below gives a summary of the overall progress to date with the delivery of the Mitigation Action Plan, compared with the position reported to the Housing Scrutiny Panel at its last meeting in March 2013. As can be seen, a further 12 tasks have been achieved since the last report, with nearly two thirds of all the tasks having now either been achieved or nearly achieved, with most of the remaining third of all tasks either not yet being required or no longer required at all:

<b>Summary of Progress</b>				
<b>Progress</b>	<b>Current Position</b>		<b>Position reported to Housing Scrutiny Panel – March 2013</b>	
	<b>No.</b>	<b>%</b>	<b>No.</b>	<b>%</b>
Achieved	36	61 %	24	41 %
Almost Achieved	1	2 %	4	7 %
Good progress made	2	3 %	12	20 %
Limited progress made	1	2 %	1	2 %
Actions not yet required	13	22 %	13	22 %
Actions no longer required	6	10 %	5	8 %
<b>Totals</b>	<b>59</b>		<b>59</b>	

7. It should be noted that many of the remaining actions will not now be able to be undertaken for some time, since they relate to the introduction of direct payments, which has now been deferred by the Government until at least March 2014, and even then only for limited new claimants for the new Universal Credit. There are also reports that their introduction may be delayed for even longer.

8. To date, the Welfare Reform Mitigation Project Team has been meeting monthly. However, due to the hiatus referred to above, the Project Team will now be meeting quarterly.

9. The Housing Scrutiny Panel is invited to consider the Quarterly Progress Report and provide any comments on progress to the Housing Portfolio Holder and Director of Housing.

## Epping Forest District Council

WELFARE REFORM MITIGATION ACTION PLAN  
1 June 2013

No	Objective	Action	Responsibility (& Add. Costs)	Timescale	Progress Report (as at 1 <sup>st</sup> June 2013)
<b>Strategic</b>					
<i>To ensure that a strategic and corporate approach is taken to mitigate the effects of welfare reform, including good data management</i>					
1	Ensure that members and senior officers are aware of the Welfare Reforms and their impacts and implications	(a) Present the CIH Report on the Impact and Implications of the Welfare Reforms on Epping Forest to members and senior officers	Director of Housing	Sept 2012	<b>Achieved</b> – September 2012  A presentation was given by representatives of CIH to members and senior officers
2		(b) Webcast the CIH Report and Presentation and provide all members and officers with a link to view the Presentation Webcast	Director of Housing	Sep 2012	<b>Achieved</b> – October 2012  The presentation was webcast and all members were advised of the link to the webcast in the Council Bulletin,
3	Ensure that the Council prepares and plans for the effects of the welfare reforms in a corporate, effective and co-ordinated way.	(a) Establish a Welfare Reform Mitigation Project Team, chaired by the Director of Housing and comprising officers from Housing and Housing Benefits, to plan and oversee the delivery of the Council's response	Director of Housing	Sept 2012	<b>Achieved</b> – September 2012  The Project Team is chaired by the Director of Housing and comprises officers from Housing and Benefits
4		(b) Formulate a Welfare Reform Mitigation Action Plan for adoption by the Cabinet and formally monitor progress on a bi-monthly basis	Director of Housing	Oct 2012	<b>Achieved</b> – October 2012  The Mitigation Action Plan was adopted by the Cabinet at its meeting on 22 <sup>nd</sup> October 2012.

5	Update and refine the CIH's assessments of the effects of the Welfare Reforms	(a) Match EFDC property and tenant data to identify individual tenants to be affected by the bedroom tax.	Assistant Director (Benefits)	Oct 2012	<p><b>Achieved</b> – October 2012</p> <p>There were originally around 390 under-occupying Council tenants affected by the Bedroom Tax (around 300 under-occupying by 1 bedroom and around 90 by 2 bedrooms). By 31<sup>st</sup> May 2013, this number had reduced by around 10% to 347 tenants. A further 180 under-occupying housing association tenants (155 under-occupying by 1 bedroom and 25 by 2 bedrooms) were also affected.</p> <p>The average weekly loss for EFDC tenants is £14 p/w for those under-occupying by 1 bedroom (based on an average rent of £105.00 per week) and £26.48 p/w for those under-occupying by 2 or more bedrooms (based on an average rents of £105.93 p/w).</p>
6		(b) Use data from the DWP to identify Epping Forest benefit claimants who will have reduced income as a result of the introduction of the Benefit Cap	Assistant Director (Benefits)	Oct 2012	<p><b>Achieved</b> – October 2012</p> <p>In December 2012, the Government unexpectedly announced that instead of introducing the Benefit Cap in April 2013 for everyone, it would be introduced in only 4 London Boroughs from this date. It will then be rolled out in all other districts before September 2013</p> <p>The DWP &amp; Benefits Division has established that, as at 1<sup>st</sup> April 2013, <b>88 households</b> in the District will be affected by the Benefits Cap as follows:</p>

					<p>EFDC tenants – 16 HA tenants – 11 Private tenants - 61</p> <p>The estimated total loss of benefits will be around £4,275 per week (£222,000 per annum).</p> <p>The average loss in benefits for these households is as follows:</p> <p>EFDC tenants - £52.18 p/w HA tenants - £44.04 p/w Private tenants - £48.45 p/w</p> <p>The highest loss by a household will be around £208 p/w. 12 claimants will lose more than £100 per week. 14 claimants will lose less than £10 per week. 2 claimants (both EFDC tenants) will lose <u>all</u> their housing benefit.</p>
7	Improve the quality of information held about all the occupants of Council properties, in order to improve tenant profiling and identify potential current and future under-occupation	Undertake a further Census of all Council tenants, with data input resourced by 2 temporary members of staff for 6 weeks	Housing Resources Manager  £5,000 – HRA (Serv. Enhance. Fund)	<del>June 2013</del> Aug 2013	<p><b>Good Progress</b> – On 22<sup>nd</sup> October 2012, the Cabinet agreed to the appointment of 2 temporary staff for 6 weeks to input the Census results, funded from the Service Enhancements Fund. Consideration is also being given to an online version of the form.</p> <p>A new Census Form has been produced and a consultant has been identified to analyse the data collected and produce a profiling report.</p> <p>The Census is due to be undertaken in June 2013.</p>

## Information to Residents and Advice Agencies

*To ensure that residents and advice agencies are provided with accurate, useful and timely information, advice and support on the welfare reforms; how they may be personally affected; and action they can take to mitigate the effects*

8	Advise all current and new Council and private tenants of the main Welfare Reforms and the potential implications	(a) Produce a Special Issue of <i>Housing News</i> - received by all Council tenants - providing general information on the Welfare Reforms, and include information in every issue until at least the end of 2013/14	Principal Housing Officer (Information & Strategy)	Special Issue - Jan 2013/Ongoing to Mar 2014	<b>No longer required</b> – The Project Team has concluded that a Special Issue is not necessary and a better communication strategy is to include welfare reform information in every standard issue.
					<b>Further Action (Achieved)</b> - The PHO (Info/Strategy) has provided a link from the Housing pages to the relevant Benefits pages of the EFDC website
9		(b) Produce a leaflet on the main Welfare Reforms and the potential implications to Council tenants, including direct payments, bedroom tax, increasing non-dependent charges and the need for transactional bank accounts	Principal Housing Officer (Information & Strategy)	Jan 2013	<b>No longer required</b> – The Project Team has agreed that the leaflet produced by the National Housing Fed. is good and should be used.
10		(c) Provide the Council's Welfare Reforms leaflet to all new tenants with their tenancy offers	Housing Options Manager	From Jan 2013	<b>Achieved</b> – A copy of the National Housing Federation leaflet is now included with all tenancy offers, and information is also included within the tenancy offer itself.
11		(d) Include discussions on budget planning and debt concerns as part of the existing system of new tenant visits undertaken by Housing Management Officers	Area Housing Managers (North/South)	From April 2013	<b>Achieved</b> – These discussions are now included as part of new tenant visits

12		(e) Assess the range of “Personal Welfare Reform Calculators” on the market and purchase the most appropriate application for Housing Management Officers and Benefit Officers to use in order to advise claimants of the potential financial effects.	Assistant Director (Benefits)  Area Housing Managers (North/South)  <i>£3,000 – HRA (Service Enhance. Fund)</i>	<del>Dec 2012</del> July 2013	<p><b>Almost Achieved</b> – Essex Benefits Officers have assessed a range of personal calculators and agreed to jointly purchase the “Entitled to” calculator - a web-based system that claimants and officers can use to assess the affects on benefits, including the effects of the Local Council Tax Support Scheme. A purchase order has been issued.</p> <p>The system will be placed on EFDC’s website, with users signposted to it.</p> <p>When the system is available, the Assistant Director (Benefits) will arrange a demonstration for appropriate Housing staff. The Area Housing Managers will consider whether it would be useful for housing officers to have a mobile tablet that can be used on visits.</p>
13	Ensure that all advice agencies are fully aware of the Welfare Reforms, the Council’s response and identify potential increased partnership arrangements	Meet with all CAB Managers (and where possible their advisers), Epping Forest Housing Aid and NACRO Housing to explain the Welfare Reforms, the Council’s response and who to contact	Assistant Director of Housing (Operations)	Jan 2013	<b>Achieved</b> – Senior Benefit Officers met with all CAB Advisors in Summer 2012 to explain the reforms. The Asst Director of Housing (Operations) and the Housing Options Manager have met with CAB Managers, EFHAS and NACRO to advise them of the Council’s response.
14	Provide targeted information to Council and private tenants known to be affected by the Welfare Reforms	(a) Write to all benefit claimants assessed as losing income as a result of the introduction of the Benefit Cap to advise them of the assessed loss	Assistant Director (Benefits)	Oct 2012	<b>Achieved</b> - The Benefits Division has written to all the households affected, advising them of the amount of loss.

					<p>The Benefits Division has also provided Housing with a list of the EFDC tenants. The Area Housing Managers have written to all 15 EFDC tenants affected, offering for their Housing Management Officer to visit them at home and provide advice to mitigate the effects, as well as information on the effects of the Council's proposed new Local Council Tax Support Scheme on them.</p> <p>The Benefits Division will be writing to affected tenants again during June 2013, to advise them of the introduction of the Benefits Cap - sometime between July and September 2013.</p>
15	(b) Produce and send a leaflet to all Council tenants in receipt of housing benefit, explaining the action required by them on the introduction of direct payments to tenants	Principal Housing Officer (Information & Strategy)	<del>July 2013</del> Feb 2014	<b>Not yet required</b> – Note that the first direct payments will not now be introduced before March 2014 at the earliest	
16	<p>(c) Write to all housing applicants of working-age on the Housing Register who have a housing need of 2 or more bedrooms as assessed by the current Housing Allocations Scheme, but a lower property size requirement under the Local Housing Allowance, advising them that:</p> <p>(i) if they are offered Council accommodation for their assessed property size need and are in</p>	Housing Options Manager	Nov 2012	<p><b>Achieved</b> – The Housing Options Team are enclosing letters on the potential effects of the welfare reforms with all new tenancy officers.</p> <p>The Asst. Housing Options Manager (Allocations) has also arranged for similar information to be provided on the Log-In page of the HomeOption (Choice Based Lettings) website.</p>	



		<p>receipt of housing benefit, their benefit will be reduced as a result of the “bedroom tax” from April 2013; and</p> <p>(ii) they therefore bid on smaller sized properties</p>			
<b>Reducing Under-occupation</b>					
<i>To minimise the under-occupation of Council properties by working-age Council tenants in receipt of housing benefit, and to endeavour to assist under-occupying Council tenants to move to smaller accommodation if they wish</i>					
17	Minimise the number of Council tenants who under-occupy their Council property	(a) Update the Council’s Housing Service Strategy on Under-occupation to include the Council’s responses to the implications of the “bedroom tax”	Assistant Director of Housing (Operations)	Jan 2013	<b>Achieved</b> – An updated Service Strategy was discussed and agreed by the Housing Scrutiny Panel at its January 2103 meeting, and has been signed off by the Housing Portfolio Holder
18		(b) Appoint to the newly created post of Housing Under-Occupation Officer to deliver the Council’s updated Housing Service Strategy on Under-occupation	Housing Manager (Older People’s Services)	<del>Jan 2013</del> Apr 2013	<b>Achieved</b> – The new post-holder commenced her new post in May 2013, following delays with the required CRB Check.
19	Identify Council tenants and housing association tenants assessed as being affected by the “bedroom tax”	<p>Housing Benefits staff undertake a data-matching exercise and provide:</p> <p>(a) The Housing Service with a list of Council tenants affected; and</p> <p>(b) Housing associations with a list of their tenants affected</p>	Assistant Director (Benefits)	Oct 2012	<p><b>Achieved</b> – October 2012</p> <p>The Benefits Division has provided the Housing Directorate with a list of Council tenants affected by the “bedroom tax”.</p> <p>The Benefits Division is also advising housing associations of their tenants affected, where</p>

					<p>housing associations have provided the required information.</p> <p>The Benefits Division wrote to all housing association tenants affected by the bedroom tax” on 5<sup>th</sup> November 2012, advising them of the potential loss of housing benefit</p>
20	Advise and discuss with Council tenants the options available to them in response to the “bedroom tax”	(a) Write to all Council tenants assessed as being affected by the “bedroom tax”, explaining the position and advising that a Housing Management Officer will visit to discuss options	Area Housing Managers (North & South)	Nov 2012	<b>Achieved</b> – A letter was sent by Housing to all affected tenants in November 2012.
21		(b) Produce a leaflet explaining the effects of under-occupation for tenants in receipt of housing benefit / universal credit, the options available and support provided by the Council	Principal Housing Officer (Strategy & Information)	Dec 2012	<b>No longer required</b> – The Project Team has agreed that the leaflet produced by the National Housing Fed. is good and should be used.
22		(c) Arrange for all Housing Management Officers to visit tenants affected by the “bedroom tax” to advise them of the options available	Area Housing Managers (North & South)	Feb 2013	<p><b>Achieved</b> – The letter referred to in (20) above requested tenants to contact their Housing Management Officer to arrange a visit in their own home, or at the office if they prefer. The Area Housing Managers have briefed all visiting staff, and have prioritised visits to those under-occupying tenants in arrears.</p> <p>Area Housing Managers wrote again to all non-responding tenants, soon after letters were sent to LCTS claimants about the changes to their entitlement, urging them to contact their Housing Management Officer.</p>

					<p>By 1<sup>st</sup> April 2013, all Council tenants who were willing to have visits had been visited - 217 out of a possible 387 visits (56%) were undertaken.</p> <p>Between 1<sup>st</sup> January 2013 and 31<sup>st</sup> May 2013, 8 Council tenants affected by the "bedroom tax" have been known to downsize to smaller Council accommodation, and a further 6 Council tenants affected have been known to downsize through mutual exchanges.</p>
23	Ensure that new Council and housing association tenants are offered properties that meet the bedroom requirements of the Local Housing Allowance, to ensure that no "bedroom tax" arises on initial letting	When the Council's Housing Allocation Scheme is reviewed and revised, include provision within the Scheme to ensure that the size of Council properties offered to housing applicants meets the Local Housing Allowance requirements	Assistant Director of Housing (Operations)	<del>March 2013</del> April 2013	<p><b>Achieved</b> – Following detailed consideration and recommendations by the Housing Scrutiny Panel, and a subsequent consultation exercise, the Cabinet adopted a new Housing Allocations Scheme on 15 April 2013, effective from 1<sup>st</sup> September 2013, which includes:</p> <p>(a) A change to the size of Council properties offered to housing applicants, in order to meet the Local Housing Allowance requirements;</p> <p>(b) A provision that no penalties will be applied for downsizing tenants who refuse an offer of accommodation for which they have expressed an interest; and</p> <p>(c) A reduction in the age limit for bungalows, from 60 to 50 years of age.</p>

24	Encourage under-occupying working age tenants to move to smaller accommodation	(a) Continue to ensure that under-occupying tenants are kept in the highest priority band when the Housing Allocations Scheme is reviewed and revised, and that the criteria for assessing their under-occupation is line with the Local Housing Allowance requirements.	Assistant Director of Housing (Operations)	<del>March 2013</del> April 2013	<b>Achieved</b> – The new Housing Allocations Scheme continues to give the highest priority to under-occupying housing applicants.
25		(b) Double the budget in 2013/14 for providing tenants with a financial incentive if they downsize to smaller accommodation from £22,000 p/a to £44,000 p/a	Housing Resources Manager  £22,000 – HRA (Service Enhance. Fund)	<del>Nov 2012</del> Mar 2013	<b>Achieved</b> – Following consideration and recommendations by the Housing Scrutiny Panel, in March 2013, the Cabinet agreed that some of the Housing Improvements and Service Enhancements Fund for 2013/14 should be used to double the budget for downsizing financial incentives.  The Housing Options Manager will be recommending to the Housing Portfolio Holder that the incentive scheme be extended to EFDC tenants who downsize through a mutual exchange.
26	Assess the no. of 1 and 2 bedroom properties required for current and future under-occupying tenants who wish to downsize	Survey under-occupying tenants about their re-housing intentions when Housing Management Officers visit them to discuss options and record the no. of smaller properties required	Area Housing Managers (North & South)	Feb 2013	<b>Achieved</b> – The checklist devised for Housing Management Officers to follow when visiting tenants includes a provision to ask tenants about re-housing intentions and to discuss options. A record is being kept on the overall no. of smaller properties required as a result of tenants seeking to downsize.  As at 1 <sup>st</sup> April 2013, of those visited to date:

					<p>(a) 23% of tenants had expressed an interest in downsizing;</p> <p>(b) Around half wanting to downsize are seeking 1 bed accomm, with the remainder seeking 2 bed accomm.</p> <p>(c) No tenants had expressed an interest in taking in a lodger.</p>
27	Seek to ensure an adequate provision of 1 and 2 bedroom properties within new affordable housing developments	(a) Seek to negotiate with developers and housing associations sufficient numbers of 1 and 2 bedroom properties within new affordable housing developments to meet the demands of down-sizing Council and housing association tenants.	Housing Development Officer	Ongoing to March 2014	<b>Not yet required</b> – Awaiting the outcome of the visits to under-occupying tenants referred to in (26) above.
28		(b) Endeavour to include sufficient numbers of 1 and 2 bedroom properties within the Council's Housebuilding Programme as part of Development Appraisals to meet the demands of down-sizing Council and housing association tenants.	Housing Development Officer	Sept 2013	<b>Not yet required</b> - Awaiting the outcome of the visits to under-occupying tenants referred to in (26) above.
<b>Reshaping Service Delivery</b>					
<i>To change services, or introduce new services, to assist the Council and residents to mitigate the effects of the welfare reforms</i>					
29	Minimise tenants' debts and the financial loss to the Council from the introduction of direct payments of Housing Benefit and Universal Credit to Council tenants	(a) Advise Housing Management and Housing Options staff of the Welfare Reform Act's definition of "vulnerable people"	Area Housing Managers (North/South)	<del>July 2013</del> Jan 2014	<b>Not yet required</b> – Note that the first direct payments will not now be introduced before March 2014 at the earliest

30		<p>(b) Undertake an exercise by Housing Management staff to identify working age tenants classed as potentially "vulnerable" under the Act and;</p> <p>(i) Visit vulnerable working age tenants to explain the Welfare Reforms and their effects; and</p> <p>(ii) Seek their written agreement to having their Housing Benefit / Universal Credit paid direct to the Council</p>	Area Housing Managers (North/South)	<del>Sept 2013</del> Feb 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.
31		(c) Introduce a procedure for Housing Options staff to identify vulnerable housing applicants prior to lettings and to seek their written agreement to having their Housing Benefit / Universal Credit paid direct to the Council on tenancy sign-up	Housing Options Manager	<del>Sept 2013</del> Feb 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.
32		(d) Introduce a procedure to maximise the use of the discretionary power within the Local Housing Allowance changes allowing Housing Benefit Teams to pay the LHA direct to private landlords and the Council's Housing Service where this would help to secure or retain a letting	Assistant Director (Benefits) / Housing Options Manager	<del>Sept 2013</del> Feb 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.
33	Assist Council tenants to prepare for the introduction of Universal Credit	(a) When visiting vulnerable working age Council tenants, offer assistance to those without transactional bank accounts to open accounts in preparation for Universal Credit	Area Housing Managers (North/South)	<del>Aug 2013</del> Jan 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.

34		(b) Prepare for the automatic credit of housing benefit to tenants of pensionable age from Pension Credit	Asst. Director (Benefits) / Housing Res. Manager	<del>Sept 2013</del> Feb 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.
35	Support the introduction and operation of the Home2Home Furniture Recycling Scheme in Epping Forest	(a) Provide a grant of £20,000 from the General Fund and £10,000 from the HRA when there is surety and sufficient evidence that the Scheme will become operational and sustainable	Director of Housing / Policy Officer  £10,000 – HRA £20,000 – G/F (both already allocated)	March 2013	<b>Achieved</b> – The Cabinet agreed to the provision of the HRA and General Fund grants in Spring 2012.  The Scheme, now called Epping Forest Re-use, is working in partnership with the Lighthouse Furniture Project, which has leased a warehouse at Bowers Hill, Epping. The Scheme was launched in April 2013  The first quarterly payments of both the GF and HRA grants have been made.
36		(b) Housing Options Manager to provide support and advice to the Scheme, including attendance at support meetings	Housing Options Manager	From Jan 2013	<b>Achieved</b> – The Homeless Persons Hostel Manager has been nominated as Housing's representative at support meetings.
37	Provide a facility for local residents to obtain independent general and financial advice on mitigating the effects of the Welfare Reforms, including the new Council Tax Support Scheme	Discuss with Epping Forest CAB the possible of 2 temporary paid Advisors for 18 months, funded jointly from the Council's HRA (90%) and General Fund (10%) as an addition to the existing SLA, and recommend to Cabinet if supported by the CAB	Asst. Director of Housing (Operations)  £67,500 – HRA (Service Enhance. Fund) £7,500 – GF (DDF)	<del>Nov 2012</del> Jan 2013	<b>Achieved</b> – Following a formal proposal being submitted by the CAB on EFDC's invitation (including a proposal that an advisor attends the Limes Centre at least one half day each week), the Cabinet agreed (4 <sup>th</sup> February 2013) to provide the requested funding of £67,900 to the CAB for the two posts.  The two posts have now been filled and are operational.

## Minimising Homelessness

*To minimise the numbers of households who become homeless as a result of the welfare reforms and to assist such households to minimise the resultant effects*

38	Provide sufficient staff resources to respond to the anticipated increased numbers of homelessness applications	Recommend to Cabinet that part of the unallocated homelessness funding from the CLG for 2013/14-2014/15 is used to appoint 1 FTE additional Homelessness/Prevention Officer on a temporary basis for 2 years	Assistant Director of Housing (Operations)  £28,500 (CLG Funding)	Dec 2012	<b>Achieved</b> – At its meeting on 3 <sup>rd</sup> December 2012, the Cabinet agreed that part of the CLG’s funding for homelessness prevention for 2013/14-2014/15 should be used to appoint an additional Homelessness Prevention Officer. An appointment has been made, and the new postholder is due to start on 6 <sup>th</sup> June 2013.
39	Increase the availability of accommodation for homeless applicants	(a) Recommend to Cabinet the adoption of a policy to place homeless families with less than 3 years residence in the District in suitable private rented accommodation	Assistant Director of Housing (Operations)	<del>Jan 2013</del> Apr 2013	<b>Achieved</b> - The new Housing Allocations Scheme includes a provision that homeless families with less than 3 years residence in the District should be placed in suitable private rented accommodation if possible.
40		(b) Work with the Council’s Preferred Housing Association Partners to secure and provide private rented housing as part of the non-affordable housing provision on new developments or through acquisition from the open market	Director of Housing	From Jan 2013	<b>Limited Progress</b> – Informal discussions have been held with Willmott Dixon (private developer/contractor) who has expressed an interest in working with one of the Council’s Preferred Housing Association Partners to develop new private rented housing.  Willmott Dixon intends to contact the Council’s Preferred HA Partners to assess their interest.



					This issue was discussed with all the Preferred HA Partners at the meeting of the Epping Forest Strategic Housing Partnership held in April 2013.
41	Target the increased CLG funding provided for Discretionary Housing Payments (DHPs) to tenants in the most need, and with the greatest chance of using DHPs to prevent homelessness	Housing Benefits and Housing Options staff to jointly formulate a targeted Discretionary Housing Payment Scheme for adoption by the Cabinet	Housing Options Manager / Assistant Director (Benefits)	<del>Feb 2013</del> Mar 2013	<p><b>Achieved</b> – The Finance P/H has agreed the Council’s new DHP Policy, which includes the use of DHPs for rental loans etc.</p> <p>Appropriate representatives from Housing will be invited to attend DHP Panel meetings to discuss individual cases.</p> <p>Since April 2013, 47 applications for DHP’s have been considered, of which 26 applications have been accepted and 21 have been refused. Most of the requests have been due to the introduction of the “bedroom tax”.</p> <p>The cost of the accepted claims to date amounts to £20,600 per annum, representing 10% of the Council’s DHP allocation of £206,000.</p> <p>An item will be included in the next issue of Housing News to inform tenants of the availability of DHP’s.</p>

## Council's Financial Management

*To identify and minimise the financial cost and effects of the welfare reforms on the Council as an organisation, and to ensure that appropriate budget provision for the additional costs are made within the HRA Financial Plan*

42	Adjust performance indicator targets to reflect the effect of the Welfare Reforms	(a) Reduce the KPI for rent collection rate from 98.80% to 96.75% from 2013/14	Director of Housing	Mar 2013	<b>Achieved</b> – The Finance & PM Scrutiny Panel has agreed a rent collection rate of 96% for 2013/14.
43		(b) Increase the Management PI for rent arrears from 1.60% to 2.75% from 2013/14	Principal Housing Officer (Info / Strategy)	Mar 2013	<b>No Longer Required</b> – Following discussion between the AD Housing (Ops.) and AHMs, it has been agreed to keep the current PI target for the time being
44		(c) Increase rent arrears targets for individual Housing Management Officers by 60% from 2013/14	Area Housing Managers (North & South)	<del>Mar 2013</del> Aug 2013	<p><b>Not yet required</b> – AHMs will consider appropriate targets for individual officers in the light of experience at the end of Quarter 1 of 2013/14.</p> <p>However, in the first two months of the “bedroom tax” coming into operation (1st April 2013 - 31st May 2013), of the 347 tenants affected:</p> <p>(a) 53 tenants (15%) who now have to contribute towards their rent (due to under-occupying their Council property) did not pay <u>any</u> rent;</p> <p>(b) 122 tenants (35%) who now have to contribute towards their rent (due to under-occupying their Council property) paid the <u>full amounts</u> required;</p>

					<p>(c) The total amount of rent arrears that accrued during this 2-month period from tenants who now have to contribute towards their rent (due to their under-occupation) was £6,175. The existing level of rent arrears for these cases at 1<sup>st</sup> April 2013 was £39,400, which increased to £45,575 on 31<sup>st</sup> May 2013.</p> <p>(d) The total amount of rent due from all these tenants affected during this 2-month period was around £93,000, plus the existing rent arrears of around £39,000 – totalling around £132,000.</p> <p>(e) Of this £132,000, only around £70,000 was paid - representing a rent collection rate of just 53% (compared to the Council's overall rent collection rate for all properties in 2012/13 of 97.16% - some 44% lower).</p>
45		(d) Increase the KPI for the no. of homeless households in temporary accommodation in 2013/14, based on Quarter 3 data	Director of Housing	Mar 2013	<b>Achieved</b> – The Finance & PM Scrutiny Panel has agreed an increase in the target from 60 to 70 households. The Quarter 3 (2012/13) figure was 64 households.
46	Promote efficient payment methods for Council tenants receiving direct payments	(a) Recommend to Cabinet a Direct Debit Marketing Campaign for all Council tenants, providing an appropriate financial incentive for tenants who pay by direct debit for one year without any missed payments	Housing Resources Manager  £10,000 – HRA (Service Enhance. Fund)	<del>June 2012</del> (wef Sept 2013) Jan 2014 (wef April 2014)	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.

47		<p>(b) Introduce a procedure to identify and seek third party payments from the DWP for:</p> <p>(i) Tenants in rent arrears of 4 weeks or more; and</p> <p>(ii) All licensees of the Council's Homeless Persons Hostel</p>	<p>Area Housing Managers (North &amp; South)</p> <p>Housing Options Manager</p>	<p><del>Aug 2013</del> Jan 2014</p>	<p><b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.</p>
48		<p>(c) Join the CIH Direct Payment Learning Network to learn from the experiences of the national Direct Payments Demonstration Pilots</p>	<p>Area Housing Managers (North &amp; South)</p>	<p>From Oct 2012</p>	<p><b>Achieved</b> – The Council joined the Network in November 2012, and has already obtained useful information on the national Direct Payments Demonstration Projects.</p>
49	<p>Ensure the provision of adequate staffing to minimise Council rent arrears, as a result of direct payments and other Welfare Reforms</p>	<p>Recommend to Cabinet:</p> <p>(a) The immediate appointment of 2 additional Housing Management Officers to help minimise the level of increased rent arrears; and</p> <p>(b) That Housing Management staffing levels be reviewed during 2013/14 in the light of the actual level of rent arrears</p>	<p>Director of Housing</p> <p>£57,000 p/a – HRA (Service Enhance. Fund)</p>	<p>Oct 2012</p> <p>Oct 2013</p>	<p><b>Achieved</b> – At its meeting on 22<sup>nd</sup> October 2012, the Cabinet agreed the appointment of 2 additional Housing Management Officers with immediate effect. Both officers have now taken up their posts.</p> <p>Cabinet also agreed that staffing levels should be reviewed during 2013/14 in the light of the actual level of rent arrears.</p>
50	<p>Make appropriate budget provision to fund the costs of the Welfare Reforms</p>	<p>(a) Increase the budget provision for the increased use of bed and breakfast accommodation</p>	<p>Housing Options Manager</p> <p>£5,000 – GF(DDF)</p>	<p>Nov 2012</p>	<p><b>No longer required</b> – Following discussions between Housing and Finance officers, it has been agreed to retain the same budget provision, accepting that the actual costs may be in excess of the budget.</p>

51		(b) Increase the budget for Council rent transactions by £50,000 p/a	Housing Resources Manager  <i>£50,000 p/a – HRA (Collection costs)</i>	<del>Nov 2012</del> Jan 2013	<b>Achieved</b> – Increased provision has been included within the HRA Budget 2013/14, although not as much as £50,000, since the 2013/14 cost will be less, due to direct payments not being commenced until at least March 2014
52		(c) Increase the annual budget provision for bad debts within the HRA	Housing Resources Manager	<del>Nov 2012</del> Jan 2013	<p><b>Achieved</b> – The provision within the HRA Budget 2013/14 has been increased by £86,000 - from £114,000 to £200,000.</p> <p>The first report from the Government’s “demonstration projects” for direct payments, comprising 6,220 tenants of 6 social landlords, has been published. In the first four months of the demonstration projects, rent collection rates reduced to an average of 92% (ranging between 88% and 97%), with rent arrears <b>double</b> the normal amounts.</p> <p>Around 5% of tenants had switched back to the automatic payment of housing benefit to the landlords for various reasons.</p>
53		(d) Report to the Housing Scrutiny Panel on the required additional resources required from the HRA’s Service Enhancement and Improvement Fund to meet the cost of new HRA services identified within the Welfare Reform Mitigation Action Plan	Director of Housing	Jan 2013	<b>Achieved</b> – Following consideration and recommendations by the Housing Scrutiny Panel, the Cabinet agreed, in March 2013, that some of the Housing Improvements and Service Enhancements Fund should be used to meet all the HRA costs to deliver the Action Plan.

54		(e) Report to the Finance and Performance Management Cabinet Committee on the DDF funding required to meet the cost of new General Fund services identified within the Welfare Reform Mitigation Action Plan	Director of Housing	Nov 2012	<b>No longer required</b> – Since there are no costs to the General Fund.
<b>Staff Training and Communication</b>					
<i>To ensure that all relevant staff are aware of the welfare reforms, the effects on residents, the Council's response to the reforms and ways that residents can mitigate the effects on themselves</i>					
55	Provide information to all Housing staff on the main elements and implications of the Welfare Reforms	Provide timely information within the <i>In-House</i> , the Housing Directorate's staff newsletter	Principal Housing Officer (Information & Strategy)	Ongoing to Dec 2013	<b>Good Progress</b> – Information was included in the October and May issues of "In House" and the October issue of "Housing News", received by all staff.
56	Ensure that Housing and Housing Benefits staff affected by the Welfare Reforms are briefed on the detail of the Welfare Reforms, the Council's response and the provision of appropriate advice	(a) Attend Housing Management, Housing Options and Housing Benefits Team Meetings to explain the detail of the Welfare Reforms, the Council's response and the provision of appropriate advice	Assistant Director of Housing (Operations) / Asst. Director (Benefits)	Jan 2013	<b>Achieved</b> – All Housing Management staff have been fully briefed on issues related to the Bedroom Tax, Benefit Cap and the Local Council Tax Support Scheme at Team Meetings.
57		(b) Arrange for key managers and staff to attend training courses on the Welfare Reforms to ensure they are up to date with developments and emerging good practice	Director of Housing	Ongoing to Dec 2013	<b>Achieved</b> – Key managers have attended relevant training courses
58		(c) Ensure Housing Management and Housing Benefits staff are aware of all the circumstances in which benefit can be paid direct to the landlord (ref: Table 16.2 of the Shelter/CIH Guide to	Asst. Director (Benefits) / Area Hsg Mgrs (North and South)	<del>July 2013</del> Jan 2014	<b>Not yet required</b> - Note that the first direct payments will not now be introduced before March 2014 at the earliest.

		Housing and Council Tax Benefit 2012/13 and DWP Housing & Council Tax Benefit Circular A9/2009)			
Total additional resources required to meet the additional costs of the welfare reforms and implement the Council's response	Housing Revenue Account		One-off	-	£85,500
			Ongoing	-	£129,000 p/a
	General Fund		One-off	-	£7,500
			Ongoing	-	£5,000 p/a

Summary of Progress				
Progress	Current Position		Position reported to Housing Scrutiny Panel – March 2013	
	No.	%	No.	%
Achieved	36	61 %	24	41 %
Almost Achieved	1	2 %	4	7 %
Good progress made	2	3 %	12	20 %
Limited progress made	1	2 %	1	2 %
Actions not yet required	13	22 %	13	22 %
Actions no longer required	6	10 %	5	8 %
<b>Totals</b>	<b>59</b>		<b>59</b>	

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## **Report to Housing Scrutiny Standing Panel**

**Date of meeting: 17 June 2013**

**Subject: Ethnic Monitoring**

**Officer contact for further information: Roger Wilson  
(01992 56 4419)**

**Committee Secretary: Mark Jenkins (01992 56 4607)**

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### **Recommendations/Decisions Required:**

That no changes be recommended regarding the Council's Housing Allocations Scheme, concerning ethnicity, as current figures do not show a significant disparity between the ethnicity of applicants and those allocated general needs and sheltered accommodation through the Housing Register.

### **Report:**

1. The Council has a Policy Statement for Equal Opportunities in the Provision of Housing Services. The Policy Statement includes a requirement for an annual review of the ethnicity of applicants on the Housing Register, compared with the ethnicity of those allocated accommodation.
2. When undertaking a Customer Impact Assessment of Older Peoples' Housing Services it was identified that the ethnicity of applicants on the Housing Register awaiting sheltered accommodation compared to those allocated sheltered accommodation should be monitored separately and is therefore included in this report.
3. The reason for the review is to identify whether or not there are any indications to suggest the Council may be discriminating against any one ethnic group. The review is undertaken by the Housing Scrutiny Panel, in consultation with the Tenants and Leaseholder's Federation.
4. The breakdown of the ethnic origin of applicants on the Housing Register for both 2011/2012 and 2012/2013 is set out in the following table:

<b>Ethnic Group</b>	<b>2011/12</b>	<b>2012/13</b>
White British/Irish	4,578 (74.95%)	5,113 (73.64%)
Bangladeshi/Pakistani/Indian	49 (0.8%)	65 (0.94%)
African/Caribbean	227 (3.72%)	275 (3.96%)
Mixed Race	79 (1.29%)	97 (1.4%)
Other	370 (6.06%)	437 (6.29%)
Not Stated	805 (13.18%)	956 (13.77%)
<b>Total</b>	<b>6,108 (100%)</b>	<b>6,943 (100%)</b>

5. The breakdown of the ethnic origin of all Housing Register applicants allocated Council accommodation in 2011/2012 and 2012/2013 is set out in the following table:

<b>Ethnic Group</b>	<b>2011/2012</b>	<b>2012/13</b>
White British/Irish	274 (77.6%)	281 (78.9%)
Bangladeshi/Pakistani/Indian	2 (0.6%)	2 (0.6%)
African/Caribbean	10 (2.8%)	4 (1.1%)
Mixed Race	4 (1.1%)	2 (0.6%)
Other	12 (3.4%)	12 (3.4%)
Not Stated	51 (14.5%)	55 (15.4%)
<b>Total</b>	<b>353 (100%)</b>	<b>356 (100%)</b>

6. Generally, the statistics confirm that the ethnicity of applicants allocated accommodation is similar to those of different ethnic groups on the Housing Register.

7. The following table shows the breakdown of the ethnic origin of applicants on the Housing

Register awaiting sheltered accommodation in both 2011/2012 and 2012/13.

<b>Ethnic Group</b>	<b>2011/12</b>	<b>2012/13</b>
White British/Irish	334 (83.3%)	359 (82%)
Bangladeshi/Pakistani/Indian	0	1 (0.2%)
African/Caribbean	2 (0.5%)	3 (0.7%)
Mixed Race	0	0
Other	8 (2.0%)	10 (2.3%)
Not Stated	57 (14.2%)	65 (14.8%)
<b>Total</b>	<b>401 (100%)</b>	<b>438 (100%)</b>

8. The breakdown of the ethnic origin of Housing Register applicants allocated sheltered accommodation during both 2011/2012 and 2012/13 is set out in the following table:

<b>Ethnic Group</b>	<b>2011/12</b>	<b>2012/13</b>
White British/Irish	55 (80.9%)	54 (77.1%)
Bangladeshi/Pakistani/Indian	0	0
African/Caribbean	0	0
Mixed Race	0	0
Other	0	0
Not Stated	13 (19.1%)	16 (22.9%)
<b>Total</b>	<b>68 (100%)</b>	<b>70 (100%)</b>

9. When comparing the ethnic breakdown, there appears to be no significant disparity between the ethnicity of applicants awaiting sheltered accommodation in the District and

those allocated sheltered accommodation.

10. The breakdown of the ethnicity of the population of the District is set out in the table below for information (source EFDC Census 2011):

<b>Ethnic Group</b>	<b>Number</b>	<b>Percentage (%)</b>
White: British/Irish	107,836	86.5
White: Other e.g. European etc.	5,033	4.04
Asian: Bangladeshi/Pakistani/Indian/Chinese/Sri Lankan	5,922	4.76
African/Caribbean	2,404	1.93
Mixed: Multiple Ethnic Groups in one household	2,649	2.12
Other non-British	815	0.65
<b>Total</b>	<b>124,659</b>	<b>100</b>

**Statement in support of recommended action:**

11. Although a large number of housing applicants do not disclose their ethnicity, it is evident from the analyses shown in the report that the ethnic make up of the Housing Register mirrors the allocation of vacancies sufficiently for the Council to be confident that its Allocations Scheme does not racially discriminate, either directly or indirectly. Therefore, no adjustments to the Allocations Scheme are recommended.

**Consultation undertaken:**

12. The Tenants and Leaseholders Federation will be updated on the report at their next meeting.

**Resource implications:**

Budget provision: None

Personnel: None

Land: None

Community Plan/BVPP reference: Social inclusion

Relevant statutory powers: Housing Act 1996, as amended

Background papers: Customer Impact Assessment, Housing Service Strategy on Equality and Diversity & the Code of Practice in Rented Housing.

Environmental/Human Rights Act/Crime and Disorder Act Implications: N/A

Key Decision reference: (if required) N/A

**Reason for decision:**

**Options considered and rejected:**

**Consultation undertaken:**

**Resource implications:**

Budget provision:

Personnel:

Land:

Community Plan/BVPP reference:

Relevant statutory powers:

Background papers:

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required)

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## **Report to Housing Scrutiny Panel**

**Date of meeting: 14<sup>th</sup> June 2013**

**Portfolio: Housing – Cllr D. Stallan**

**Subject: Housing Key Performance Indicators (KPIs)  
- 2012/13 Out-turns and 2013/14 Targets**

**Officer contact for further information:**

**Alan Hall – Director of Housing (01992 564004)**

**Committee Secretary: Mark Jenkins**



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### **Recommendation Required:**

**That performance in relation to the Housing Key Performance Indicators (KPIs) in 2012/13, and the targets agreed by the Finance and Performance Management Scrutiny Panel for Housing KPIs in 2013/14, be noted.**

### **Report:**

1. The Council has adopted a number of Key Performance Indicators (KPIs) which, for 2012/13, included 9 KPIs relating to the Housing Service. Performance against all of the Council's KPIs are monitored on a quarterly basis by the Finance and Performance Management Scrutiny Panel.

2. In addition, the Tenants and Leaseholders Federation has previously selected 21 "Tenant-Selected Indicators", as being areas of performance considered particularly important to tenants which, in the past, the Tenants and Leaseholders Federation has monitored on a quarterly basis, and are reported to all tenants in the Annual Report to Tenants. However, with the introduction of the Federation's new Tenant Scrutiny Panel (TSP), this monitoring role will be undertaken by the TSP in future.

3. Consideration of the Council's end-of-year performance in relation to the Housing KPIs is included within the Housing Scrutiny Panel's Annual Work Programme. Appendix 1 therefore provides detailed information on the out-turn performance for each Housing KPI, which is due to be considered by the Finance and Performance Management (F&PM) Scrutiny Panel on 11<sup>th</sup> June 2013.

4. At its last meeting on 12<sup>th</sup> March 2013, the F&PM Scrutiny Panel considered and agreed the list of Council KPIs to be collected and monitored for 2013/14, together with associated targets, based on Quarter 3 Out-turns. The Schedule of proposed changes to the Housing KPIs and the associated targets and rationale presented to the F&PM Scrutiny Panel is attached as Appendix 2. It should be noted that all the proposals were agreed by the F&PM Scrutiny Panel, except the Scrutiny Panel decided that KPI 46 (no. of affordable homes built in the District) should be deleted for 2013/14, since members felt that performance in respect of this KPI was outside the control of the Council.

5. The Scrutiny Panel is invited to consider the Housing KPI Out-turns for 2012/13 and to note the new set of Housing KPIs and agreed targets for 2013/14.

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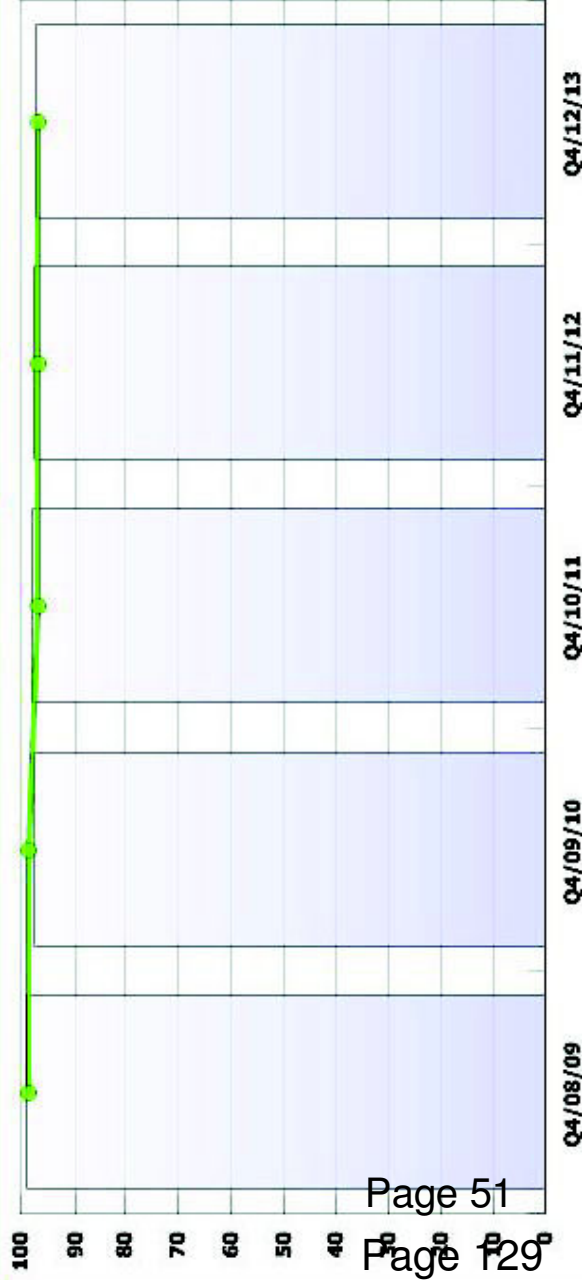


**Additional Information: This indicator is a measure of a local authority's rent collection and arrears recovery service**

Indicator previously known as LPI 04

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

Current and previous quarters performance



Is it likely that the target will be met at the end of the year?

Yes

Annual Target: 2012/13 - 97.00%

Indicator of good performance: A higher percentage is good

↑ is the direction of improvement

Corrective action proposed (if required):

Continue to implement the Welfare Reform Mitigation Action Plan

Comment on current performance (including context):

The target has been achieved.  
 Due to the introduction of the "bedroom tax" from April 2013, it is anticipated that the rent collection rate will reduce significantly. Members have therefore already agreed that the target for 2013/14 should be reduced.

**KPI 41**

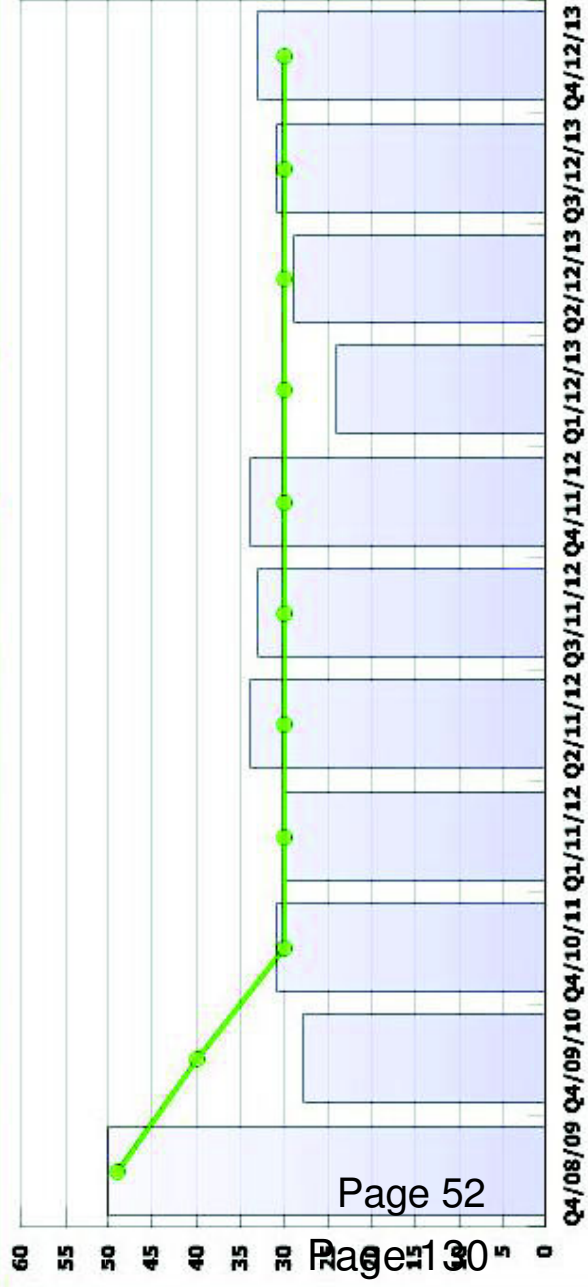
On average, how many days did it take us to re-let a Council property?

Indicator previously known as LPI 05

**Additional Information:** The calculation excludes those properties which are 'difficult to let' (offered to and refused by at least two applicants) or 'major works' (works over 6 weeks AND over £1500 in cost terms). In addition it also excludes 'properties let through mutual exchanges', 'very sheltered accommodation' and 'properties the council intends to sell or demolish'.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on performance@eppingforestdc.gov.uk or by telephone on 01992 564472

**Current and previous quarters performance**



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Is it likely that the target will be met at the end of the year?  No

Annual 2012/13 - 30 days  
 Target: 2011/12 - 30 days  
 Indicator of good performance: A lower number of days is good

↓ is the direction of improvement

Corrective action proposed (if required):

(Q4 2012/13)  
 The introduction of new Asbestos Regulations, which now requires an Asbestos Management Survey to be undertaken for every empty property, has resulted in an increase in the void period by about 3 days for each property. Under the Regulations, many empty properties also need a more detailed Asbestos Refurbishment Survey which can extend the void repairs period for around 1 week. In view of this, the Finance & Performance Management Scrutiny Panel has agreed that the target for this KPI 2013/14 should be increased to 33 days. However, as can be seen from the out-turn for the year, this will still be challenging

Continued meetings of Void Working Party to identify problems and provide possible solutions and undertake in depth assessment of void figures to identify problem areas and take corrective action. Relet times should improve with introduction of weekly freesheet, estimated date for introduction Autumn 2013

The Void Working Party will continue to identify ways of minimising the void period, including consideration of the introduction of a weekly bidding cycle for Choice Based Lettings.

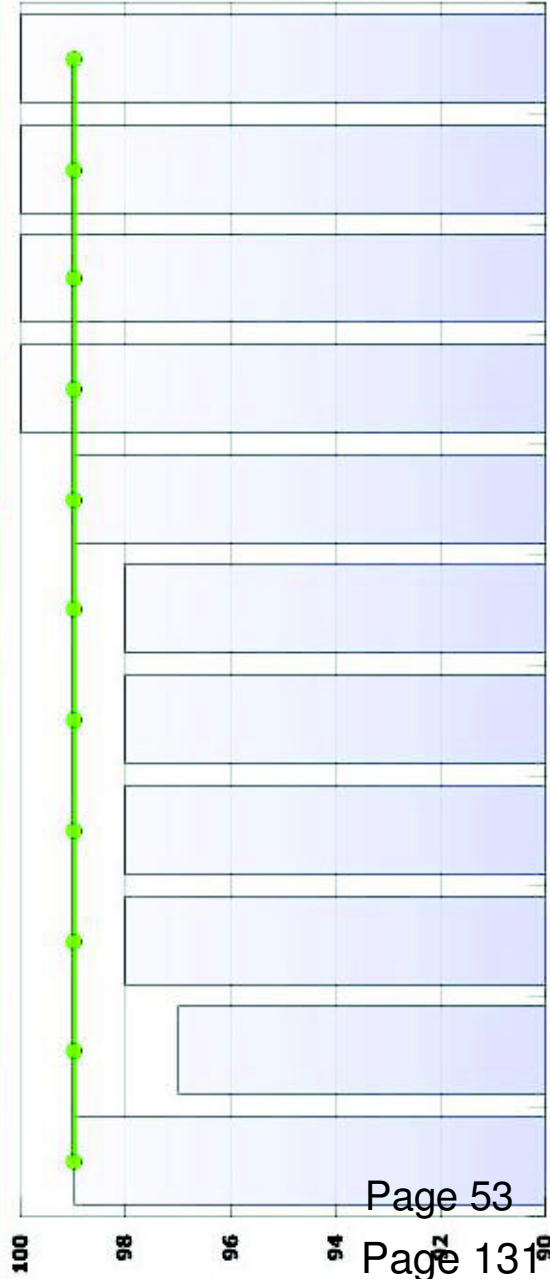
**KPI 42** What percentage of emergency repairs to our council properties were completed within 24 hours?

Indicator previously known as LPI 07

**Additional Information:** This indicator is a measure of housing management performance, as it is incumbent upon the Council as landlord to ensure the upkeep of its dwellings and that repairs are completed on time. The target time for the completion of emergency repairs is twenty-four hours.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

**Current and previous quarters performance**



Q4/08/09 Q4/09/10 Q4/10/11 Q1/11/12 Q2/11/12 Q3/11/12 Q4/11/12 Q1/12/13 Q2/12/13 Q3/12/13 Q4/12/13

Is it likely that the target will be met at the end of the year?

Yes

Annual Target: 2012/13 - 99%  
2011/12 - 99%

Indicator of good performance: A higher percentage is good

↑ is the direction of improvement

Corrective action proposed (if required):

None.

Comment on current performance (including context):

(Q4 2012/13) The full year position on this KPI has achieved target. The performance has been outstanding with only 2 jobs being completed outside of the 24 hour target in the full 2012-13 year. This is as a result of the Repairs Management Contract with Mears, and the new ways of working that have been introduced as a result.

The target time for this KPI has been made even more challenging for 2013/14 - reducing the target time from 24 hours to just 4 hours.

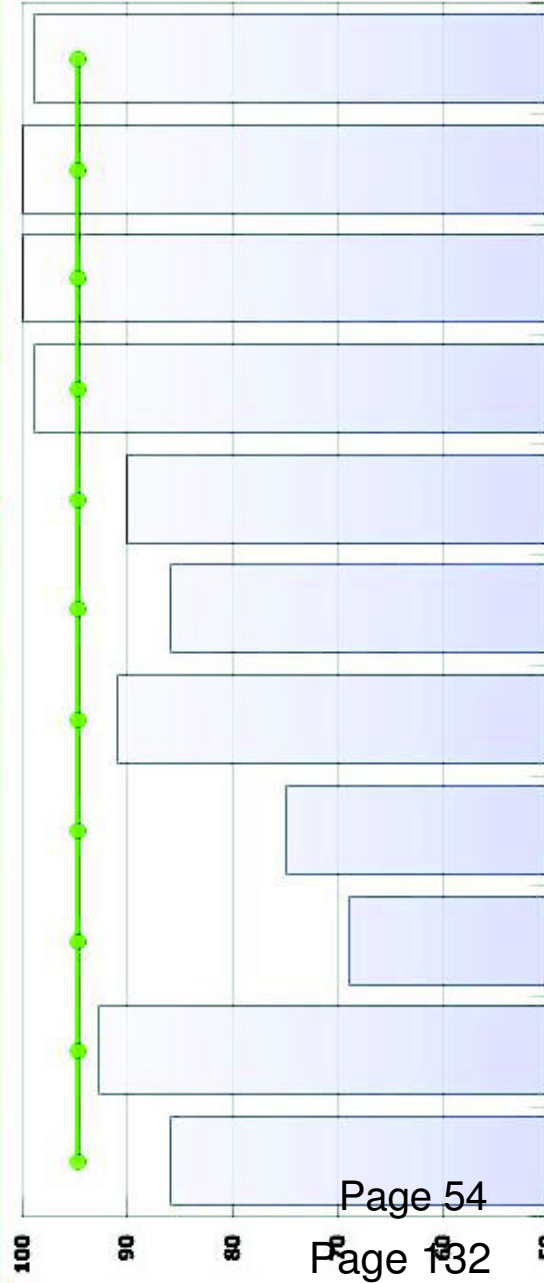
**KPI 43** What percentage of urgent repairs to our council properties were completed within five working days?

Indicator previously known as LPI 08

**Additional Information:** This indicator is a measure of housing management performance, as it is incumbent upon the Council as landlord to ensure the upkeep of its dwellings and that repairs are completed on time. The target time for the completion of urgent repairs is five days.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

**Current and previous quarters performance**



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Q4/08/09 Q4/09/10 Q4/10/11 Q1/11/12 Q2/11/12 Q3/11/12 Q4/11/12 Q1/12/13 Q2/12/13 Q3/12/13 Q4/12/13

Quarter	Target	Actual
Q4/12/13	95%	99%
Q3/12/13	95%	100%
Q2/12/13	95%	100%
Q1/12/13	95%	99%
Q4/11/12	95%	90%

Is it likely that the target will be met at the end of the year?  Yes

↑ is the direction of improvement

Annual 2012/13 - 95%  
Target: 2011/12 - 95%  
Indicator of good performance: A higher percentage is good

Corrective action proposed (if required):

**Comment on current performance (including context):**  
(Q4 2012/13) - Performance on this KPI has exceeded target. The previous year's (2011-12) out-turn for this KPI was 90% achievement. The 98.95% result for 2012-13 is the highest outturn for this KPI ever.  
Previous annual results were:  
2006/7 = 89%  
2007/8 = 89%  
2008/9 = 86%  
2009/10 = 94%  
2010/11 = 69%  
2011/12 = 90%

The KPI Target for 2013/14 has been changed and made significantly more challenging, by requiring the completion of ALL repairs within 7.8 days. However, the out-turn for 2012/13 was within this target - at just 6.2 days.

The achievement of this critical KPI in 2012/13, through the Repairs Management Contract with Mears, is a result of the pro-active planning function, and the introduction of appointments for all repairs, handheld devices and real time information.

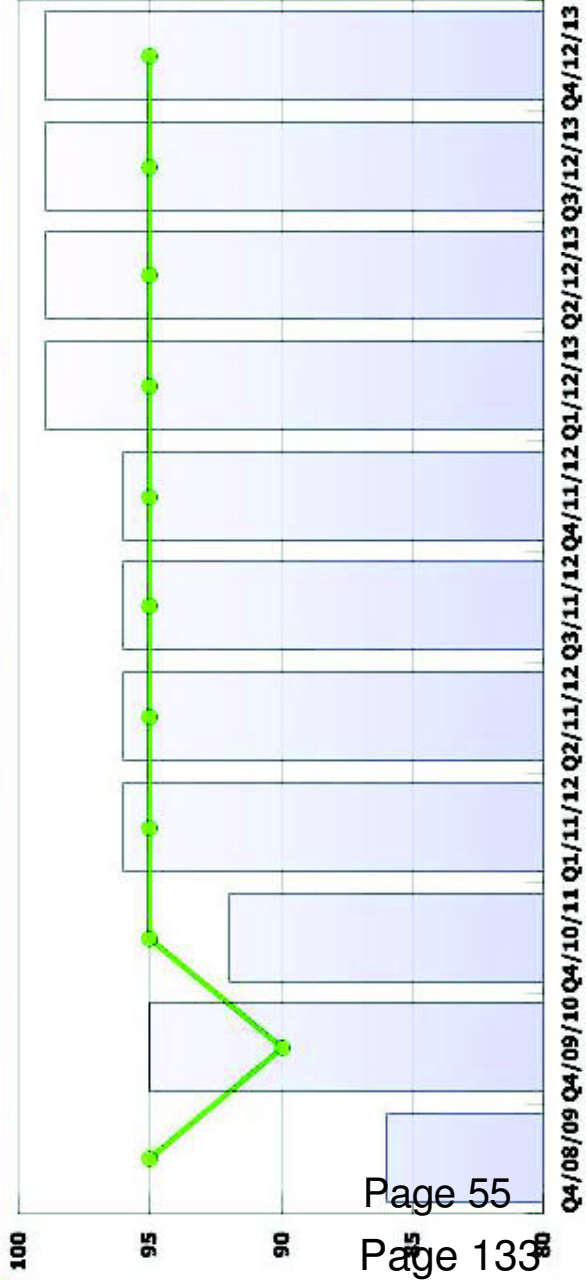
**KPI 44** What percentage of routine repairs to our council properties were completed within six weeks?

Indicator previously known as LPI 09

**Additional Information:** This indicator is a measure of housing management performance, as it is incumbent upon the Council as landlord to ensure the upkeep of its dwellings and that repairs are completed on time. The target time for the completion of routine repairs is six weeks.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

**Current and previous quarters performance**



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Is it likely that the target will be met at the end of the year?

Yes

↑ is the direction of improvement

Corrective action proposed (if required):

(Q4 2012/13) - Performance on this KPI has exceeded the target of 95%. The outturn figure for this KPI for 2012/13 is 99.2% and is the highest level of performance ever achieved on this indicator. Previous performance on an annual basis is shown below:

- 2006/7 = 90%
- 2007/8 = 84%
- 2008/9 = 86%
- 2009/10 = 95%
- 2010/11 = 92%
- 2011/12 = 96%

This KPI has been deleted for 2013/14, and replaced with the new KPI relating to the target time for ALL repairs (see commentary for KPI 43).

KPI 45

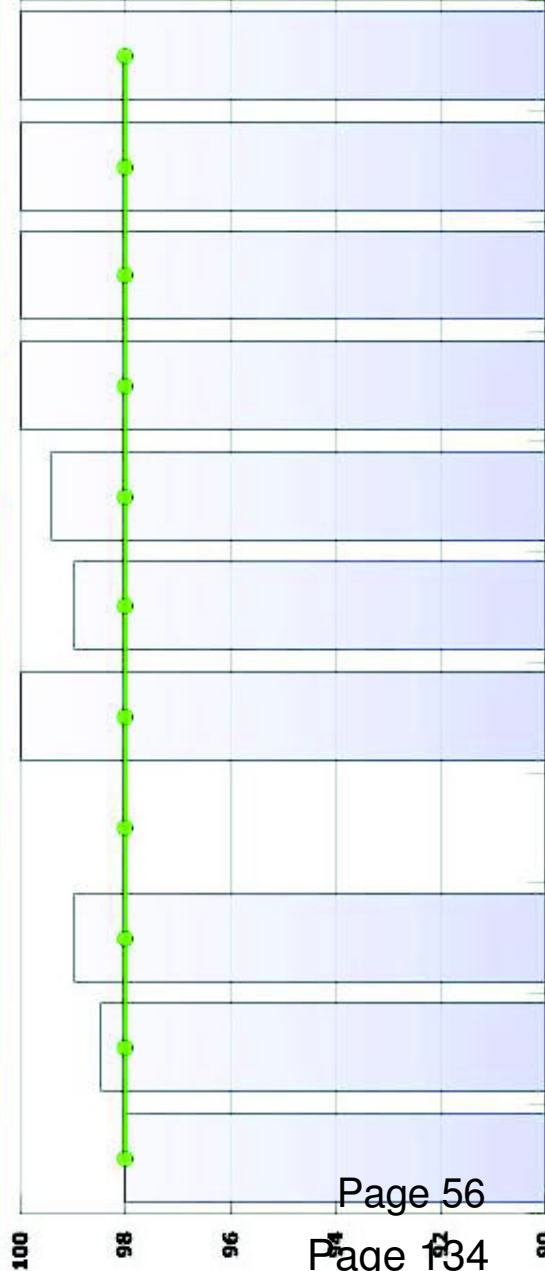
How satisfied were our tenants with the standard of the repair's service they received?

Indicator previously known as LPI 10

**Additional Information:** This indicator is a measure of housing management performance, as it is incumbent upon the Council as landlord to ensure the upkeep of its dwellings and that repairs are completed on time and to the satisfaction of tenants

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

Current and previous quarters performance



Quarter	Target	Actual
Q4/12/13	98.00%	100.00%
Q3/12/13	98.00%	100.00%
Q2/12/13	98.00%	100.00%
Q1/12/13	98.00%	100.00%
Q4/11/12	98.00%	99.45%

Is it likely that the target will be met at the end of the year?

Yes

Annual Target: 2012/13 - 98.00%  
2011/12 - 98.00%

Indicator of good performance: A higher percentage is good

↑ is the direction of improvement

KPI 45 - Target Performance

Corrective action proposed (if required):

None

Comment on current performance (including context):

(Q4 2012/13) - Satisfaction with the Housing Repairs Service continues to be extremely high and well above target set. Information is gathered from tenants using handheld Personal Digital Assistants (PDAs) after repair work has been carried out.

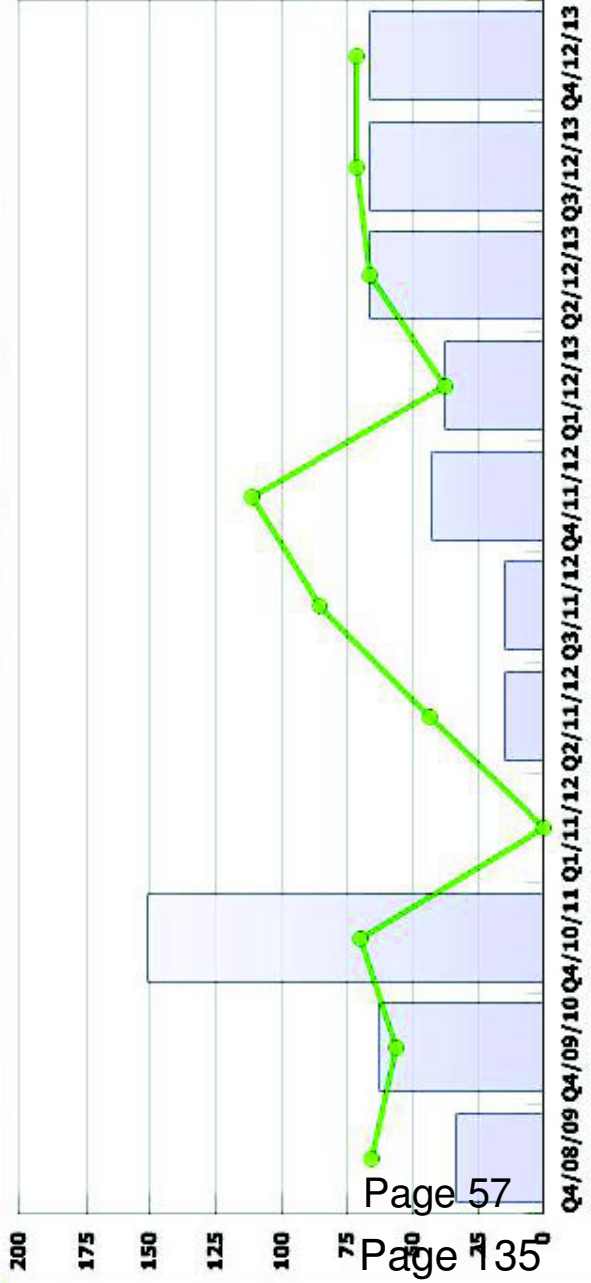
**KPI 46** How many affordable homes were built in the District?

Indicator previously known as NI 155

**Additional Information:** This indicator promotes an increase in the supply of affordable housing through new-build completions, changes of use and conversions. Quarterly targets and performance details for this indicator represent the cumulative total for the year to date.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

**Current and previous quarters performance**



Is it likely that the target will be met at the end of the year?



↑ is the direction of improvement

Annual 2012/13 - 72  
Target: 2011/12 - 112

Indicator of good performance:  
A higher number is good

Corrective action proposed (if required):

**Comment on current performance (including context):**  
KPI 46 - Target Performance  
The Finance and Performance Management Scrutiny Panel has decided that this KPI should be deleted for 2013/14, since its achievement is outside the control of the Council.

**Comment on current performance (including context):**  
The original target of 72 new affordable homes included an expectation that 5 shared ownership properties at Church Hill, Loughton, that are currently on-site, would be completed in 2012/13. However, their completion has now been delayed to May 2013, due to two of the properties being built close to the access way on the site, which have to be completed last on the site, due to allowing lorries into the site without height restriction.

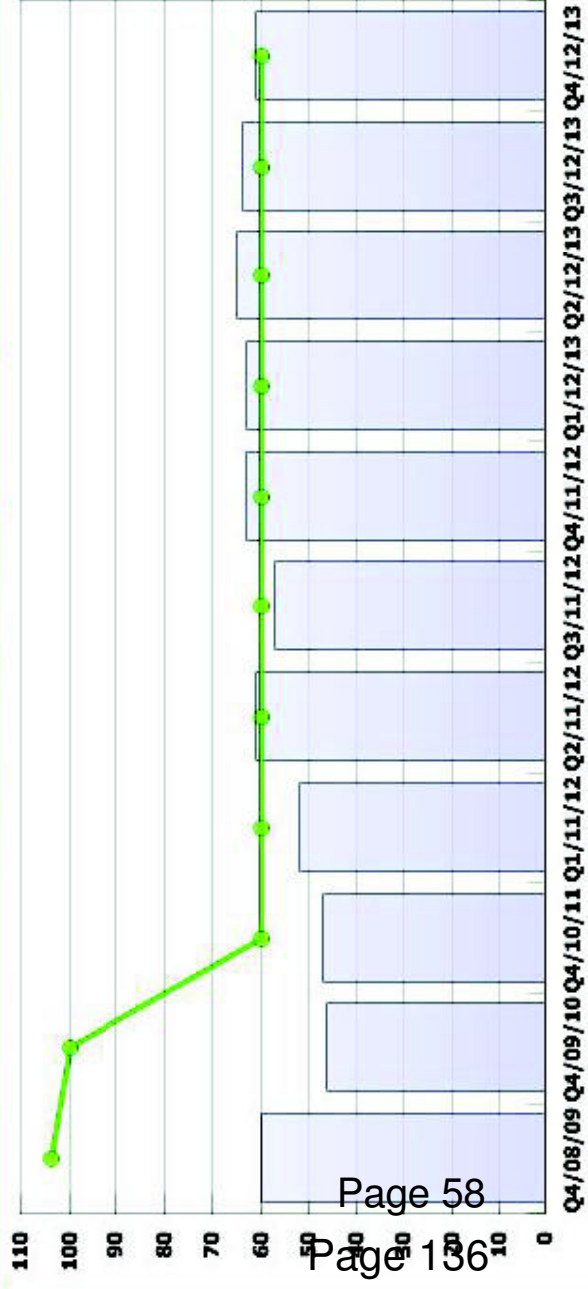
**KPI 47** How many households were housed in temporary accommodation?

Indicator previously known as NI 156

**Additional Information:** This indicator monitors progress towards reducing the number of households in temporary accommodation provided under homelessness legislation. Annual performance is judged on the average of all four quarters performances.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

**Current and previous quarters performance**



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Is it likely that the target will be met at the end of the year?  No

Annual 2012/13 - 60  
Target: 2011/12 - 60  
Indicator of good performance: A lower number is good

↓ is the direction of improvement

Corrective action proposed (if required):

(Q4 2012/13)  
The number of homelessness applications has increased significantly over the past 2 years (by 20%) - including a 12% increase over the past year. In addition, the incidences of intentional homelessness have increased by 200% over the past year. This has resulted in an increase in the number of households in temporary accommodation and the target not being achieved during the current year. This is expected to further worsen in the future, due to the effects of the welfare reforms. Consequently, the Scrutiny Panel have agreed to increase the target to 70 for 2013/14.

(Q4 2012/13) Corrective Action:  
a) An additional Homelessness Prevention Officer is being appointed, funded from a Government grant.  
b) The proposed new Housing Allocation Scheme removes homeless applicants' choice for Council accommodation and expects homeless applicants with less than three years local residency to be placed in the private sector - both initiatives are expected to reduce the number of homelessness applications.  
c) EFDC is funding the CAB to appoint two Debt Advisors, which may avoid some homelessness  
d) The increased Government funding for Discretionary Housing Payments from April 2013 will be targeted to families at risk of homelessness  
e) The budget for EFDC Rental Loan Scheme has been increased from April 2013



KPI 48

What percentage of our council homes were not in a decent condition?

Indicator previously known as NI 158

**Additional Information:** This indicator measures the number of non-decent council homes and the proportion this represents of the total council housing stock, in order to demonstrate progress towards making all council housing decent.

For enquiries regarding this indicator contact the Performance Improvement Unit by email on [performance@eppingforestdc.gov.uk](mailto:performance@eppingforestdc.gov.uk) or by telephone on 01992 564472

Current and previous quarters performance



Comment on current performance (including context):

(Q4 2012/13) Potential Non-Decent failures have been identified on the Stock Condition Survey Baseline for 2013-14 and appropriate Capital and Revenue works programmes have been commenced to prevent these properties falling into the Non-Decent category. No properties fail both kitchen and bathroom elements described under Reasonable Modern Facilities. During 2012-13 over 750 Stock Condition Surveys were completed. Z Drive/Stock Condition Survey 2013-14/Baseline shows:-  
 Criteria 'A' Minimum Standard 0-properties  
 Criteria 'B' Reasonable State of Repair Gas central heating 294 properties  
 Electric heating 44 properties  
 Electrical Testing and Upgrades 630 properties  
 Roof covering tied 283 properties  
 Roof covering flat 47 properties  
 Criteria 'C' Reasonable Modern Facilities Kitchen replacements 223 properties  
 Bathroom replacements 300 properties  
 It is anticipated that works to all potential Non-Decent properties will be completed as part of the planned Capital and Revenue works programme for 2013-14.

None required

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## 2013/14 Key Performance Indicators - Targets

Directorate	2013/14 KPI Ref. No.	Description	2012/13 Target	Q3 2012/13 Performance	Proposed Target 2013/14	Increased target? Yes / No	Comments / Justification for Proposed Target 2013/14 including reasons for targeted reductions in performance For suggested new KPIs please give your reasoning for including it in the set.
Housing	KPI 40	What percentage of the rent due from our council home tenants was paid?  Corporate Comment: <b>Indicator to be retained but changed to a quarterly indicator</b>	97.00%	Annually reported	96.00%	No	The Cabinet has already accepted that rent arrears will increase significantly as result of the introduction of direct payments, the Bedroom Tax, the Benefit Cap and the Local Council Tax Support Scheme (LCTSS) under the welfare reforms. The CIH assessed that rent arrears could double - <u>EXCLUDING</u> the effects of the LCTSS - and the outcomes of the 6 Government Direct Payment Demonstration Pilots are that rent arrears have doubled (due to the use of direct payments alone). However, the latest information from Government is that direct payments will not be introduced until March 2014 at the earliest, so the full detrimental financial effect of the welfare reforms on EFDC will not have an impact until then. The proposed target therefore reflects an inevitable increase in arrears due to the other reforms. NOTE: Quarterly reporting is problematical and not accurate due to the timing of direct debit payment dates. However, with this caveat, quarterly reporting is supported due to the importance of monitoring the (general) situation and trend.
	KPI141	On average, how many days did it take us to re-let a Council property?  Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>	30	31	33	No	The main reason why the cumulative target was not met in Quarter 3, was due to the introduction of new Asbestos Regulations during the year, which now requires an Asbestos Management Survey to be undertaken for every empty property. These are undertaken by a specialist company, and increase the void repairs period by around 3 days for every property. In addition, under the Regulations, many empty properties also require a more detailed Asbestos Refurbishment Survey (including for non-major works), which extends the void repairs period for around 1 week - and some works are notifiable to the HSE, which delays re-lets even further. It is therefore proposed to increase the target by 3 days.

## 2013/14 Key Performance Indicators - Targets

Directorate	2013/14 KPI Ref. No.	Description	2012/13 Target	Q3 2012/13 Performance	Proposed Target 2013/14	Increased target? Yes / No	Comments / Justification for Proposed Target 2013/14 including reasons for targeted reductions in performance For suggested new KPIs please give your reasoning for including it in the set.
Housing	KPI142	What percentage of emergency repairs to our council properties were completed within 24 hours?	99%	100%	To be replaced (see below)	N/A	It is proposed that this indicator is deleted and replaced with the new Contract KPI for emergency repairs agreed by the Repairs Advisory Group, Housing Portfolio Holder and Mears for the Repairs Management Contract with Mears (Housing P/H Decision - 6.1.1.12). This is because the current EFDC KPI and the previous Contract KPI is no longer workable with the new appointment-based approach for housing repairs now adopted. <b>The replacement EFDC KPI is provided at the end of this table.</b>
		Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>					
	KPI143	What percentage of urgent repairs to our council properties were completed within five working days?	95%	100%	To be replaced (see below)	N/A	It is proposed that these indicators are deleted and replaced with the new Contract KPIs for the average response times for ALL repairs and the % of appointments made and kept agreed by the Repairs Advisory Group, Housing Portfolio Holder and Mears for the Repairs Management Contract with Mears (Housing P/H Decision - 6.1.1.12). This is because the current EFDC KPIs and the previous Contract KPIs are no longer workable with the new appointment-based approach for housing repairs now adopted. <b>The replacement EFDC KPIs are provided at the end of this table.</b>
		Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>					
	KPI144	What percentage of routine repairs to our council properties were completed within six weeks?	95%	99%	To be replaced (see below)	N/A	When the KPIs for the Repairs Management Contract were reviewed by the Repairs Advisory Group, Housing Portfolio Holder and Mears, it was agreed to retain the same target for tenant satisfaction (Housing P/H Decision - 6.1.1.12). It is proposed that the EFDC KPI should be the same as the Contract KPI
Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>							
	KPI145	How satisfied were our tenants with the standard of the repairs service they received?  Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>	98%	100%	98.00%	No	

## 2013/14 Key Performance Indicators - Targets

Directorate	2013/14 KPI Ref. No.	Description	2012/13 Target	Q3 2012/13 Performance	Proposed Target 2013/14	Increased target? Yes / No	Comments / Justification for Proposed Target 2013/14 including reasons for targeted reductions in performance For suggested new KPIs please give your reasoning for including it in the set.
Housing	KPI146	How many affordable homes were built in the District?  Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>	72	67	22	No	The only scheme currently on site, which will complete in 2013/14 is at Church Hill, Loughton (5 affordable homes). The only other scheme that has planning permission and is expected to complete during 2013/14 is at Manor Road, Chigwell (17 affordable homes)
	KPI147	How many households were housed in temporary accommodation?  Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>	60	64	70	No	The no. of homelessness applications has increased significantly over the past 2 years (by 20%) - including a 12% increase over the past year. In addition, the incidences of intentional homelessness have increased by 200% over the past year. This has resulted in an increase in the number of households in temporary accommodation and the target not being achieved during the current year. The situation is expected to further worsen significantly during 2013/14, due to the effects of the welfare reforms (as assessed by the Chartered Institute of Housing in its study for EFDC) and the continuing economic climate. The proposed target is considered to be realistic, but still challenging, under all the circumstances.
	KPI148	What percentage of our council homes were not in a decent condition?  Corporate Comment: <b>Indicator to be retained as a quarterly indicator</b>	0.00%	0.00%	0.00%	No	It is proposed that this indicator be retained. Although the Council has agreed to introduce a new full modern maintenance standard, this will take time to take effect. In the meantime, it is essential that the Council continues to ensure, and monitor, that all its properties are meeting the Decent Homes Standard (DHS). Many properties become potentially non-decent all the time, and it is important to ensure that work is undertaken before this happens. It is a moving situation. Many other councils have not yet met the DHS and retaining this KPI enables a regular public comparison to be made.

## 2013/14 Key Performance Indicators - Targets

Directorate	2013/14 KPI Ref. No.	Description	2012/13 Target	Q3 2012/13 Performance	Proposed Target 2013/14	Increased target? Yes / No	Comments / Justification for Proposed Target 2013/14 including reasons for targeted reductions in performance For suggested new KPIs please give your reasoning for including it in the set.
Housing	<b>NEW KPI</b>	What percentage of all emergency repairs (including out of hours emergencies) are attended to within 4 working hours?	N/A	N/A	99%	<b>New Indicator</b>	<p>it is proposed that these indicators replace the current EFDC KPIs 42-44, since they are generally the new Contract KPIs agreed by the Repairs Advisory Group, Housing Portfolio Holder and Mears for the Repairs Management Contract with Mears (Housing P/H Decision - 6.11.12). This is because the current EFDC KPIs and the previous Contract KPIs are no longer workable with the new appointment-based approach for housing repairs now adopted. The actual targets for the new Contract KPI for the average overall time to complete all responsive repairs are 7.8 days for 2012/13 and 6.3 days for 2013/14. However, 7 days is proposed for the new KPI target, since it is not only a rounded figure (and easier to promote and publicise to tenants), it is mid-way between the two Contract KPI targets. The EFDC KPI can then be reviewed for 2014/15 in the light of actual experience and performance</p>
	<b>NEW KPI</b>	What is the average overall time to complete all responsive repairs, from the time the request is made to the time the job is completed?	N/A	N/A	7 working days	<b>New Indicator</b>	
	<b>NEW KPI</b>	What percentage of appointments for repairs are both made and kept?	N/A	N/A	98.00%	<b>New Indicator</b>	