# Tenancy Strategy 2024-2028

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# Foreword

I am pleased to present our Tenancy Strategy. Housing is the key foundation for a good life; stable and affordable accommodation is a basic requirement for good health, education and employment.

This strategy sets out our approach to tenancies within our own social housing properties and those of housing associations in the borough.

Cllr Simy Dhyani - Portfolio Holder for Housing and Property Services

# Executive summary

Dacorum Borough Council (DBC) is committed to ensuring that local people have access to genuinely affordable homes. The Localism Act 2011, requires Dacorum Borough Council to have a Tenancy Strategy that sets out expectations and guidance on the Council's approach to tenure, affordable housing and collaboration to working with Registered Providers.

This strategy applies to all homes owned and managed by Dacorum Borough Council's housing and property services. As a local authority, we aim to work closely with housing associations that also own and manage properties in the borough. Details of our approach to allocating homes in Dacorum are covered in our Housing Allocations Policy.

Dacorum Borough Council strives to give those who are allocated social housing the security of long term homes rather than temporary provision. Offering suitable properties and tenancies, and building vibrant communities is vital to this approach.

# Our objectives for this strategy

The objectives of this strategy are to:

- Outline different types of tenancies used by the Council and our approach to granting and reviewing them
- Outline key challenges locally and how the Council would like to address housing provision now and for the future
- Outline the approach to social and affordable rents in Dacorum
- Outline our approach to working with local housing associations to make sure that all the borough's residents have access to affordable, safe housing.

# Our Vision

We want to continue both building our own new homes and providing support to Housing Associations to do so where viable.

We are committed to continuing to improve our existing stock by undertaking a stock condition survey, and investing in improvements including making our homes more energy-efficient.

We will continue to focus upon preventing homelessness through proactive advice and assistance.

This strategy also supports the Council's corporate vision:

- A clean, safe and enjoyable environment
- Building strong and vibrant communities
- Ensuring economic growth and prosperity
- Providing good quality affordable homes, in particular for those most in need
- Climate and ecological emergency
- Ensuring efficient, effect and modern service delivery

# National considerations

This strategy has been developed to align with all relevant current statutory legislation and best practice guidance.

Nationally, with a lack of tenure security and affordable properties in the private rented sector, there is an ever-increasing pressure on local authorities to build and deliver more affordable homes.

By means of this Tenancy Strategy, Dacorum Borough Council will outline our approach both to offering different types of tenancies and towards social and affordable rents within the borough.

In 2023, the Social Housing (Regulation) Act introduced a new approach to regulation of social housing providers, including the revised consumer standards and the introduction of Tenant Satisfaction Measures TSMs).

There are 4 revised consumer standards that housing providers must adhere to:

- Safety and quality standard
- Transparency, influence and accountability standard
- Neighbourhood and community standard
- Tenancy standard

Along with the consumer standards, from spring 2024 all social housing providers must publish their performance against the regulator's TSM standard.

It is the responsibility of all social housing providers to ensure that their respective organisations are meeting the standard. There are elements of this Tenancy Strategy that will help the Council work towards these standards and give tenants and the public evidence of how required working practices are met.

Full details of Regulatory Standards for social housing are published on the Government's website.

# Local considerations

Dacorum experiences significant levels of housing need and demand is high for housing of all tenures. Regular reviews of the Housing Register are undertaken to ensure that applicants in housing need are actively bidding on suitable properties. Applicants who are not demonstrating a housing need will be written to, then – if not actively bidding - removed from the Housing Register.

The availability of good-quality housing in Dacorum has an important part to play in supporting the local economy, as well as being critical in promoting well-being and achieving positive health outcomes. It is vital that the Council ensures best use of its own housing stock and supports those applicants most in need of rehousing. It is important to maintain a mix of different sizes, types and tenures of housing to meet a wide range of housing needs.

## Under occupancy

There is a great deal of under occupancy within the borough, although this is difficult to quantify accurately. Tenants in either Council or Housing Association properties who wish to downsize are encouraged to make a Housing Register application and would then be awarded additional points to reflect the fact that they would be assisting to meet the shortage of larger homes.

## Adaptations

Where tenants need adaptations in properties that are unsuitable for the required works, both the Council and registered providers must consider any possible ways to meet that need. Where this is not possible, the tenant may be encouraged to apply for rehousing. Where Council tenants needing aids and adaptations are also under occupying their home, they will be encouraged to downsize to a smaller property that is more suitable to their needs.

## Homelessness

The Council's Prevention of Homelessness and Rough Sleeping Strategy has five key commitments focusing on:

- Working with partners to prevent homelessness.
- Improve access, stability and security in the private rented sector.
- Increase our effectiveness of preventing homelessness for those with complex needs.
- Provide tailored services to meet the needs of individuals.
- Eradicate rough sleeping.

## Future Needs

The Council aims to make sure that all the borough's residents have access to affordable, safe housing. Working in collaboration with our Housing and Planning teams ensures that homes that will be built in Dacorum for the future meet the needs and aspirations of our residents. Further information around the current and future housing needs of the residents of Dacorum and how the Council will be working with developers and Registered Providers can be accessed via the Interim Affordable Housing Supplementary Planning Document and the Housing Strategy.

We work to achieve these aims with our own housing stock by following our own strategies and working towards their aims, but the relationship the Council has with Registered Providers in the borough is also vital, because they own a significant proportion of the social housing stock in Dacorum.

# Introductory Tenancies

All new Council tenants will be granted an introductory tenancy, initially lasting up to 12 months (but which can in certain circumstances be extended to 18 months). If, immediately before the grant of the new tenancy, the new Dacorum Borough Council tenant is an existing tenant of another provider of social housing, they would usually be granted a secure tenancy from the outset.

Throughout this initial period, the tenancy will be monitored. When a tenant has successfully completed the introductory period they would then be automatically granted a secure tenancy. If there is any breach of tenancy or other concerns regarding the tenant's management of the tenancy during the initial 12-month period, the Council can extend an introductory tenancy for a further six months. If the breach of tenancy persists during the 6-month extension period, the Tenancy Management team reserves the right to initiate steps to end the tenancy.

## Secure Tenancies

A secure tenancy is a lifetime tenancy, meaning it cannot expire. The tenant(s) will keep the protection of a secure tenancy so long as they continue to live in the property as their only or principal home. A failure to do so results in security of tenure being lost automatically. Whilst the tenancy remains secure, the Council can only terminate the tenancy if the tenant has breached their tenancy conditions and obtains a court order for eviction.

**N.B.** Following consultation with residents in 2019, the Council decided to cease offering flexible fixed-term tenancies from the 1st April 2020 and revert to offering secure tenancies only. Reverting to secure (lifetime) tenancies is intended to lead to stronger communities and enable tenants to progress in employment without the risk of losing their home.

We consider lifetime tenancies to be the best approach to address social housing need and to create safe, healthy and confident communities in Dacorum.

## Demoted tenancies

The Anti-social Behaviour Act 2003 introduced a power for local authorities, private registered providers of social housing and housing action trusts to apply to demote a tenancy where a tenant, resident or visitor to a property is guilty of anti-social behaviour (ASB).

A demoted tenancy is a form of tenancy that reduces a tenant's security of tenure and other rights for 12 to 18 months. When a tenancy is demoted, for example, rights to succeed to or assign that tenancy and the right to buy may be altered for the duration of demotion. If the ASB in question is addressed appropriately during the length of the tenancy demotion, the tenancy will be reinstated to its former status.

## Joint tenancies

A ‘joint tenancy’ is where both people have the responsibility for meeting the requirements of the tenancy agreement. Both tenants are entitled to stay in the home until the end of the tenancy and both joint tenants will be responsible for all the rent regardless of whether one decides to leave. The Council will offer this type of tenancy to a maximum of two people and recognises applications for joint tenancies where two people can provide proof of marriage, civil partnership, or that they have cohabited as a couple for a minimum of 12 months. Joint tenancies will not be offered to anyone else who may be living in their home.

## Succession

Succession allows the tenancy to be passed on to certain qualifying people when the tenant dies. The tenancy agreement sets out the statutory rights to succession. The law allows only one statutory succession to each tenancy. Consequently, following the death of the original tenant there can be no further right of succession once the successor either ends the tenancy or dies.

When a joint tenant dies, the tenancy passes to the surviving joint tenant automatically, regardless of their relationship. This is called survivorship and counts as one succession. There can then be no further statutory succession.

## Granting a discretionary tenancy

If no succession right exists, the Council may consider the granting of a discretionary tenancy, either at the current property or a suitably-sized alternative. This would be an introductory tenancy and would be let in accordance with the Housing Allocations Policy at that time. Any such case will be considered on its merits following receipt of a written request to remain in the property.

A ‘Use and Occupation’ agreement would then be issued until a final decision is made. This agreement permits a person to occupy that dwelling without a formal tenancy agreement being in place.

## Relationship with Registered Providers

Dacorum Borough Council has working relationships with all Housing Associations that operate within the borough.

The overarching aim of this section of the strategy is to ensure that measures are in place so that - regardless of whether an applicant is a Council or Housing Association tenant - all social housing stock let to Dacorum residents is affordable and secure.

The Council will achieve this by a robust joint working approach, with the aim of ensuring that all Registered Providers are also committed to this goal.

We will do this via individual Service Level Agreements (SLAs) or partnership agreements with each of our registered providers, based on these aims.

Whilst these agreements will be tailored to the specific Registered Provider and will reflect their requirements and property numbers in the borough, they will all be driven by and encompass these same fundamental values to ensure the needs of Dacorum residents are the focus of any agreements made.

These agreements will not only include allocation arrangements, but also regular meetings between relevant service managers to discuss analysis of figures, trends and development progress, as well as any concerns or updates on any service changes that could have an impact on service delivery from either side.

Dacorum Borough Council is committed to ensuring that there is consistency between our own Housing Allocations Policy and that of our partners.

Whilst the Council cannot dictate the policies and procedures of other Registered Providers, we expect that, in the interests of partnership working, all Registered Providers with landlord responsibilities in the borough should consider the needs of Dacorum residents and apply similar principles to our own.

## Tenure type

During consultations with Registered Providers, Dacorum Borough Council has sought clarification on the tenure types being offered. Typically, Registered Providers offer starter/introductory tenancies for one year, which are then followed by longer-term tenancies. This is similar to our own approach.

As a stock-retaining council and Local Housing Authority, through collaborative working with Registered Providers we are committed to ensuring this approach continues so that a consistent level of tenure security is offered to all new social housing tenants in the borough, regardless of who their social landlord may be.

## Support for maintaining tenancies

We strongly recommend that landlords establish effective support systems to enable Dacorum residents to remain in their homes for as long as it remains suitable for them. Should residents' needs change, landlords are encouraged to assist them in making informed choices. This support may include exploring mutual exchange schemes and utilising the Council's Allocation Scheme and Choice Based Lettings website to facilitate a move to a more appropriately-sized and accessible home.

Tenancy Management Officers (TMOs) carry out tenancy review visits. This involves visiting all our tenants to make sure their home is being looked after, that everyone living at the property is entitled to be there and to signpost residents to support if any help is needed including the internal tenancy sustainment team. Find out more about what a tenancy review entails.

The Council provides a Tenancy Sustainment service designed to assist tenants facing challenges in maintaining their tenancy, particularly those with complex needs. Every tenant that is offered a Council property who is under 25, is referred to the Tenancy Sustainment team to ensure that they are best equipped to manage and sustain their tenancy. Where a tenant is experiencing difficulty in sustaining their tenancy initial support is provided by our Income, Tenancy Management or Supported Housing Officers – where further support or intervention is needed a referral may be made to the Tenancy Sustainment team.

Homeless applicants in need of temporary accommodation are assigned a dedicated officer to guide them through the process. This support continues for a minimum of six months if our duty leads to their placement in a Council property.

We would expect Registered Providers to give support to their tenants facing difficulties; either providing short or long term interventions to any tenant that requires support sustaining their tenancy or tackling perpetrators causing anti-social behaviour.

# Affordable rents

Affordability is a key focus. Through increased joint working, robust S106 agreements and SLAs, we are committed to ensuring that any Housing Association properties let through the Council are let at an affordable rent and therefore that tenants are charged an absolute maximum of 80% of market rent levels. The Council is committed to working with Housing Associations and Registered Providers to ensure that future housing provision meets the needs and demands of those on the Housing Register.

# Conclusion

Dacorum Borough Council is committed to ensuring that - through this strategy - the needs of Dacorum's residents are being met and that local people have access to genuinely affordable homes.

To conclude, this strategy demonstrates Dacorum Borough Council's commitment to ensuring that - through enhanced joint working processes - the Council has the ability to shape the affordability and security of all properties owned, advertised and let through us to Dacorum's residents.

## Governance and monitoring

This strategy will be reviewed every four years, or sooner in the event of legislation, business or sector developments. Review will ensure it continues to meet the stated objectives and takes account of good practice developments.

## Equality and diversity

Equality and diversity issues are a mandatory consideration in the decision-making of the Council. Equality considerations are integrated into day-to-day business and planning process, and we properly take into consideration what impact, if any, there is on any protected group and what mitigating factors can be put in place.