

Epping Forest District Council

**HOUSING DIRECTORATE
STRATEGY ON
HOUSING ADVICE**

1. Introduction

- 1.1 This strategy sets out the Housing Directorate's approach to the provision of housing advice. The Council works in partnership with the Epping Forest Citizens Advice Bureau (CAB) in the District to provide a range of advice to support those who may be experiencing difficulties with their housing situation.
- 1.2 The Council has quarterly liaison meetings with CAB Managers which is chaired by the Assistant Director of Housing (Operations). The Housing Options Manager and when appropriate the Area Housing Managers also attend. The purpose of these meetings is to enable updates on matters of policy and also to discuss serious cases which may have arisen.
- 1.3 The CAB has offices in Epping, Loughton and Waltham Abbey. They also provide a home visiting service for people who are housebound.
- 1.4 Local housing authorities have a statutory duty to offer advice and assistance on homelessness and the prevention of homelessness. They also have a duty to ensure that a Housing Allocations Scheme for determining priorities for allocating social housing is available for inspection and that a summary is available, on request, free of charge. This strategy sets out how the advice offered by the Housing Directorate and the CAB. will be delivered and monitored.
- 1.5 This strategy was developed in consultation with the three CAB Managers, the Tenants and Leaseholders Association and the Housing Scrutiny Panel. It was formally approved by the Housing Portfolio Holder in March 2013.

2. Background to the Service

- 2.1 Advice and assistance on homelessness and the prevention of homelessness can encompass a wide range of issues. The Housing Options Section, based at the Civic Offices in Epping, currently has 5 FTE officers dedicated to homeless prevention work. Under the Council's Welfare Reforms Mitigation Action Plan, the Council is appointing one additional Homelessness Prevention Officer from April 2013 initially for a period of 2 years as one of a number of measures in order to mitigate the effects of the Welfare Reforms. These officers provide a link to a range of other housing options, which are set out in the Council's Homelessness Strategy.

- 2.2 The provision of housing advice is a specialist area and includes debt management, with appropriate cases being referred to the CAB. The Council is proposing to provide funding to the CAB to enable them to employ 2 additional temporary paid Debt Advisors for 18 months from April 2013 in order to assist them in providing additional advice to their clients in order to mitigate the implications of the Welfare Reforms. As part of this arrangement, the CAB will have a Debt Advisor based at the Limes Centre in Chigwell.
- 2.3 Other agencies and organisations to which enquirers may be directed by Homelessness Prevention Officers include: the Alcohol and Drugs Advisory Service; the Community Drugs and Alcohol Team; Social Care; the Department of Work and Pensions; Voluntary Action in Epping Forest; Victim Support; Safer Places; Essex Probation; Community Mental Health Team and the Epping Forest Housing Aid Scheme.
- 2.4 The Housing Options Section, when giving advice liaises with other Sections within the Council, for example, the Housing Benefit Division. In addition, Private Sector Housing would deal with any private landlord issues where there may have been harassment, illegal evictions, properties in need of repair, (including those which are unfit for habitation) and matters regarding houses in multiple occupation.
- 2.5 Housing Options staff also offer advice on charitable and other organisations assisting homeless people, sourcing privately rented accommodation and shared ownership schemes.
- 2.6 Advice is available on a range of legal matters including:
- Notices to Quit
 - Rent levels
 - Property rights in cases of relationship breakdown
 - Mortgage re-possession
 - Interim and temporary accommodation and related licences
 - Discretionary Housing Payments
 - Access to Housing Registers and Registered Providers
 - Assignments by way of mutual exchange
 - Rights in respect of access to files
 - Reviews and appeals.
- 2.7 The Council works in partnership with Family Mosaic Support which is funded by the Supporting People programme. Family Mosaic Support provides support to vulnerable tenants and formerly homeless people living in interim and temporary accommodation with the aim of preventing repeat homelessness.

3. Coverage

3.1 In summary, housing advice encompasses –

(a) Assisting people through the homelessness prevention service who may be threatened with losing their home;

(b) Providing Interim or Temporary accommodation to appropriate applicants;
and

(c) Providing general housing advice to any person who approaches the Council in accordance with its statutory duties.

4. Relationship with other Documents

- 4.1. This Strategy forms part of the Council's overall Housing Strategy and the Housing Revenue Account Business Plan. The Provision of Housing Advice is also included in the Homelessness Strategy.
- 4.2. Comprehensive systems are in place and are detailed later in the Strategy. The efficiency of these systems are confirmed by the Housing Directorate being accredited with both the international quality standard of ISO 9001:2008 and the Customer Service Excellence award, for all of its services.
- 4.3. The Council follows the guide set out in the Commission for Racial Equality's Code of Practice in Rented Housing.
- 4.4. The Council works in accordance with government guidance including the Homelessness Code of Guidance for Local Authorities and the Allocation of accommodation: guidance for local authorities in England (DCLG June 2012).
- 4.5. The following Government guides are made available
 - Assured and assured short-hold tenancies – a guide for landlords
 - Letting your home
 - Letting Rooms in Your Home –a guide for landlords and their tenants
 - Assured and assured short-hold tenancies – a guide for tenants
 - Rights of private tenants when re-claiming rent deposits
- 4.6. An application pack for the Housing Register is provided including: a summary of the Council's Housing Allocations Scheme, entitled "Moving Home with the Council" which includes advice on mutual exchanges.
- 4.7. In addition to the literature detailed above, which is freely available, important items of general interest are included in the tenants magazine, "Housing News", which is sent, usually quarterly, to tenants and, when appropriate, to all homeseekers.
- 4.8. Information about these services is also available on the Council's website at www.eppingforestdc.gov.uk/housing.
- 4.9. The Council has a Welfare Mitigation Action Plan in order to mitigate the effects of the Welfare Reforms on homeseekers, existing Council tenants and homeless applicants.

5. Aims and Objectives

- 5.1. The aim of the Council's Strategy on Housing Advice is:

" To ensure that housing advice is readily available, free of charge, to anyone in need of it, enabling them to explore their options and understand the possible consequences of certain courses of action".

6. Statutory Requirements

- 6.1 Part IV of the Housing Act 1985 sets out all tenant's rights under the "Tenant's Charter".
- 6.2 The Landlord and Tenant Act 1985 sets out a number of provisions relating to private tenancies and leases.
- 6.3 The Protection from Eviction Act 1977 governs the period of notice required from landlords when terminating tenancies.
- 6.4 Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002, the Localism Act 2011 and the Allocation of accommodation: guidance for local housing authorities in England (DCLG June 2012) governs the allocation of social housing.
- 6.5 The Localism Act and the Homes and Communities Agency's Regulatory Framework for Social Housing in England governs the requirement for the Council to have a Tenancy Policy to outline its approach to tenancy management.
- 6.6 The Welfare Reform Act 2012 sets out the changes to welfare benefits.
- 6.7 The requirements of the Equality Act 2012 and the Code of Practice in Rented Housing that apply to the allocation of accommodation.
- 6.8 The Homelessness Act 2002 gives a housing applicant certain rights to information relating to the assessment of their application and decisions made. It also provides for the right to request a review of certain decisions, and requires authorities to advise non-qualifying applicants that they can make a fresh application to join the Housing Register if they consider they should be treated as a qualifying person in the future.
- 6.9 Personal information held by the Housing Options Section is protected by the Data Protection Act 1998 which, together with the Housing Act 1996, allows individuals to access any information held about them.
- 6.10 The provisions of the Rent (Agricultural Act) 1976 are relevant to some Housing Register applicants.
- 6.11 Under the terms of the Children Act 1989, an authority responsible for social care may request the help of a housing authority in discharging its duties towards a 'child in need'. A local housing authority must comply with any such request if it is compatible with its own functions and does not unduly prejudice the discharge of its own functions.
- 6.12 The Human Rights Act 1998 is most likely to be engaged for housing needs issues in respect of Articles 6, 8 and 14. These relate to the right to a fair trial (review and appeals procedures), respect for private and family life, home and correspondence (confidentiality) and discrimination (equal opportunities).

- 6.13 The Health and Safety at Work Act 1974 sets out the responsibilities of the Council as an employer in respect of the health and safety of staff.

7. Client Consultation, Information & Involvement

- 7.1. Consultation in respect of major changes or any periodic review of the Council's Housing Allocations Scheme is undertaken with the Housing Scrutiny Panel, RSLs, Town and Parish Councils, CAB, the Tenants and Leaseholders' Federation and any other partner agency with an interest in allocations prior to consideration by the Cabinet.
- 7.2. Housing Register applicants may be informed on an individual basis of changes that affect them with items of general interest being publicised in the tenant's magazine "Housing News" which is sent on a quarterly basis to tenants and, when appropriate, all housing applicants, to keep them informed of important issues.
- 7.3 It is a requirement of the Homelessness Act 2002, that all local housing authorities must produce and publish a Homelessness Strategy on at least a 5 yearly basis. As this area of work regularly changes, it has been agreed that the Council's Strategy would be reviewed on a three yearly basis. The Housing Scrutiny Panel, Town and Parish Councils, Registered Providers, CAB and the Tenants and Leaseholders' Federation are consulted prior to consideration by the Cabinet.
- 7.4. The Council consults on major policy changes with the CAB.
- 7.5. The Epping Forest Tenants and Leaseholders Federation is involved in the planning and delivery of services and kept informed on performance and general issues relating to housing advice. It is consulted on all housing policy matters prior to consideration by the Portfolio Holder and Cabinet.
- 7.6 The Council has identified tenants who are under-occupying Council accommodation. Those who are under-occupying have been visited by their housing officer to be given advice on the implications of the Welfare Reforms, and the incentives to downsize in order to avoid a reduction in housing benefit.

8. General Principles

- 8.1 Section 5 of this Strategy sets out the aims and objectives on the provision of Housing Advice. This Section details the general approach taken and procedures, which are in place.
- 8.2 The Council's provides its tenants with information on the terms of their tenancies, including their statutory rights in respect of assignments, successions and assignments by way of mutual exchange. Following the implementation of the Tenancy Policy, all homeseekers will be provided with information on:
- The types of tenancies granted
 - Circumstances where a tenancy of a particular type will be granted and the length of the term
 - Circumstances where a Flexible Tenancy term of less than 5 years will be granted
 - Circumstances where another tenancy will be granted on expiry on the same or another property

- How applicants/tenants can appeal against the length or type of tenancy or the decision not to grant a further tenancy
 - Taking account of the needs of vulnerable people
 - Provision of Advice and Assistance if another tenancy is not granted at the end of the term
 - Discretionary succession rights
- 8.3 Advice and information is available free of charge to any person living in the District about their right to make an application to join the Council's Housing Register for housing accommodation and will also assist anyone who may have difficulty in doing so without assistance.
- 8.4 The Council provides detailed information and advice to all those who are seeking to join its Housing Register and will:
- a) publish a summary of its Housing Allocations Scheme in a leaflet setting out a person's right to make an application for housing accommodation and provide copies free of charge on request to any member of the public;
 - b) provide copies of the Housing Allocations Scheme free of charge at the:
 - (i) Housing Options Section, Civic Offices, Epping
 - (ii) Area Housing Office, 63 The Broadway, Loughton
 - (iii) Limes Farm Housing Office, The Limes Centre, Chigwell; and
 - c) enable copies of the Housing Allocations Scheme to be downloaded from the Internet at the Council's web-site:
www.eppingforestdc.gov.uk/housing (follow the link to Residents/Your home/Housing Advice/Applying for a council or housing association home).
- 8.5 From 1 July 2013 all homeseekers will be able to register on-line following the review of the Housing Allocations Scheme and the implementation of improved computer systems. Advice and assistance will be given to those who are unable to register on-line or do not have access to a computer. Non-qualifying applicants will be advised that they can make a fresh application to join the Housing Register if they consider they should be treated as a qualifying person in the future.
- 8.6 A HomeOption Scheme User Guide which gives detailed information on how to participate in the Council's HomeOption choice based lettings scheme and also suggests other housing options is available on-line and in hard copy on request. In addition, a fortnightly Property List is available on request for all applicants on the Housing Register which advertises all available Council and Housing Association vacancies within the District which applicants can express an interest.

- 8.7 Advice and assistance on homelessness and the prevention of homelessness is provided, for example assisting with debt management, in partnership with the CAB who has a dedicated expert who deals exclusively with debt referrals from the Homelessness Prevention Team. Some cases may be referred to other agencies included the Council's Benefit Division.
- 8.8 Advice is given on a range of other matters including:
- Harassment
 - Illegal evictions by private landlords
 - Properties in need of repair, including those which are unfit for habitation
 - Houses in Multiple Occupation
 - Charitable organisations assisting homeless people (including victims of domestic violence)
 - Securing private rented accommodation
 - Epping Forest Housing Aid Scheme (EFHAS)
 - Rental Loan Scheme
 - Access to shared ownership schemes
 - Property rights in cases of relationship breakdown or other domestic issues
 - Interim and temporary accommodation
 - Nominations to other local housing authorities
 - Implications of the Welfare Reforms
 - Obtaining assistance with good second hand furniture under the Lighthouse Furniture Project
- 8.9 A range of advice and information leaflets are made available, some produced by the Housing Directorate, others published by the National Homeless Advice Service and the CLG. Where English is not the first language of the client, assistance can be obtained through approved agencies including "Cintra" or "Tongue-tied" or documents can be translated in appropriate cases. For the visually impaired, literature can be made available either in large print or by audio cassette or Braille. Where a profoundly deaf client is a sign user, the Council can arrange "signing". A loop system for people with hearing difficulties is available at the Civic Offices, the Area Housing Office (South) at The Broadway, Loughton and the Limes Centre, Chigwell. Home visits will be made in appropriate instances.
- 8.10 Under the HomeOption choice based lettings scheme, fortnightly Property Lists are available to all homeseekers on request and set out all available Council and Housing Association properties within the District. A HomeOption Scheme User Guide which gives detailed information on how to participate in the Council's HomeOption choice based lettings scheme and also suggests other housing options is available on-line or in hard copy on request.
- 8.11 The tenant's magazine "Housing News" is sent to all tenants 3 times each year, and when appropriate, to all homeseekers providing advice on a range of Housing services.

- 8.12 The 3 CAB offices in the District are based in Epping, Waltham Abbey and Loughton. The Council has a Service Level Agreement with the CAB to provide a range of advice and to support those who have difficulties expressing their needs effectively. The Council contributed £114,000 from its General Fund in 2012/2013 towards CAB running costs.
- 8.13 The Council has formal arrangements for referring cases and, in addition to front-line liaison on a case by case basis, the Assistant Director of Housing (Operations) the Housing Options Manager, and when appropriate the Area Housing Managers meet with CAB Managers each quarter.
- 8.14 Where a client is pursuing a review of a homelessness decision made by the Council they are advised in writing to seek assistance from the CAB or Shelter. Often, where applicants seek advice from one of the CAB offices, they in turn seek specialist advice from their dedicated solicitor.
- 8.15 When Housing Advice is provided for those with special needs, appropriate cases will be referred to Family Mosaic Support, or other specialist advisers. Where English is not the first language of the client, the Housing Options Section will employ the services of "Cintra" or "Tongue-tied" and arrange for document translation in appropriate cases. For those with visual impairment, it will make literature available in large print or arrange for the provision of audio cassettes or Braille translations as required. Where a deaf client is a sign language user, it will endeavour to ensure that a specially trained member of staff is present at interviews. The Council will also conduct home visits in appropriate cases.
- 8.16 Both general and specialist housing advice will be offered through appropriate service areas within the Council and by the CAB offices in the District.
- 8.17 The Council will, in addition to ensuring that personal interviews are arranged in appropriate instances, have readily available a wide range of literature offering advice on landlord and tenant matters.
- 8.18 The Council will ensure that housing advice reflects any changes in legislation, and that its literature is updated accordingly.
- 8.19 The Council will ensure that appropriate and up to date information is available on its Website.
- 8.20 The Council will respond to requests for information from Shelter and the CAB on specific cases where housing advice has been sought from those agencies, provided consent has been given by clients.
- 8.21 Any applicants dissatisfied with the way in which the service has been delivered can make a Complaint under the Council's Compliments and Complaints procedure.
- 8.22 The performance of the Housing Options Section will be monitored under the Customer Improvement Meetings chaired by the Assistant Director of Housing (Operations).

9. Future Developments

9.1 The following analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) forms the foundation for future service provision:

<p>Strengths</p> <ul style="list-style-type: none"> • Successful Homelessness Prevention Service • Welfare Mitigation Action Plan • Tenancy Policy • Homelessness Strategy reviewed every 3 years • A number of initiatives to assist people to either seek or retain accommodation • Good working relationships with partner agencies • Effective consultation • Effective mediation service 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Limited supply of suitable accommodation to create choice for tenants to move to smaller accommodation • Lack of Housing Association Leasing Direct Accommodation • Increased number of homeless applications due to the Welfare Reforms
<p>Opportunities</p> <ul style="list-style-type: none"> • One additional Homelessness Prevention Officer from April 2013 	<p>Threats</p> <ul style="list-style-type: none"> • Family Mosaic Support funded through Supporting People where funding could be reduced • Funding for Homeless Prevention Officers only guaranteed by Government until March 2015 • Reduced Government funding for various homelessness initiatives • Shortage of affordable housing • Possible reduced funding for the CAB service

10. Action Plan

Action	Lead Officer	Timescale	Resources
Appointment of one additional Homelessness Prevention Officer	Housing Options Manager	April 2013	Funded from the Housing Improvements and Enhancements Fund
Funding being provided to the CAB to employ 2 temporary Debt Advisors for 18 months from April 2013	Assistant Director of Housing (Operations)	April 2013	Funded from the Housing Improvements and Enhancements Fund
Continue regular liaison meetings with CAB	Assistant Director of Housing (Operations)	Ongoing	Within existing resources
Ensure that information leaflets etc. are updated in accordance with changes in legislation	Housing Options Manager	Ongoing	Within existing resources
Continue to ensure housing information is available in a variety of formats	Housing Options Manager	Ongoing	Within existing resources
Monitor performance of the Housing Options Section	Assistant Director of Housing (Operations)	Ongoing	Within existing resources

Action	Lead Officer	Timescale	Resources
Complete the review of the Housing Allocations Scheme ensuring housing advice is provided to both qualifying and non-qualifying applicants	Housing Options Manager	30 June 2013	Within existing resources
Implement the new LHS hosting and review modules enabling homeseekers to register on-line	Assistant Director of Housing (Operations)	30 April 2013	Funded from the Housing Improvements and Enhancements Budget
Securing additional properties under the Housing Association Leasing Direct Scheme	Housing Options Manager	Ongoing	Within existing resources

11. Resourcing the Strategy

11.1. Housing Options staff delivering this Strategy in 2012/2013 is approximately 4.85 FTE which includes the staffing levels detailed in paragraph 11.2, and other officers time spent on the service. The projection for the number of staff required to deliver the Strategy over the following three years (taking account of the one additional Homelessness Prevention Officer to be appointed from April 2013) is detailed in the following table:

Staff Resource Projections				
Posts	2012/13	2013/14	2014/15	2015/16
Housing Options Staff (FTE)	4.85	5.85	5.85	5.85

- 11.2 The following table details the estimated proportion of Housing Options staff time spent on the service for 2012/2013:

Staff Resources Breakdown	
Posts	FTE
Housing Options Manager x 1	0.10
Asst Housing Options Manager (Homelessness) x1	0.25
Homelessness Prevention Officers x 5	5.50
Total	5.85 FTE

12. Key Targets and Performance Monitoring

- 12.1 There are no key targets for the provision of housing advice as it is a service that is responsive to demand.

13. Reviewing the Strategy

- 13.1. This strategy will be reviewed in consultation with the Housing Scrutiny Panel and the Epping Forest Tenants and Leaseholders Federation in March 2016.