

# Report of the Social Services, Housing and Public Health Policy Overview Committee 2013/14

## Review of the causes of tenancy failure and how it can be prevented



### Members of the committee

Cllr Judith Cooper (Chairman)

Cllr Peter Kemp (Vice-Chairman)

Cllr David Benson

Cllr Sukphal Brar

Cllr Catherine Dann

Cllr Janet Gardner

Cllr John Major (Labour Lead)

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## Chairman's Foreword

The ability to sustain a tenancy is a key factor in maintaining stability for both individuals and families. The costs to those suffering tenancy failure encompass the whole of their lives and may lead to a downward spiral of deprivation. This in turn results in an enormous cost to the public purse: there is no "good news" in the failure of a tenancy. This review looked at the Council's current role and responsibilities for tenancy sustainment in Council housing, as well as the existing support services for those not in Council housing, and current thinking on the development of the service.

The review indicated that there are several factors which will help to reduce the risk of tenancy failure and improve outcomes for residents:

- The adoption of an effectively targeted risk-based approach
- The implementation of cost-effective early intervention strategies
- The urgent need for further work to embed interdepartmental working across Council teams which will improve outcomes by placing tenants and residents at the heart of service delivery
- Work with other agencies in the lettings market to develop a consistent approach with a coherent message for tenants and residents about rights and responsibilities

The Committee concluded that a risk-based early interventionist approach that focussed on delivering services around the tenant would provide a cost-effective means of sustaining tenancies in the long term. It was acknowledged that the impact of the welfare reforms was still at an early stage and that there was still work to do on the BID process, but believe that the themes developed here are of relevance and would support the Council in its aim of putting residents first.

I would like to thank the Committee and Officers for all their hard work, and our witnesses for their expertise and guidance.

A handwritten signature in purple ink, appearing to read 'Judith Cooper'.

**Cllr Judith Cooper**

# Summary of Recommendations

On the basis of the evidence received, the Committee make the following recommendations to Cabinet:

1. That Cabinet endorse the concept that support services that help sustain people in their own home must be tenure neutral and focus on practical help that will enable people to stay in their home.
2. Endorse the risk based approach to tenancy sustainment currently being developed by officers with an emphasis on early intervention and problem solving.
3. That in support of ongoing service transformation, consideration is given to ways of improving joint working across Council Teams, making these more flexible and proactive as well as promoting early intervention.
4. That, welcoming the service transformation taking place, officers consider reviewing the provision of support services in order to promote tenancy sustainment. Further, the Committee suggests that, having established the principle and mechanisms of tenancy sustainment, that the initial work proposed in this review be used as a basis for a possible review (in the next Municipal year) that focuses on discrete areas including ensuring sufficient support for those in most need, in particular those with mental health issues or other vulnerabilities.
5. That the Cabinet Member for Social Services, Health and Housing requests that Council's front line staff receive refresher training to give basic advice and sign posting and consideration be given to the following:
  - a. Undertaking a review of service directories and website information
  - b. Developing information available through social networking
  - c. Updating information leaflets available to residents on the provision of advice on benefits and relevant campaigns.
6. The Council further highlight that discretionary housing payments are available but limited and keep the policy under review to ensure that there is sufficient provision in the budget.
7. The Council build on existing work to encourage the take up of benefits and the use of outreach services to interact with harder to reach groups and make effective use of community facilities such as libraries.
8. (That Cabinet) reaffirms the proposals made by the Deputy Leader and Cabinet Member for Education and Children's Services in February 2009, where free independent financial and budget management lessons were

made to schools and invites the Cabinet Member to take this opportunity to remind schools that such an offer is available.

9. That Housing Services, Private Sector Landlords and Registered Social Landlords pursue joined up working on providing and /or sign posting budget information in their tenant's publicity materials so that where possible universal information, articles and media could be produced and used economically.
10. The Council assist with the promotion and advertising of the services of the Hillingdon Credit Union and seek to increase its membership through the development of a marketing plan. That as part of this work, officers also consider the promotion and availability of accounts just for benefits and rent to ensure that these essential housing costs are paid first.
11. Asks officers to develop a universal checklist of those agencies including Private Sector Landlords supporting tenancy sustainment and for this to be used to monitor success using outcomes based indicators and calculate the associated costs.
12. Welcomes the work of the Children, Young People and Learning Policy Overview Committee to help supported children and Young Care Leavers and ensure they are assisted appropriately.

# About the Review

The main objective of this review was to examine how, why and when tenancies fail, what is currently done to prevent failure and what more could be done.

The review also sought to ensure Hillingdon has effective systems in place for minimising tenancy failure.

In order to achieve this, Members were presented with an overview of current tenancy arrangements in Hillingdon and information on Welfare Reform regulations and its anticipated impacts. The Committee provided its views on the (considered) risk based approach to tenancy sustainment currently being developed by the Council, the learning arising from case studies and how partnership working could enhance tenancy success.

It is important to note that sustaining people in their own homes is as important in private rented properties and for owner occupiers as it is in Council housing. The principles tested in Council housing apply equally across all tenancies.

## **Reasons for the review**

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

Tenants will need additional support and assistance once the full impact of welfare reform is felt.

Transformation work underway includes a consideration of developing an overall offer for tenancy sustainment that is tenure neutral and consistent irrespective of landlord – including owner-occupation.

## **Why is tenancy sustainment important?**

Further information in relation to why tenancy sustainment is important can be found in Appendix A, as well as background information on:

- Social housing size criteria
- Household Benefit Cap
- Universal Credit direct to tenants in social rented housing
- Arrears
- Discretionary Housing Payments

## Terms of Reference

The terms of reference of the review were as follows:

- To establish which housing tenancies fail across housing sectors and why
- To understand the impact and likely future impact of welfare reform on tenancy sustainment
- To establish what current action is taken to prevent tenancy failure
- To establish what more could be done to sustain tenancies
- To make recommendations to Cabinet/the Cabinet Member to address any issues arising from the above investigations *OR to highlight those areas requiring further investigation*

## Enquiry

Based on the evidence provided by expert witnesses and additional background information, the Committee was able to develop findings and recommendations that aimed to enhance tenancy sustainment and thereby reduce tenancy failure. For ease of reference, evidence, findings and recommendations are set out below under the following sections:

1. Tenancy sustainment in Housing
2. Development of the Service – Tenancy Management
3. Working in Partnership

The following information has been made available as appendices to the report:

- Appendix A – Importance of Tenancy Sustainment & background information
- Appendix B – Witnesses for the review
- Appendix C – Information on the Outreach Service
- Appendix D – Information on the Independent Living Support service
- Appendix E – Children’s Services – Risk based approach model
- Appendix F – Case Studies illustrating the effectiveness of early intervention
- Appendix G – Evidence – Written submission from Age UK Hillingdon

# Tenancy sustainment in housing

The Council has a dual role, both as the strategic housing authority planning for the housing needs of residents across all tenures and as a social landlord. Tenancy sustainment services are involved in both of these roles.

The Committee was informed that from the point of view of the Council Housing Service, work to sustain tenancies was a mix of planned tasks and ad hoc interventions which collectively sought to support the tenant and prevent premature ending of the tenancy. These planned tasks and ad hoc interventions were an integral part of the housing management / landlord function in Hillingdon.

The following teams contribute to sustainment in Council housing:

- Arrears recovery
- Sheltered and Extra Care housing
- Telecareline
- Independent Living Support Service
- Community Housing

Additional terms carry out tenancy sustainment work related to other housing tenures. These include:

- Housing Needs
- Finders Fee
- Outreach Team
- The arrears recovery team also carry out some work in the private sector and the Independent Living Support Service work across housing tenures

## **Current operational practice**

The Committee first wanted to satisfy itself that both the tenancy sustainment services providing for Council tenants and those provided by the Council for those housed in the private sector were sound.

In terms of Council tenants, Community Housing provides 'end to end' tenancy management services from the point of entry into Council Housing and encompasses all key tenancy events which arise during the lifetime of the tenancy. The Committee heard that Community Housing was not a 'standalone' service but delivered its function via a collaborative network of multi-agency and partnership working to achieve positive outcomes for tenants.

The Committee learnt that Community Housing provides a broad range of proactive and reactive tenancy management services. Additionally, it supports the work of other service teams and partners to ensure that tenants are able to benefit from the full range of services and engagement opportunities which are available to them in Hillingdon. Hearing how some tenancies encountered difficulty and involve a complex interaction between Council Teams, the Committee agreed that it was important experiences were shared and protocols developed which made joint working and



information sharing easier and more effective. This is so that a holistic, family based approach could be taken.

With the tenancy support work currently conducted and the developmental work underway, the Committee made the following recommendation:

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

Elements of current support include:

- **Multiple / accompanied viewings** – supports the early formation of a relationship with the successful applicant and strengthens the ability to identify and address support needs at the earliest opportunity.
- **New tenant visit** – key contact stage which helps to promote a good landlord tenant relationship and ensures that tenants have settled into their new home and community. Where appropriate, advice can be offered to ensure that tenants are plugged into mainstream services and any necessary support. This early personal contact provides an opportunity to see how the tenant and their family present within the home environment and to ensure that services are tailored accordingly.
- **Probationary tenancy management** – the overriding objective of the approach to managing this introductory tenancy is to sustain the tenancy and support the tenant in facilitating the transition to secure tenancy status. With more intensive management and extended probationary periods, coupled with timely and appropriate support interventions, the Community Housing Officers play a pivotal role in minimising the risks of tenancy failure and maximising the life chances of tenants holding this less secure form of tenure. In relation to the number of tenancies which progressed to secure tenancy status, officers explained that about a third of all tenancies granted each year were probationary. It was noted that the maximum period of a probationary tenancy was 18 months after which, the tenancy either came to an end or became secure. Officers confirmed that probationary tenancies could be extended at any time within the first 9 months of the probationary period and there was scope to increase this practice. The Committee highlighted that probationary tenancies were a key area where the Council could intervene.
- **Tenancy checks** – in addition to an effective contribution to the Council's corporate approach to identifying and responding to fraud, Community Housing Officers take responsibility for any actions arising from and identified during these home visits. In addition, the programme of visits supports the proactive identification of tenancy breaches, some of which are not evident from an external inspection of the property and garden. During these visits, Community Housing Officers are well placed to promote a number of standards, including: fire safety, hygiene, refuse and recycling and being good neighbours (within the home and address the needs of vulnerable households)

via the production and review of tailored 'personal emergency plans'). At this contact point it, may be necessary to refer a tenant to other agencies in order to maintain a tenancy.

- **Tenant mobility** – Community Housing Officers with an established relationship with the tenant and detailed knowledge of the tenancy are well placed to support the tenant with a range of potential options to meet their needs. This includes supporting individuals and households with more complex needs who requiring suitable alternative accommodation. Community Housing Officers update and utilise HomeSwapper to accommodate tenant's needs in terms of size and geographical area of accommodation requirements. There are currently just over 1,000 Hillingdon tenants registered on HomeSwapper. Approval visits are required for any Hillingdon tenants transferring via LOCATA. These visits give Community Housing Officers an opportunity to further assess the needs of a tenant to complete a seamless transition into their new home.
- **Tenancy changes** – Community Housing Officers are well placed to play an effective role in responding to the full range of tenancy events which can arise during the lifetime of a tenancy. Such changes can be linked to significant life events such as bereavement and relationship breakdown. Such events can be challenging for individuals and families who require appropriate and timely advice and support. By arranging for appropriate support and giving advice at such a critical time this can be pivotal in ensuring the tenant enjoys the full benefits of the tenancy held by them.
- **Tenancy management interventions** – Community Housing Officers are well placed to identify and respond to a range of tenancy breaches [other than Anti-Social Behaviour] and identify the triggers which can lead to tenancy breaches. These breaches are frequently linked to underlying and unmet needs and an inability to comply with tenancy conditions due to long term or intermittent periods of vulnerability The Committee therefore felt there were significant (cost) benefits if Officers intervened at an early stage of a tenancy and Officers were encouraged to adopt a proactive stance to help promote good tenancies..
- **Tenancy enforcement and ASB** – The Anti-Social Behaviour Investigations Team (ASBIT) receive and action all reported incidents of ASB. Officers look to identify any support that may be required should a tenant's personal safety be at risk. Cases are evaluated on an individual basis and action taken which is both necessary and proportional to the ASB being caused. This will include action in respect of breach of specific tenancy conditions and also action under the Environmental Protection Act. This is commonly in the form of noise nuisance. ASBIT Officers will always look to try and resolve ASB issues at the earliest opportunity in order to preserve the tenancy.
- **Gardening Service** – Community Housing Officers are able to offer assistance to vulnerable tenants with garden maintenance. The Community Housing Teams are seeking to actively expand the service which currently

includes 67 tenants receiving a regular service. This includes grass cutting, bed maintenance and trimming hedges. By take up of this service, assistance can be given in preventing enforcement of tenancy conditions, which state that tenants must keep their gardens tidy. It also assists vulnerable households who are unable to comply with this specific tenancy obligation and for whom the maintenance of their garden presents a real worry. Officers also know that elderly / vulnerable households with overgrown gardens are targeted by burglars and 'door-step fraudsters'.

- **Fire Safety** – As part of our landlord obligations, Community Housing Officers promote and ensure compliance with fire safety regulations. This role is included within regular Estate Inspections, ensuring shared areas [escape routes] are unobstructed and encouraging tenants to follow basic fire safety advice including the regular testing of smoke alarms. Separate visits are also made to tenants who are vulnerable and are at greater risk in the event of a real fire situation. In these circumstances Community Housing Officers develop a tailored 'Personal Emergency Plan' which is reviewed with the tenant annually or more frequently following any material change in their circumstances. The need for such action can be a consequence of Community Housing Officers carrying out tenancy checks as outlined previously.
- **Tenant and Residents Association** – Community Housing Officers attend local meetings with existing associations and will also look to promote the setting up of new associations. This can be helpful in looking to assist new tenants settle into a new area by contact with an association who can assist with families integrating into the community. Community Housing Officers can also gain information from tenant representatives living on the estate which can be used to resolve management issues at an early stage. Community Housing Officers are also well placed to promote the range of other engagement opportunities which are available specifically to tenants and more generally to residents in Hillingdon.

### **Summary headlines of lettings in the permanent Council housing stock over the last two years**

#### **Total lettings**

Average number of lettings: 650

#### **Tenancy types**

Around two out of every three lettings are to secure tenants, the remaining third are granted probationary tenants.

#### **Property types**

Average number of lettings to sheltered housing and aged restricted persons bungalows: 130 [20%]

Average number of lettings to flats and maisonettes: 300 [46%]

Average number of lettings to houses: 220 [34%]

## **Tenancy granted by source [top 7 categories by volume]**

Transfers: 298

Homeless: 146

Mutual exchanges: 114

Successor tenants: 26

Works to stock: 24

From Housing Associations: 20

Cross Borough lettings: 9

The top seven categories account for 98% of all lettings [637 lettings].

The Committee heard how, in 27% of all these cases [175 lettings], the Council had no previous relationship with the individual who became the tenant. Due to this high proportion, the Committee felt it was essential that there was additional input (from the Council) in the initial stages of the tenancy. In the majority of cases therefore [approximately three out of every four lettings] the Council had a degree of information about the new tenant. In most cases this was because they were already a Council tenant or they were part of a Council tenant's household. In summary terms this means that for the majority of lettings we will have a fair degree of information about the tenant from which to tailor our approach to the management of the tenancy. For one in every four lettings the likelihood is that the extent or quality of information will be lower and this will need to be considered in the assessment of risk and the scope of the initial assessment which will feed through into any subsequent tenancy management plan.

## **Evictions and the scale of failed tenancies**

The Committee heard that out of 10,300 tenants, there were 17 evictions last year, 3 of which were for anti-social behaviour by Council tenants. This year there had been 4 evictions so far which were drugs and / or alcohol related.

It was noted that the timescales for eviction action differed between the private and social housing sectors. Officers explained that tenants in Council homes had security of tenure and so, if issues did arise and eviction proceedings were initiated, then the Council was obligated to follow protocols through the Courts, provide a sound evidence base for its actions and also to identify the support networks available to the tenant. In the private sector, it was noted that the landlord could terminate a lease with much less notice and the Council would not be privy as to why eviction action had been taken.

The Committee was informed, that ultimately tenants were responsible for their own behaviour and actions as borne out in case law precedents. Officers commented that providing re-housing was a significant challenge, given that in many cases re-housing issues were brought to the attention of the Housing Department through a Ward Councillor (often at the last moment) and most tenants held the expectation that the Council was obliged to re-house them. In which case, this served to underline how important strong inter-department working was, and how often a number of Council services were aware of the tenant's circumstances so the Council was better placed to assist them.

At present, officers suggested there was a tendency to focus on quick wins, which meant that, for example, tenants might be assisted to fill in housing or benefits applications quickly so that benefits could be accessed, rather than focus on the underlying reasons as to why the tenant had been unable or unwilling to complete the form themselves i.e. due to a lack of knowledge or an inability to find and/ or access information or guidance.

Within the tenancy management service the first 12 months of the tenancy is seen as the greatest risk period. The focus is to ensure that the tenant is supported in accepting responsibility for compliance with tenancy conditions and acquiring and developing those skills necessary to sustain the tenancy in the long term.

In general terms, the majority of tenancies which end are associated with non-payment of rent and unacceptable anti-social behaviour. The service teams who focus on arrears recovery and enforcement of anti-social behaviour breaches know that there are frequently a number of underlying issues which result in tenancy failure. What comes to the fore however in terms of possession actions will be rent debt and unacceptable behaviour.

In relation to tenancies failing within the first 12 months, these have fallen from 19 in 2011/12 to 7 in 2012/13. In the year to date there has only been 1. The principle reasons for tenancies failing in the first 12 months are related to underlying health and vulnerability issues. Presenting issues are generally related to mental health issues and drug and alcohol issues. The failed tenancy will not always result in eviction i.e. it is not uncommon for property to be abandoned.

## **Rent Arrears**

In relation to Rent Arrears and the action that could be taken:

- The Committee noted that in some cases, families did not apply for Housing Benefit and rent arrears arose and enquired what action, if any, could be taken if a family refused to apply for housing benefit. Members felt that under these circumstances, there should be a mechanism so that the Council was not 'left out of pocket'.
- Officers explained that housing benefits was especially complex and that the application form for benefits alone ran to 58 pages. Officers assured the Committee that the Rent Arrears Recovery Team were actively encouraging people to apply for housing benefit but that residents still needed to engage with the Council.
- The Committee acknowledged that in the past, Housing Benefits used to be managed by the Council. However, welfare reform now meant that this would be the responsibility of the tenant. As such, it was felt essential that every step possible was taken to ensure families were assisted from the outset. It was acknowledged that a vital part of this process was the time and effort which was taken to set up the tenancy in the first place.
- Officers explained that applications for housing benefits were accepted over the telephone and guidance was also available to help people submit claims. Officers also ensured that applicants were clear on the timings of claims and what the implications might be if a claim were submitted late.

- It was noted that building relationships was an important aspect of ensuring tenancies were effective. With this in mind, the Committee highlighted that there were a number of groups it was aware of which chose not to directly engage with the Council and so there were further opportunities for Officers to work with Council partners to ensure as many tenants as possible were assisted. Officers ensured there was continued dialogue with those tenants in rent arrears and confirmed that the best way to collect rent was to help tenants and by fostering a payment culture. However, it was acknowledged that in some extreme cases, some tenants chose not to engage and did not appear to use any support agencies. In which case, the Committee agreed that further work should be conducted to encourage the take up of benefits. There were also further opportunities for the Outreach service to engage with harder to reach groups through existing resources such as libraries. Further information about the Outreach service can be found at Appendix D.

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

- The Committee highlighted that some tenants felt that Housing Benefits were a burden and they needed more assistance. With respect to more complex cases, the Committee asked what action, if any, could be taken to assist those persons who refused to fill in application forms and whether or not there was a mechanism to appoint an advocate on their behalf. In response, Officers confirmed that Direct Payments could be made to landlords and tenants could elect to pay their housing benefits to the Council. Officer also confirmed that there was scope to highlight that (in some cases) discretionary housing payments were also available.

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

### **Tenancy sustainment in Private Housing (rented and owner occupied)**

Those working in Housing Needs give housing advice to people living in both social and private housing in both the owner occupied and the private rented sector. The work of the team is concerned with preventing homelessness and where this does not prove possible, taking a homelessness application, making a homelessness decision and, if necessary, arranging for housing to be provided. There is a range of homelessness prevention work undertaken by housing needs staff. Where possible, this aims to make it possible for people to remain in their homes. Examples of the type of work undertaken include:

- Negotiating with friends and family excluders. This can be face to face visits or through telephone or written interactions
- Speaking with landlords to arrange a stay of execution, advise landlords of any inappropriate illegal evictions and the consequences
- Offer assistance with any delays/blockages in Housing Benefit payments for residents
- Advocate for DHP payments to sustain current housing or assist the resident to move to alternative settled accommodation
- Assessment under Allocations Policy to assist with any potential increases in the Priority banding
- Look at support needs and refer to appropriate provider to sustain current accommodation mental health, drug & alcohol, social care etc
- Pre tenancy advice for care leavers, young people and those who may not have rented previously
- Advice on maximising benefit income and address affordability issues
- Offer incentives to find alternative accommodation whilst they remain in their current accommodation
- Provision of cheaper accommodation such as short life properties
- Advocating, where appropriate, for Housing Benefit to be paid directly to landlords
- Working with Job Centre Plus to assist with accessing employment and training opportunities

Job Centre Plus has confirmed that 107 residents have been helped into work since 23 May 2013.

### **Tenancy sustainment in Finders Fee Team**

The Council has two tenancy sustainment officers who work with private sector landlords that make properties available under its “Finders Fee” scheme. Work that they get involved with to help sustain tenancies includes:

- Negotiations regarding rent levels
- Income and expenditure assessments
- Advice concerning direct debits or standing orders for rent payments and joining a credit union
- Advice about claiming Discretionary Housing Payments
- Assisting with Housing Benefit queries
- Negotiation regarding rent arrears including agreeing an affordable amount to pay the landlord. If arrears are more than 8 weeks rent arrangements can be made for Housing Benefit to be paid direct to the landlord
- Mediate in cases of ASB and where necessary arrange for those suffering from ASB or harassment to be moved
- Assist in resolving issues of disrepair or where the landlord reports that the tenant is damaging the property

**Independent Living Support Service (ILSS)**

The Independent Living Support Service works to support individuals in developing and maintaining their ability to live independently in their own home and to take control by making informed choices. Further information about this service can be found in Appendix E.

During the period from 01/4/13 to the 24/10/13 the ILSS has supported **228** individuals with sustaining their tenancy.

The table below shows the reason for referral and percentage of clients supported:

<b>Reason for referral</b>	<b>% against total</b>	<b>Clients' vulnerability – Varied issues e.g.:</b>
ASB	<b>5%</b>	DV, Mental Health and generic
At risk of losing home	<b>14%</b>	Mental Health, DV, Alcohol & Drug, Older people, Young people at risk and physical disabilities.
Breach of tenancy	<b>1%</b>	Older people with Mental ill Health
Financial/Debt issues	<b>4%</b>	Alcohol & Drug and generic.
Homeless	<b>4%</b>	Mental Health, Physical disabilities and Alcohol & Drug.
Rent Arrears	<b>19%</b>	Older people with support needs, Physical disabilities, Learning disabilities, Mental Health, and generic
Tenant Sustainment	<b>53%</b>	Alcohol & Drug, Learning disabilities, Mental Health, Older people with Mental Health/dementia, DV, Young people at risk and Young people leaving care.

The Committee noted the significant percentage of referrals which related to tenant sustainment. As part of the early interventionist agenda, the Committee felt it was important that young people at risk and young people leaving care were provided with supported as soon as possible. With this in mind:

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



# Development of the Service - Tenancy Management

The Council is evaluating the merits of adopting a more person centred, risk based approach to the management of tenancies.

Children's Services have developed a risk based approach which illustrates the cost benefits of early intervention. This is shown in Appendix E. Housing Services are considering devising a similar model.

## Objectives

The adoption of a risk-based approach to the management of tenancies has a number of objectives including improving outcomes associated with tenancy sustainment. These include, but are not limited to:

- Mitigating the risks associated with disrepair and poor property conditions
- Maximising income due to the Council / mitigating the impact of welfare reforms
- Mitigating negative impacts on neighbours and local communities and
- Facilitating a more structured approach to the management and review of 'flexible tenancies'

Central to this approach is:

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

The Council want to demonstrate that it is maximising the potential for its tenants to benefit from successful and sustainable tenancies. This must be underpinned by an exemplar support service. The priority is to create the right conditions for sustainable or successful tenancies which will thrive, irrespective of their length or type. The Committee heard that a risk based approach to the management of tenancies which delivers successful tenancies must ensure that the Council intervenes at an early stage to help at-risk tenants retain a secure home while meeting the responsibilities of their tenancy agreement. The Committee agreed this was the right approach and noted an aspect of this was likely to involve the breaking down of a silos and adopting a holistic approach. The Committee agreed the following recommendation to Cabinet:

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

The following data from the Independent Living Support Service (ILSS) provides useful evidence of the effectiveness of early intervention:

<b>Risk</b>	<b>Estimated savings Apr to Oct 2013</b>	<b>Estimated savings Apr 2012 to Mar 2013</b>
<b>Tenancy sustainment and Risk of losing home</b>		
Tenancy Sustainment support via ILSS would mean at a minimum a consequent saving in of Community Housing Officers time. This has been estimated at £745 per household and on current referrals this would amount to a £105,045 (£745x 141 clients).	<b>£ 105k</b>	<b>£202k</b>
<b>Rent Arrears</b>		
In terms of rent arrears if each of the clients were prevented from progressing through the whole arrears procedure the potential cost savings for those 44 clients would be £128,832 (£2,928 cost x 44 clients).  None of the cases referred to ILSS progressed to eviction.  30 clients did not progress to possession stage and the remaining 14 clients were prevented from progressing to the eviction stage.  Estimated cost savings:  £26,550 (30 clients x £885 possession action costs) £40,992 (14 clients x £885 possession action costs plus 14 x £1,991 eviction action costs plus 14 x £52 referral to other agencies costs)  Total estimated savings £67,542	<b>£67.5k</b>	<b>£66k</b>
<b>ASB</b>		
All 11 referrals were victims of ASB and the potential savings were the avoidance of an emergency transfer. The potential cost savings are £44,000 (11 x £4k).	<b>£44k</b>	<b>£80k</b>
<b>Potential savings current referrals (Half year)</b>	<b>£216.5k</b>	<b>£348k</b>

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Risk	Estimated savings Apr to Oct 2013	Estimated savings Apr 2012 to Mar 2013
In comparison the average cost of ILSS staff time per client is in the region of £1,000.		
<p>If tenants were referred to ILSS sooner we could make more savings to council via avoidance of officer time and legal services.</p> <p>In our ILSS inbox, we receive enquiry emails from rent arrears team advising that they are in a process of completing an eviction report due to rent arrears.</p> <p>Within the same three year period (<b>Apr 2011 – Oct 2013</b>), we received a total of <b>285</b> emails from rent arrears team asking whether tenants were known to ILSS as they were in the process of completing eviction reports for these tenants; <b>222</b> were secure tenants and <b>63</b> emails stating that these tenants were probationary. None of these tenants were known to or receiving support from ILSS.</p> <p>If these tenants were referred to ILSS, the additional savings to the council could potentially be <b>£834,480 (£2928 cost x 285 tenants)</b>. Applying the ratio of two thirds to one third as above, the potential cost saving breakdown is:</p> <ul style="list-style-type: none"> <li>• £168,150 (190 clients x £885 possession action costs)</li> <li>• £278,160 (95 clients x £885 possession action costs plus 95 x £1991 eviction action costs plus 95 x £52 referral to other agencies costs)</li> <li>• Total potential savings £446, 310.</li> </ul>	£447k	

These savings relate to the immediate costs. If an eviction takes place, there are numerous ways in which the families may have further call on public resources. If there are children in the family, even if they are found to be intentionally homeless, the council will still retain a duty to the duty and considerable rehousing costs may apply. Homelessness can have wide ranging and long term impacts including on physical and mental health, education and employment; all of which may have significant financial impacts on public services.

Case studies of good practice in other organisations to further illustrate the cost effectiveness of early intervention can be found in Appendix B.

## Vulnerability

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

A more person centred approach to the management of the tenancy requires Housing Officers to consider ten core areas at the start of the tenancy. These core areas are considered critical to enable the effective assessment and support of vulnerable households and to the adoption of a risk-based approach to the management of tenancies:

- Managing the tenancy and accommodation
- Self-care and living skills
- Managing money and personal administration
- Social networks and relationships
- Drug and alcohol misuse
- Physical health
- Emotional and mental health
- Meaningful use of time
- Offending
- Motivation and taking responsibility

These risk factors will be inextricably linked to vulnerability i.e. individuals falling into one or more categories of vulnerability are likely to present as higher risk in the context of both tenancy sustainment and the cost of managing the asset.

In general terms, vulnerable individuals can be described as:

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

Whilst this list is not exhaustive, it would be expected that a tenant within one or more of these categories could be deemed to be vulnerable.

In the context of tenancy management, vulnerability can impact negatively upon an individual’s ability to undertake day-to-day tasks and thus comply with a range of tenancy obligations.

At the second witness session, the Committee specifically heard about the growing importance of mental health issues and how these could have a significant bearing

on tenancies and the ability of persons to sustain them. An individual with mental health issues might engage in conduct which was in breach of their conditions of tenancy. The anti social behaviour could be directly related to their mental health issues and therefore, it was important that tenants were provided with the correct type of housing placement and front line staff received mental health first aid training.

An example cited was of an individual who is unable to manage basic housekeeping tasks and as a result standards of hygiene are very poor, the garden is overgrown and the rent is not being paid. The inability to manage the home has resulted in a breach of several tenancy conditions. The individual's inability to undertake day to day tasks means that they would be considered vulnerable, however a breach of tenancy conditions potentially puts the tenancy 'at risk'. As well as managing risk, this example illustrates the importance of enhancing a tenants life chances through education. Officers also reported that the Council was looking at ways of extending the definition of vulnerability so that support services were available to tenants sooner, across a whole spectrum of housing needs. The rationale for this was that when tenants were struggling, there was less likelihood that tenants in difficulty would spin off into other services and in some cases possibly find themselves in an inappropriate environment and be allocated accommodation which did not meet their needs

The Committee heard how a risk based approach to tenancy management put the onus on the Housing Officer to better recognise the risk factors and how they present and to bring forward and keep under review an approach which seeks to mitigate the risks. As part of this approach, officers explained that they were conducting prototype working within Adult Social Care to ensure the most appropriate assistance was provided to the tenant.

The approach will:

- Identifying the risk factors associated with tenancy failure
- Maximise the potential for planned support
- Provide proactive intervention and support that increases the prospect of a successful tenancy
- Identify trigger incidents, ie, the risks which could lead to failure and provide tailored reactive interventions
- Involve partners and support agencies to deliver successful outcomes

Integral to the success of early intervention is recognising the potential barriers which include:

- Not intervening at the earliest opportunity
- Poor information for front line staff on the interventions that are available or which are most appropriate
- A lack of an appropriate range of tools for staff to help to identify needs / vulnerabilities
- Reduced funding may have decreased or removed availability of an intervention
- Multiple interventions are not coordinated or properly managed
- Staff are not sufficiently trained to identify and act on potential triggers for intervention

- Different parts of the service are not joined up, e.g. repairs, tenancy management, arrears recovery
- Tenants refuse to engage
- Lack of persistence / robust processes to ensure engagement
- Lack of training / tools for staff on engaging tenants, especially vulnerable tenants and those with challenging behaviours
- Lack of SMART objectives for interventions and unrealistic expectations
- High thresholds for interventionism, e.g., Social care and Mental Health Services and having to 'know the language' and 'the buttons that have to be pressed'

The success of early intervention is linked to:

- Effective and comprehensive assessment of need carried out by trained individuals
- A known individual who supports the tenant and co-ordinates all agencies working with them
- Clear, realistic objectives and an outcomes based approach
- Effective supervision

In addition to future activity being driven by a risk based approach, the principle of activity being directed by the specific needs of the household is also proposed. In practice this would be delivered through a key worker and problem solving approach. The focus will be clearly on tenancy sustainment.

Concern was expressed about the number of different Officers which might be allocated to manage tenancies across the Council. In response, the Committee heard that Officers were taking a holistic, key worker approach which involved a change in work culture. For example, in cases where mental health services were required, the Council would be looking to engage with partner organisations so that a whole family approach could be taken.

The Committee was informed that as the needs of the family changed, the key worker assigned by the Council would also change but that the key worker would remain the primary contact for the family.

The Committee welcomed that Transformation work is currently under way and acknowledged that there was scope to do further investigative work to ensure those in most need received the help they require.

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

## Drawing the new approach together

With regard to 'The Landlord Service', it is important to make the distinction [in the context of tenancy failure] between the Council's dual roles:

- Firstly there are the obligations placed on the Council in its capacity as a local authority with **responsibilities towards people who are homeless or at risk of homelessness**. These duties, powers and obligations are set out in homelessness legislation, Orders and codes of guidance. The homelessness legislation places a general duty on housing authorities to ensure that advice and information about homelessness, and preventing homelessness, is available to everyone in their district free of charge. The legislation also requires authorities to assist individuals and families who are homeless or threatened with homelessness and apply for help. In 2002 the Government amended the homelessness legislation to ensure a more strategic approach to tackling and preventing homelessness. Increased emphasis was also given to the need for joint working between housing authorities, social services and other statutory, voluntary and private sector partners in tackling homelessness more effectively.
- Secondly, the Council acts in its capacity as a **landlord** – in Hillingdon the Council is the largest social housing landlord operating in the Borough. Clearly this stock of nearly 10,500 units is both a valuable and limited resource. To make the best use of this resource it is important that the housing stock is managed well and efficiently. Within the landlord service the prevention of homelessness i.e. tenancy sustainment is an integral part of what we do and how tenancy management services are designed and delivered.

Whilst there are some clear similarities between these two limbs of the Council, notably in terms of the overriding objectives of sustaining tenancies / preventing homelessness, complying with homelessness legislation and delivering a landlord service are quite different functions.

The Community Housing Teams are part of an ongoing transformation work stream within the landlord service. The proposed vision is to bring forward a dedicated staff group with a clear focus on the tenancy and the tenant which incorporates 'new ways of working' which effectively support the key objectives of tenancy sustainment and the prevention of homelessness. Integral to this 'new way of working' will be the adoption of a risk based approach to tenancy management. This staff group will be characterised by:

- 'One to one' relationships between the Housing Officer and the tenant for all core tenancy management processes
- Ensuring proactive contact with tenants to facilitate early intervention and maximising the value from personal contact to address support needs
- Using a 'casework management' approach to problem solving
- Developing effective partnership work to support vulnerable households, sustain tenancies and prevent homelessness
- Expertise and a specialist skills set linked to the range of tenancies granted by the Council, the assessment of need and support planning and review
- Good levels of understanding regarding the availability of and access to services which support the individual and the family

- The ability to seek qualitative feedback as an integral part of service delivery to ensure services are truly tailored to the needs of individuals and to support continuous improvement

Having heard about the types of work being conducted through the transformation project, the Committee agreed the following recommendation:

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

### Preventing homelessness

It is generally accepted that there are three stages where intervention can prevent homelessness:

1. **Early identification** – this is about identifying categories of people who are at risk of homelessness and ensuring that any necessary support is wrapped around them [in a timely manner] to prevent homelessness. Early identification can target people who fall within known indicator groups e.g. care leavers, people with underlying mental or physical health issues.
2. **Pre-crisis intervention** – this can take the form of advice and proactive intervention to enable people to retain their current tenancies.
3. **Preventing recurring homelessness** – is about ensuring tenancy sustainment is central to preventing repeat homelessness where there is an underlying need for support and the provision of accommodation by itself is insufficient to prevent homelessness [this final point is an important one – in practice there are many services who view placement within secure council housing as the trigger for ending or scaling down their input with a client i.e. the problem has been solved. Within the landlord service, the problem may only just be beginning however. Once permanent accommodation is secured]

Within the landlord service, services are being re-designed within each of these three possible stages of intervention. The focus will vary depending upon; the needs of the individual, the stage the tenancy has reached, the trigger or triggers presenting.

**Early identification** will remain a priority within the landlord service. The more that is known about a new tenant / household the better. The earlier their needs can be assessed and understood in the context of impact upon ability to comply with tenancy conditions and sustain independence, the greater the potential to bring forward tailored plans to support the tenant and the tenancy to become successful.

The Committee have recognised the need for early identification and ‘front loading’ support to maximise the potential for successful tenancies. These first few weeks in the life of a tenancy are key in terms of ensuring continuity of existing services and or ensuring that all necessary and appropriate support is in place. The latter requires the adoption of a risk-based approach which considers:

- A range of risk factors [or triggers]
- Known vulnerabilities
- Known history and



- Tenancy type granted

It is clear that the effective use of this approach will rely upon:

- A specific skills set within the [landlord service] Community Housing Officer resource
- The extent of information known and shared about the new tenant
- Swift access into appropriate support services and
- Tenant engagement

This early identification stage relies upon a more planned approach which is good for the tenant and good for the service in terms of resource planning and allocation.

Early identification clearly has its place at the front end of the tenancy. It is important to note however that this will only account for around 650 new tenancies being created on average in any one year [see above]. The majority of tenants however are not the subject of a new tenancy each year. As such it is important to have other management practices in place which seek to maximise contact and bring forward opportunities for; assessment, monitoring and support planning. These opportunities are the range of proactive and reactive tenancy management services which are being strengthened to make a more effective contribution to sustainment i.e.

- Probationary tenancy management framework
- Tenancy checks
- Tenancy changes
- Tenancy management interventions

This dovetails with both the second and third category of intervention to prevent homelessness i.e. **pre crisis intervention** and the **prevention of recurring homelessness** linked to key tenancy events such as; bereavement, ill health, loss of employment, relationship breakdown or domestic violence.

As an integral part of the transformation work which is underway in the landlord service, increasing use is being made of 'Civica'. This is an electronic document management system. Civica has a number of key advantages over traditional paper based storage and retrieval systems in addition to providing an effective and robust system of workflow. In the context of ongoing transformation work and the adoption of a risk based approach to tenancy management the key advantages of Civica that will support tenancy sustainment and the prevention of homelessness are:

- Shared access to [electronic] files and the ability to link files and associated information about a tenant eg the tenancy file can be linked to the housing application or Housing Benefit file.
- Ensuring consistency, common working practices and use of standard documentation
- The ability to 'pend' key actions and be prompted to undertake tasks at a specified future date will support the delivery of tailored tenancy management plans
- 'Joining up' key processes where more than one team are involved in a process
- Building in 'checks' as part of end to end processes so that 'quality assurance' can be undertaken as an integral part of service delivery

# Working in Partnership

At the Committee's final witness session, Members heard from representatives of the following organisations:

1. Hillingdon Credit Union - Steve Allen, President
2. Hillingdon Mind - Christopher Geake & written submission
3. Charrison Davies, Estate Agent – David Miller
4. Phillip Laurence, Estate Agent – written submission (in Appendix ??)
5. Age UK Hillingdon – written submission (in Appendix ??)

## 1. Hillingdon Credit Union

Having heard at the first witness session about the steps the Council was taking to reduce tenancy failure, the Committee recognised the importance of sound financial management and were keen to learn what actions partners were taking.

Steve Allen, from the Hillingdon Credit Union explained how this was a not for profit organisation which had operated in Hillingdon since 1991. Members heard that it offered a range of services for people which had difficulty or a fear of using long established financial institutions and these included current and savings accounts, loans and a Christmas savings club. Clients could save money on bills by setting up direct debits on their current accounts with the Credit Union and this was a far better option than using door step lenders or internet pay day lenders which sometimes charged exorbitant rates of interest. The most common reasons cited for tenancy failure were:

- Budgeting issues - an unwillingness to prioritise bills and charges compared to other forms of expenditure.
- Dependency Issues – Income was diverted to meet these needs.
- A lack of budgetary skill meant that some clients spent as much as 10% of their income on bank charges each month.
- Lack of Financial Knowledge - In many cases, clients were simply unaware of what assistance they were entitled to and also where information and guidance could be found.

Officers commented that front line Council staff, encountered people on a daily basis which might well benefit from a Credit Union if they were aware the service existed. In this regard, it was noted that the Credit Union had limited resources for promotion but there was scope for it to potentially quadruple in size if it automated its process of setting up accounts. In response to whether the Credit Union had explored the idea of moving outside the bounds of the Civic Centre, the Committee heard that High Street locations were cost prohibitive but some Credit Unions were located in primary schools. The Committee accepted that the Credit Union offered a valuable service and agreed that it would likely benefit from the Council assisting to raise its profile. With these points in mind, the Committee agreed the following recommendation:

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

In terms of financial exclusion, it was noted that many clients did not have a bank account in their own name and this was as high as 10% of clients living within the private rented sector. A lack of a bank account, coupled with poor credit histories meant that in many cases clients had to opt for pre-payment which could be as much as 30% more expensive (in the case of utility bills) than direct debit. Clients without bank accounts were also excluded from applying for credit cards and so could not access discounted offers available to internet users.

The Committee was informed that the lack of a bank account was also very significant because, when Universal Credit was introduced, it would only be paid to persons with an individual account. It was noted that Universal Credit would be paid monthly but that most clients budgeted on a weekly basis.

Officers explained that there was little evidence of a savings ethic in low income communities and persons expected to purchase what they wanted immediately. This meant that there was a strong reliance on third party pay day lending. In this respect, the Committee was encouraged to learn that the Credit Union steered people towards reputable companies which could provide competitive finance for large household purchases and also direct them to select internet sites which offered good prices.

Looking to the future, the Committee heard that the proposed welfare reforms would probably lead to families being worse off and the need for Credit Unions would increase as would the requirement for basic bank accounts and savings programmes which would aid financial inclusion. At grass roots level, the Committee felt there was scope for the teaching of basic financial management to become more widespread alongside the Personal, Social, Health and Education already taught at primary and secondary schools and the Committee therefore suggested the following recommendation:

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

It was noted that with the introduction of Universal Credit, the Credit Union would be offering a Budget Account which would enable the client to use a pre-paid Visa card to pay for rent, Council Tax and utility bills which the Committee supported. However it was noted that the Credit Union did not offer specific debt advice or advise clients

on what they should or should not purchase. Clients which asked for financial advice were directed to third parties such as Uxbridge United Welfare Trust or CAB.

Further points to emerge from the witness session with the Credit Union included:

- The Committee noted from its experience of case work, that in most cases, tenants often only notified them of the threat of eviction at the last minute when it was too late to intervene.
- In most cases, if a tenancy failed and a tenant was evicted, the over riding feeling was that the Council had an automatic duty to re-house them.
- Members felt that tenants would benefit if they were assisted with advice and guidance on the following priorities: utilities, rent and Council tax.
- Often unplanned events such as illness or reduced hours at work could lead to a financial spiral which then led to rent arrears.
- Clients in the Private Rented Sector were far more vulnerable to eviction than their counterparts living in social housing and up to two thirds of Private Rented Sector clients would not complain to a landlord about fixtures, fittings or maintenance issues for fear of eviction, as Private Sector Landlords did not require a reason to evict a client.
- Members heard that the Credit Union could assist those living in the Private Sector if they agreed for their local housing allowance to be signed over to the Credit Union. The Credit Union would then ring fence this money and ensure it was paid directly to the landlord.

## 2. Hillingdon Mind

Although mental health is harder to classify than physical health and well-being due to the complex interaction between cultural, social and individual realities, poor housing can have a significant negative impact on mental well-being. Of particular significance was the statistic that people with mental health conditions were more likely to live in rented accommodation than be owner occupiers.

The home can be an important part of the psychological support for an individual, providing a sense of belonging and shelter from outside aggression and it has been described as the central reference point of human existence. Bad circumstances in neighbourhood relationships can generate or exacerbate social pathologies such as stress, anxiety, irritability, aggression, vandalism, depression and anxiety and the alteration of attention capacities in school children. In addition, environmental factors such as pollution, noise (which can be detrimental to sleep patterns) and crowding / overcrowding can all have an impact on mental health. It has been shown that stressful housing conditions have been shown to aggregate pre-existing psychological conditions.

The Committee was provided with the stark facts that in the course of a person's lifetime, one in four would be affected by a mental health issue and, at any given time, one in six adults have a recognised mental health issue. Addressing the reasons for tenancy failure, the Committee heard that these factors were often exacerbated for people with mental health issues for the following reasons:

- heightened levels of anxiety
- the debilitating effect of depression
- isolation from family and friends

- difficulty in reporting appropriately, and relating to the often confusing array of professionals, officials and agencies which might be involved in a person's life at a given time
- the effect of stigma and discrimination
- harassment

In relation to the economic and social costs of tenancy failure already cited in the report, Members noted that people with mental health problems might also suffer from:

- The loss of confidence and low self esteem
- Disruption to social networks
- A possible relapse into substance misuse
- The effects of relocation to unfamiliar parts of the Borough
- Additional pressures on primary health care
- Admission to secondary health care
- The cost of expensive health and social care interventions
- Increased dependency on welfare benefits
- The prospect of homelessness and the consequences of this.

It was noted that Hillingdon Mind no longer operated a floating support housing service and did not specifically address housing issues. However, Hillingdon Mind made a valuable contribution to minimising and preventing tenancy failure through a number of initiatives by:

- Supporting a number clubs and societies meeting across the borough which could play an important role by reducing social isolation and providing support networks.
- Providing a Counselling service and long term therapy to people with deep seated issues and thereby assisting in preventing mental deterioration.
- Starting Café Mind. This offered opportunities for people to make new relationships, volunteering and accredited learning.
- Providing Mental Health First Aid training and raising awareness of mental health issues and contributing to the reduction of stigma.
- Providing anger management courses which offered an opportunity for people to manage conditions which could lead to a breach in tenancies.

Asked what further action might be taken to improve tenancies in the Borough, the following suggestions were made:

- Ensuring there are effective ways of engaging with and capturing feedback from tenants with mental health issues.
- Improving engagement with tenants to help improve and inform service design and the delivery of those services.
- Ensure that all housing support workers are conversant with mental health issues and have received some basic training in this field.
- To look at how befriending schemes might be adapted and incorporate a specific housing perspective.
- Further work through tenants and residents associations to increase awareness of mental health issues and develop their capacity for providing tenancy support.

### 3. Charrison Davies - David Miller

To compare and contrast the experiences of tenancy sustainment in Council housing with the Private Rented Sector, the Committee heard from several local estate agents both in person and in writing. The Committee heard that the private rented sector was growing. Government statistics suggested that in 1999, 9.9% of English households rented privately and that by 2011/12, this had risen to 17.4%, with the number of households renting privately overtaking the number in the social rented sector. The Committee heard the reasons behind the substantial increase included: the deregulation of the private rented sector and changes to tenancies in the late 1980s generating increased investment; constraints on the other two main tenures—social housing and owner occupation—forcing more people to rent privately; and economic, social and lifestyle factors leading to an increased demand for more flexible forms of housing tenure.

As anticipated, David Miller explained that tenancies in the Private Sector were driven by commercial considerations rather than a moral compass. The Committee heard that as demand was so high, landlords enjoyed the relative luxury of being able to 'cherry pick' the tenants they wished to house and there was no incentive to be overtly supportive of tenants as this would erode profit margins. Asked how they did this, the Committee learnt that stemming from years of experience within the sector, many private sector landlords had developed a sixth sense about which clients to engage with. The Committee learnt that tenancy failure in the Private Rented Sector was largely caused by anti-social behaviour (alcohol and drugs) and to a degree, by rent arrears. In addition, a common contributory factor to tenancy failure centred around many clients not having realistic expectations and the correct support networks when support and guidance were required. To address these issues the Committee felt that there was further scope for joint working between Housing Services and Registered Social Landlords:

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

The Committee heard that when tenancies were in danger of failing, landlords would choose to become involved because of the financial implications of reduced revenue streams and the desire to keep a property occupied. If tenancies failed completely and eviction action was necessary, it was noted that Private Sector landlords incurred costs from legal action, court costs and refurbishment costs, all of which had cost implications and negated any profit they might make.

Drawing on some positive experiences and what the Council might learn from the sector, Officers confirmed that there was scope for further joint working so that tenants had better financial management skills and were more aware of where to find advice and guidance. To assist all tenants, the Committee suggested that a review of existing forms of information and advice would be helpful means of illustrating where information could be improved:

**Recommendation: That the Cabinet Member for Social Services, Health and Housing requests that Council's front line staff receive refresher training to give basic advice and sign posting and consideration be given to the following:**

- a. Undertaking a review of service directories and website information**
- b. Developing information available through social networking**
- c. Updating information leaflets available to residents on the provision of advice on benefits and relevant campaigns.**

In addition, it was suggested that there was an opportunity for the Council and private sector landlords to revisit the information packs which were provided to tenants at the start of their tenancies and also to develop a checklist of those factors which made tenancies most effective and sustainable and to codify this so that a pro-forma could be created in the future. To do this the Committee made the following recommendation:

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

Contrary to what was anticipated, the Committee learnt that rent arrears were not a significant issue as tenants wished to remain housed in the property and location of their choice. Tenants living within the private rented sector were well aware there was a steady stream of potential tenants ready and willing to replace their tenure should an eviction occur because of the buoyant rental market.

# Closing Word

Decent housing and living in one's own home are essential for good life chances. Without these key ingredients, it is less likely that a person will be employed or that children will have the requisite environment to succeed in education. Research has shown that successful tenancies are not only beneficial to individual households, their landlords and the local authority but also for the wider community as a whole.

The Committee's review looked at tenancies and support arrangements across all forms of tenure, as well as examining what the Council was actively doing with partner organisations to promote tenancy sustainment.

Set against a backdrop of welfare reform and reductions to housing benefits, where is anticipated that cases of arrears, debt and ultimately homelessness might arise, the Committee heard and supported the risk based, early interventionist approach currently being developed by the Council to help people to remain in their own homes.

The review makes a series of recommendations which seek to reduce instances of tenancy failure by supporting new ways of working across Council teams. The Committee supports the proposals to place a greater emphasis on problem solving and preventative action at the outset of all tenancies. The Committee have highlighted that there is scope to undertake a review of the existing information, advice and guidance, and also to explore what might be done through digital social media and telecoms to advertise and make guidance universally accessible.

The Committee heard a number of suggestions from partners and agreed that an early interventionist approach could be reinforced by positive messages at school, as well as working closely and promoting the work of organisations like the Credit Union.

Finally, the review touched upon the value of developing a universal checklist with all those agencies supporting tenancy sustainment so that this could be used as a tool to monitor outcomes. However, due to the complexity of this task, given the Council's dual role to address homelessness and duty as a land lord, the Committee agreed there was plenty of scope to build upon its initial work in a possible future review.



## Appendix A

# WHY IS TENANCY SUSTAINMENT IMPORTANT?

The social and economic costs of tenancy failure are significant. They can result in poverty and disadvantage being passed down from one generation to the next as learnt behaviour. Families who are unable to sustain their tenancies are more likely to have:

- Disruption to a child's schooling and so lower educational attainment
- Poor health and well-being
- Reduced ability to secure long-term paid employment and therefore greater reliance on state benefits
- Poorer financial awareness and therefore greater likelihood of making poor financial decisions
- Reduced life chances

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

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

Most new social housing tenancies are now let on a fixed term. Renewal is not automatic and is usually related to a combination of compliance with tenancy conditions and a continuing need for social housing. The usual tenancy term for Hillingdon Council dwellings is five years and where a tenancy is to be brought to an end, the council has a role in ensuring that the client is informed well ahead of the end of their tenancy that it is not to be renewed and is made aware of the housing options available to them to assist in a smooth transition.

### **Additional pressures related to welfare reform**

The Government has introduced major changes to welfare benefits mainly through the Welfare Reform Act 2012. These include:

- Localised support for Council tax
- Localised welfare support
- Universal credit and the introduction of the benefit cap
- Introduction of the social housing size criteria and other housing reforms
- Introduction of Single Fraud Investigation Service

The Local Housing Allowance (LHA) paid to people living in the privately rented sector is already capped at the 30<sup>th</sup> percentile of rents in the locality. From April 2013 increases in LHA have been restricted to an annual increase in line with the Consumer Price Index (CPI).

The changes that are likely to have the most significant impact for sustaining tenancies are the social housing size criteria and the household benefit cap. Additional detail about these changes is included in Appendix A. A further change that is also expected to have significant consequences is the payment of housing element of Universal Credit direct to the tenant. The time frame for the roll out of Universal Credit begins in October 2013 but extends over a number of years and hence the impact is significant, but less immediate.

Further information on:

- Social housing size criteria
- Household Benefit Cap
- Universal Credit direct to tenants in social rented housing
- Arrears
- Discretionary Housing Payments - is provided below

### **Social housing size criteria**

From April 2013, size criteria guidelines for social rented housing has been based on those for the private sector. That is one bedroom for each of the following:

- A couple
- A person who is not a child (age 16 and over)
- Two children of the same sex
- Two children who are under 10
- Any other child
- A non-resident overnight carer

For those deemed to be under occupying there is a reduction in Housing Benefit of 14 per cent for under occupation by one bedroom and 25 per cent for under occupation by two or more bedrooms.

The under occupation measure doesn't apply to pensioners, exempt supported accommodation and certain types of temporary accommodation.

Disabled tenants who require an additional bedroom for a non-resident carer who provides overnight care for the housing benefit claimant or their partner, will not experience a Housing Benefit reduction. There are no exemptions for other disabled tenants/occupants. The Government has made additional funding for Discretionary Housing Payments available for disabled people who live in significantly adapted accommodation.

The original regulations did not exempt foster carers but were subsequently amended. Where the claimant or partner is an approved foster carer, an extra bedroom will be allowed under the size criteria rules for use by a foster child or children.

If a student's main residency is their parents' home, then their bedroom will not be considered as spare.

Where under-occupancy arises due to death, a year's grace is allowed.

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Wives or husbands of those serving in the armed forces will be unaffected by these changes and parents with children in the Armed Forces who continue to live with their parents will continue to be considered as living at home when applying the size criteria whilst away on operational duty.

A concern for social landlords, is that the measure will result in increased rent arrears and eviction of affected households resulting in costly homeless applications. Options for those experiencing a shortfall include:

- Meeting the shortfall from other income (most are likely to find this difficult)
- Apply for a Discretionary Housing Payment
- Moving to a smaller home
- Taking in a lodger
- Re-designation of rooms
- Earning more money

The social housing size criteria means that over the course of a year we will need to collect an additional £497,090 from tenants that was previously covered by Housing Benefit. Nationally there are 670,000 households affected. In Hillingdon there are a total there are 1,373 social tenants affected, 721 of which are London Borough of Hillingdon tenants. The remainder are tenants of other Registered Providers (Housing Associations). The Community Housing Team has indicated that approximately 60 Council tenants affected have said they are prepared to move to a smaller property. There are 1114 under occupying by one bedroom and 263 under occupying by 2 or more bedrooms. Earlier research indicated that households will on average lose £17.08 per week in Housing Benefit. Those under occupying by two or more bedrooms, will on average lose £31.72 per week.

At 23<sup>rd</sup> June 2013, there were 320 households affected by the social housing size criteria that were in arrears. Of these, 252 had already been in arrears at 31<sup>st</sup> March 2013.

**Table 1**

<b>Level of arrears of LBH tenants affected by the social housing size criteria at 23<sup>rd</sup> June 2013</b>			
Less than £50	£50 to £99.99	£100 to £499.99	£500 or more
76	53	136	55

### **Household Benefit Cap**

The benefit cap will cap total household benefits at £500 per week for a family and £350 per week for a single person with no children. The Housing Benefit (Benefit Cap) Regulations 2012 introduced the cap on household benefits from 15 April 2013 in the London Boroughs of Croydon, Enfield, Haringey and Bromley. National implementation will be managed over a 10 week period split into two tranches. The London Borough of Hillingdon falls within the second tranche which will include all local authorities with 276 or more households to be capped and is due to commence from the week of 12 August 2013.

Housing Benefit paid to households in supported exempt accommodation will be disregarded from the cap. Claimants in receipt of certain benefits are exempt:

- Entitlement to Working Tax Credit – to increase the incentive to find a job or work increased hours
- Receipt of Disability Living Allowance, Personal Independence Payment, Attendance Allowance, Industrial Injuries Benefits (and equivalent payments made as part of a war disablement pension or the Armed Forces Compensation Scheme) or the Support Component of Employment and Support Allowance.
- War Widows and Widowers in receipt of a pension paid under the relevant parts of the War Pension Scheme, Armed Forces Compensation Scheme or analogous schemes.

A nine-month “grace period” operates during which the cap does not apply to claimants who have been in work for the previous 12 months and who lose their job through no fault of their own.

The cap is, in the first instance, being administered by local authorities and operates by reducing the claimant’s Housing Benefit entitlement where their total amount of benefit entitlement (excluding certain specified benefits) exceeds £500 per week for a family or £350 per week for a single person. Once households have transferred to Universal Credit, the cap will apply to their combined income from Universal Credit and benefits, including Child Benefit and Carer’s Allowance.

The number of households affected by the benefit cap changes as household circumstances change, particularly as they move in and out of work. Scan data provided by the DWP suggests that it is likely to be in the region of 600 households. For some, the reduction in benefit is likely to be small enough to be managed. Analysis on 592 households on the DWP March 2013 scan identified 196 social tenants with an impact greater than £10 a week. These Council & RSL tenants are in the most affordable accommodation and are likely to benefit from tenancy sustainment, budgeting or employment assistance. A further 363 households are renting in the private rented sector and will require assistance. About 68.5% of households are impacted by less than £100 a week, 22.5% by between £100 and £200, and 9% by over £200.

### **Paying the housing element of Universal Credit direct to tenants in social rented housing**

Council tenants currently receive their Housing Benefit as a rent rebate and their rent accounts are adjusted accordingly. Housing Associations invariably require tenants’ Housing Benefit entitlement be paid directly to them by the local authority.

When Universal Credit is rolled out nationally from October 2013, the Government intends that the housing component will be paid direct to tenants; although it is envisaged that certain vulnerable tenants and pensioners will continue to have their housing cost paid direct to the landlord. This will bring the social housing sector in line with the private rented sector where tenants, except in certain limited circumstances, have received their Local Housing allowance direct since April 2008.

Again, social landlords are concerned that direct payments will result in increased rent arrears.

## OTHER HEADLINE DATA

### Arrears

The number of rent accounts in arrears of 7 weeks or more at week 1 of 2013/14 was 381 (3.74% of rent accounts). At week 15 this was 408 (4.09% of rent accounts).

<b>Arrears Activity Statistics (London Borough of Hillingdon)</b>					
	<u>NOSP*</u> <u>served</u>	<u>Eviction</u> <u>dates</u> <u>obtained</u>	<u>Eviction</u> <u>dates</u> <u>stayed</u>	<u>Evictions</u> <u>carried out</u>	<u>Abandonments</u>
<u>2010/11</u>	<u>834</u>	<u>194</u>	<u>126</u>	<u>11</u>	<u>16</u>
<u>2011/12</u>	<u>706</u>	<u>249</u>	<u>186</u>	<u>11</u>	<u>23</u>
<u>2012/13</u>	<u>710</u>	<u>218</u>	<u>176</u>	<u>15</u>	<u>10</u>
<u>April to June</u> <u>2013/14</u>	<u>236</u>	<u>42</u>	<u>32</u>	<u>4</u>	<u>3</u>
<u>Full year</u> <u>equivalent (x</u> <u>4)</u>	<u>944</u>	<u>168</u>	<u>128</u>	<u>16</u>	<u>12</u>

\*Notice of Seeking Possession

Whilst there is not yet an obvious increase in arrears, it does appear that if the current rate of NOSP's served continues or increases, there is something of an upturn in arrears activity.

### Discretionary Housing Payments<sup>1</sup>

The total fund available for 2013/14 is £1,245,418. To the end of June 2013, £137,756 had been paid and a further £69,865 committed. There had been 147 claims made and 74 awards.

### **Council Tax Reduction** – (replacement for Council Tax Benefit)

- **12,297** households affected and will have to pay more Council Tax, including
- **7,254** who will have to pay a minimum 20% for the first time.  
Minimum 20% Council Tax based on a two adult household

Band A	£188.79	Band E	£346.12
Band B	£220.26	Band F	£409.05
Band C	£251.72	Band G	£471.97
Band D	£283.19	Band H	£566.67

- **758** households lost help with their Council Tax

<sup>1</sup> Information included above on Discretionary Housing payments reflect the position at the time this report was considered by the Policy Overview Committee. To December 2013 expenditure from this fund totalled £671k, with 661 awards being made from a total of 1,276 claims.

## Appendix B

# WITNESSES

This review was undertaken over 2 meetings in September and October 2013 and the following witnesses presented evidence:

- John Higgins, Service Manager, Mental Health
- Nick Ellender, Safeguarding Team, Service Manager
- Tony Zaman, Director of Adult Social Care Services
- Amanada Jackson, Service Manager Disability Services
- Kevin Jones, Children's Services
- Ed Shaylor, Anti-Social Behaviour Team, Service Manager
- Nigel Dicker, Deputy Director, Residents Services
- Neil Stubbings, Head of Housing
- Debby Weller, Residents Services (Transformation), Housing Strategy Manager
- Huw Thomas, Housing Manager (Income)
- Rod Smith, Head of Estates Management
- Sinead Mooney, Housing Manager (Independent Living)
- Sunita Gudhil, Area Benefits Manager
- Charrison Davies, Estate Agent – David Miller
- Phillip Laurence, Estate Agent – written submission
- Hillingdon Mind - Christopher Geake & written submission
- Hillingdon Credit Union - Steve Allen, President
- Age UK Hillingdon – written submission

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## **OUTREACH**

The housing outreach team provides a housing advice service in the community, primarily in resident's homes but can also work alongside related services such as schools, children's centres and support agencies.

The aim of the service is to prevent homelessness, offer support and guidance and also develop resident's abilities to find their own solution to their housing issues. This is carried out within the following areas:

- B&B/Temporary accommodation visits – visiting housing applicants currently in temporary accommodation to offer support, advice and confirm occupancy.
- Prevention – visiting applicants in their home to assess and provide housing advice with the aim of delaying or preventing homelessness.
- Verification – verifying housing applicant's details who are in the process of being considered for a council/housing association tenancy.
- Welfare Reform – provide information and advice to those affected by the welfare reform changes.
- Community Events – providing housing surgeries and education road shows within local secondary schools.
- Visiting residents in hospital or at their home if they are unable to access the Civic Centre to provide housing advice and support.
- Floating support – provide low level short term floating support and work alongside existing floating support providers

## Appendix D

# Independent Living Support Service

The Independent Living Support Service works to support individuals in developing and maintaining their ability to live independently in their own home and to take control by making informed choices. The service is flexible and client focused, and will adapt to meet the needs of the individual. The service is not linked to specific accommodation, and supports clients living in their own home or rented accommodation.

A nominated support worker will visit their clients regularly in their home or out in the community at times and in ways to suit the client. Support workers help clients with tasks such as (but not limited to):

- Negotiation with their landlord
- Accessing other services within the borough
- Submitting applications to ensure clients receive the right benefits in a timely manner
- Supporting clients with budgeting properly to pay rent and bills
- Registering with GPs or dentists
- Signing up to training courses or education courses
- Improving social contacts within your area.

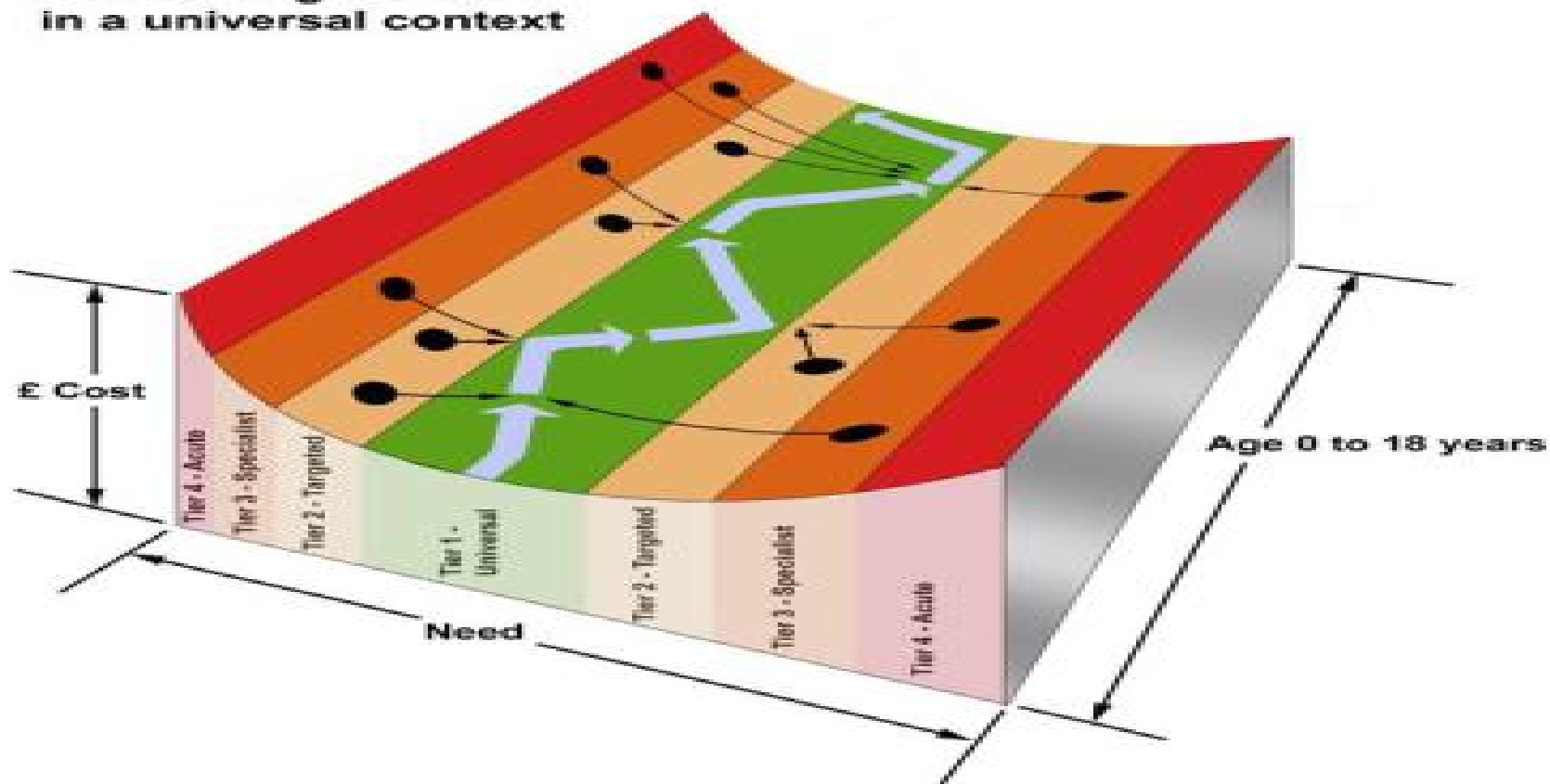
The service will work with clients and identify their needs through effective support and action planning and regular review meetings.

Clients can be referred via a range of services such as social services, housing services, health services, outreach services and self referrals.



## Appendix E

### Maintaining a child in a universal context



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## Appendix F

# EVIDENCE FOR COST SAVINGS THROUGH EARLY INTERVENTION TO SUSTAIN TENANCIES

## Hyde Money Guidance Programme

A partnership between Hyde, Amicus Horizon, Circle 33, L&Q and Metropolitan Housing Partnership has been providing preventative money advice and guidance to their residents. This was a three year project the aim of which was to increase financial capability by developing money management skills, preventing debt problems, and improving financial well-being

The evaluation of the service found that the case for supporting residents with their household finances and addressing existing social problems through the Money Guidance Programme service is a powerful one. There is evidence that it can provide potentially significant social and financial gains for each household.

Headline findings are:

- Early intervention is the key to preventing later escalation of financial problems
- Money guidance has direct financial gains for the residents and for the social housing providers
- Money guidance has to be responsive to the needs of the target group, it cannot be driven by pre-conceived ideas of what financially excluded people need

The recommendations from the report concluded that money advice should be continued and that it could be offered by each provider easily and cost effectively be provided universally by each of the social housing providers.

The service offered both a light touch money guidance service and a more in depth money guidance case work approach. Other successful elements of the approach include good communications to make sure there is awareness of the service and what it can offer; targeting both new tenants and those who are already in rent arrears; attaching considerable importance to making sure there are good and effective referral mechanisms into the service.

Overall average rent arrear levels have been shown to have fallen following the delivery of both types of money guidance services. For existing residents who are already in rent arrears the identified business benefits from reduced arrears were shown to be meeting the investment costs of delivering the service. Such improvements to rent payment behaviour will also save social landlords resources through reduced intervention activity costs.

## Nottingham City Homes Tenancy Sustainment Strategy 2012 – 2015

Nottingham City Homes quote the following indicators of the success of their approach to tenancy sustainment:

- Increase in the number of new tenants successfully sustaining a tenancy.
- Terminations down from 2,471 in 2010/11 to 2,208 in 2011/12
- Reduced level of evictions from 241 in 2010/11 to 167 in 2011/12
- Reduced rent arrears by £1.94m over 4 years
- Note: Nottingham City Homes stock of 28,168 and turnover 1,920 properties per annum.

There are three aspects to their strategy:

**Improved tenancy sustainability**, providing applicants and tenants with support and advice tailored to their needs, to maximise their opportunities to sustain their tenancy, support health and wellbeing and maximise their life opportunities.

**Improved financial and economic stability amongst tenants**, developing financial capacity, employability, and supporting tenants through the economic downturn and changes brought about by welfare reform

**Improved understanding of tenancy failure and its causes**, developing our knowledge and use of data to develop service and solutions to reduce unnecessary and preventable tenancy failure

The strategy identifies the following risk factors:

- Age: young, first time tenants (including an inability to secure adequate furniture and equipment), elderly tenants (including care and support needs)
- Living in an area the tenant does not want to be
- Anti-social behaviour and harassment
- The condition of the property
- How suitable the accommodation is for the tenant's circumstances
- Poverty, low income, debt problems
- Mental health
- Ill health and disability
- Dependency issues
- Offending background/risk of offending
- Household and family factors
- A lack of support when it is needed

The barriers to intervention mirror those recognised by LBH in the scoping report. The strategy uses proactive support interventions targeted toward identified risk factors, similar to the risk management approach set out in appendices 1 to 4 of the scoping report; coupled with a reactive approach to certain triggers such as rent arrears, a breach of tenancy, relationship breakdown. The reactive responses include processes for handling rent arrears, anti-social behaviour, breaches of tenancy and eviction as well as referrals to relevant agencies i.e. or debt advice.

All case studies point to a worsening environment for increased debt and rent arrears and consequently an increased importance of making sure that effective tenancy sustainment practices are funded and embedded in the organisation.

## Appendix G

# WRITTEN SUBMISSION: AGE UK HILLINGDON

The Committee was informed that Making the Right Move service was a new project, provided by Age UK Hillingdon which was introduced in July 2012. The aim of the service was to provide information, advice and practical support to older people (60+ yrs.), who were thinking about moving or who wish to remain independent in their own home. The service was inclusive and open to private/social tenants as well as owner/occupiers.

The service aimed to provide service users with housing options information/advice to meet their individual circumstances to enable them to make the right choice for them. Practical and emotional support was provided during the transition. Continued support would be offered for a period of up to six weeks once they had moved into their new home.

The Committee was informed that the scheme offered choice and support to older people. The rationale behind the scheme and the aspiration was that it would prevent problems arising in the future that have a negative impact on health and wellbeing by reducing stress, maintaining good health, enabling integration into the community, offering good signposting and most of all, appropriate housing.

From the research conducted by Age UK Hillingdon, the following concerns have been raised by older people which had Accessed their service:

### **Reasons given for wanting to move:**

- Social isolation/loneliness, even in sheltered accommodation.
- Moving to be nearer to family for support
- Decline in health/mobility – their current home no longer suits their needs e.g.; too many steps/stairs. Adaptations required to support them with living independently to the bathroom etc.
- Not being within walking distance of local amenities e.g.; transport links, shops
- Dissatisfaction with the property condition.
- Financial; In particular utility bills too high
- Require more bedrooms for a live in carer

### **Social Tenants - transitional problems**

#### **Issues raised by social tenants about transitional issues included:**

- Lack of support during and after the move with; finances including assistance to apply for and transfer of welfare benefits,
- practical support,
- social integration.

Once a client is offered a property/tenancy under the choice based lettings system (Locata) the start date of the tenancy is usually within a week or two of the offer and

acceptance. Clients that we have supported with bidding have found this quite alarming and have felt under extreme pressure. Delays in obtaining financial assistance to obtain furniture/carpets etc., often mean that a client feels unable to move into the home at the official start of their tenancy. Tenants may in some instances be eligible for housing benefit to be paid on both properties. However, clients usually require a high level of support to access this and make it happen.

Clients require support/access to welfare benefits advice in order to assist them with maximising their income in connection with the transfer from one tenancy to another. If this support is missing clients can easily slip into arrears and problems from the offset of their new tenancy.

Need for easy access to funds for practical assistance to facilitate the move; the community care grant has been abolished and replaced by local assistance (Hillingdon local welfare support scheme). How effective this will be, remains to be tested.