

## The Economy

# Emergency & Major Works Decant Policy

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### 1. Decant Form

#### 1. Introduction

- 1.1 LBHF has a duty to provide alternative accommodation to tenants when accommodation has become unsuitable to live in. This may be for a variety of reasons including, but not exclusive to:
- 'Acts of God' e.g. fire, flood, extreme weather conditions
  - major incidents involving flyover, rail lines, flight path, etc.
  - Property becoming uninhabitable because of serious disrepair/structural failings.
  - Major/complex/ restricted works are being undertaken resulting in the accommodation being temporarily unsafe for habitation.
- 1.2 This policy has been developed to ensure that the Economy Directorate has an appropriate response to support tenants when they require alternative accommodation, where it is no longer reasonable to remain in their current, permanent accommodation owing to the above, or similar, reasons.
- 1.3 The policy supports the delivery of the objectives found in the Housing Allocations Scheme.

## **2 Purpose**

- 2.1 The policy outlines how The Economy will deliver the decant process to ensure households deemed to have decant status are dealt with effectively and sensitively.

## **3 Scope**

- 3.1 The policy applies to major, planned and emergency works that cannot be undertaken with the tenant in situ which has been approved by the Assistant Director of Housing Management, Assistant Director Residents & Buildings Safety and Assistant Director of Repairs.
- 3.5 The policy applies to LBHF tenants only. Leaseholders and their tenants are required to make their own housing arrangements. Leaseholder's Insurance is required to cover temporary accommodation. Clearly, in the event of an emergency, the council will provide immediate advice and assistance.
- 3.6 The policy also applies to large scale decants. These will be dealt with as stand-alone projects following the principles of this policy and utilising additional council resources as required.

## **4 Policy**

- 4.1 This policy outlines The Economy's approach where it is no longer reasonable for a tenant to remain in their current permanent accommodation due to its condition or repair works required, and alternative accommodation needs to be provided.
- 4.2 The relevant Repairs surveyor and/or contract supervisor shall visit the property to inspect its condition and determine if a decant move is warranted. This shall then be authorised by the Head of Repairs Service or appropriate Contract Manager in consultation with the Allocations and Lettings Manager.
- 4.3 In cases of both major works and emergency decants, a Decant Form (Appendix 1) must be completed and approved by the Head of Capital Delivery or Head of Repairs Service (or appropriate contract manager) as appropriate. This form shall include a programme of the works to take place and/or nature of emergency and an estimated length of time that temporary accommodation will be needed. The form will then be forwarded to the Allocations and Voids Manager.
- 4.4 In the case of an approved emergency decant a placement request shall be passed to the Allocations and Lettings team who will arrange temporary accommodation. Bed & Breakfast or Hostel accommodation

shall generally be used initially. Where available, LBHF stock shall be used for emergency decant purposes.

- 4.5 Tenants required to move due to major works required for their property will be given an allocations code DEC/RET and be placed in Band 1 by a Supported Moves Officer (SMO).
- 4.6 Two offers of decant accommodation will be offered. Where two offers have been made and reviewed the SMO should further review the matter with the Repairs Contract Manager and the Allocations and Voids Manager to agree if further offers, legal action or alternative works should be implemented.
- 4.7 Tenants may choose to make their own accommodation arrangements on a temporary basis, but this shall be their own responsibility. LBHF will not make any payments towards rent/occupation of any property under such private arrangements, but may consider a subsistence payment, where appropriate.
- 4.8 An SMO will advise tenants of timescales and any financial issues such as rent, removals or subsistence payments. This shall be undertaken at the point of referral for decant. In a non-emergency this shall be within three working days.
- 4.9 Tenants moving as a decant shall be assumed to be undertaking the move on a permanent basis. (The rent account for the property they are being decanted from closed and a new one being set up for the property they have moved to).
- 4.10 Decanted tenants shall have the option to return to their original property should that be their preference post works/repairs/emergency, unless it is determined the property is permanently uninhabitable. If the tenant's preference is to return to the original property, then the tenant must return within 14 days of being notified of the works being completed.
- 4.11 There may be cases of other works where it may be preferable for tenants to be decanted e.g. H&S works, lift works on properties where it may be impractical in terms of access for the tenant to be expected to remain at the property due to their disability/medical condition. In such cases the tenant may be offered temporary accommodation whilst the work is being carried out. A permanent move will not normally be offered in these circumstances.
- 4.12 In a case where the tenant is returning to their existing home, the existing tenancy will be retained on our IT system, with the rent account continuing. The tenant would continue to pay rent on their permanent property and not the property to which they are decanted.

- 4.13 Council tax will always be levied on the occupied property. This will need to be explained to the tenant and any deficit on the decanted property addressed by LBHF.
- 4.14 Where tenants are required to decant because of disrepair or improvement (as a decant) they shall be offered a package of support to cover the disruption of moving. The council will:
- Pay for any removal's services. LBHF will cover the cost of moving items from the original property to the decant property and back. The Supported Moves Team (SMT) will arrange the removal of items and arrange payment to the company upon receipt of an invoice. If a removal slot is missed or cancelled without good reason, this payment will be forfeited.
  - Arrange disconnection, connection, and reconnection covering appliances such as washing machines and cooker.
  - Redirection of mail – paid when tenants have moved into the decant accommodation, for up to 3 months and thereafter upon review as agreed. (The Tenant shall be reimbursed when a receipt is provided).
  - Food costs – in cases where a tenant is decanted into a hotel or BnB, where cooking facilities are not available, a food allowance will be paid to compensate for extra costs. Where this is the case, LBHF will give an allowance of £15 per day per adult in the household and £10 per child. This will be paid upfront for the duration of the booking and reviewed if the booking needs to be extended.
  - Further cost such as travel cost, household cleaning products, kitchen utensils, etc may be considered. This shall be arranged by the SMO and approved by the Allocations and Voids Manager. This shall be funded through the decants budget.
- 4.15 LBHF does not arrange for the connection and supply of media and digital services e.g. (internet broadband, cable tv), for the property the tenant has been decanted to. This is the responsibility of the tenant should they require it and will be explained to them.
- 4.16 Making own arrangements.  
In cases where a tenant is arranging their own accommodation (staying with family and friends) for the period of the decant, LBHF will offer a payment of
- £150 per week – if decanted from a studio / one bedroom property
  - £200 per week – if decanted from a two-bedroom property
  - £250 per week – if decanted from a three-bedroom property
  - £300 per week – if decanted from a four-bed property

- 4.17 Tenants will be decanted to accommodation assessed as suitable and in accordance with the terms within the Council's current Housing Allocations Scheme.
- 4.18 Whilst housing preference will be considered, allocations will be based on bedroom requirement and not the property type e.g. tenants in a two-bedroom house may be offered decant accommodation in a two-bedroom flat.
- 4.19 Where it is apparent that tenants are living in a property with more bedrooms than currently necessary e.g. two-bedroom property but only one person residing, they will be offered a property with the number of bedrooms for their needs for the duration of the decant, i.e. one bedroom.
- 4.20 Should the decant be, or become, a permanent move the tenants may be entitled to a payment from the Beneficial Transfer Scheme. (a payment given when tenants free up a property with more bedrooms than they need for re-allocation to a family that needs a larger property). If an incentive payment is made under the Beneficial Transfer scheme, a decant disturbance allowance will not be paid.
- 4.21 In circumstances where works to the property result in changes to it rendering it unsuitable for the tenant to return (including demolition), then the move shall be deemed permanent. Tenants shall be able to remain at the decanted property on a permanent basis. If this is not suitable, long-term, for their needs, they may be offered an alternative property should they request this, and this is deemed acceptable by the Allocations and Voids Manager on the recommendation of the SMO.
- 4.22 For decants where it shall not be possible for the tenant to return to their original property, they will receive a one-off Home Loss Payment. This shall be governed under the Land Compensation Act 1973. This stipulates the payment is only payable to tenants who:
- Are obliged to move, and are unable to return to their original accommodation following works, and
  - Have been resident for a period of 12 months in their original accommodation.
- 4.23 Once a new property has been identified, viewed, and accepted, a new tenancy agreement shall be signed, and a tenancy start date agreed. The existing rent account shall be terminated. This shall be overseen by the SMO.
- 4.24 Any home loss or disturbance payment shall be paid only when the tenant has signed a vacation notice, moved into the new property and

returned the keys for the original property. The SMO shall arrange the payment and it shall be authorised by the Allocations and Voids Manager.

- 4.25 Where there are rent arrears these will be deducted from any payments made to the decanted tenant.

## **5. Responsibilities**

### **5.1. Strategic Director**

- 5.1.1 The Strategic Housing Director is accountable for the facilitation implementation and adherence to this policy, including the allocation of sufficient resources and funds.
- 5.1.2 The Strategic Housing Director retains accountably as the “responsible person” within the scope of the relevant legislation.
- 5.1.3 The Strategic Housing Director will delegate the responsibility for implementation of this policy to Directors as appropriate.

### **5.2. Directors**

- 5.2.1 Directors will undertake practical application of the policy within their areas of responsibility, delegating duties as appropriate.

### **5.3 Allocations and Voids Manager**

- 5.3.1 Will be responsible for overseeing the decant process, ensuring effective and sensitive decant decisions.
- 5.3.2 Will liaise closely with the relevant Repairs Contract Manager to ensure all works are carried out in a timely and effective manner.
- 5.3.3 Will review decants where two or more offers have been rejected and facilitate appropriate solutions.
- 5.3.4 Will agree appropriate payments and compensations and ensure maintenance of records for audit.
- 5.3.5 Will ensure full support is provided to tenants in all circumstances where decants are required or considered.
- 5.3.6 Will ensure that, on completion of the decant process, all payments, accounts, etc are closed or updated as required.

### **5.4 Contract Manager Client Repairs**

- 5.4.1 Approve, as appropriate, major, planned and emergency works where the tenant cannot remain in situ and liaise with the Allocations and Voids Manager.
- 5.4.2 Authorise recommendations of surveyors and/or contractors, as appropriate in liaison with the Allocations and Voids Manager.
- 5.4.3 Ensure decants forms are approved and submitted to the Allocations and Lettings team.
- 5.4.4 Liaise with the Allocations and Voids Manager on allocation of properties following two or more rejections of offers.

## **5.5 Supported Moves Officer**

- 5.5.1 The Supported Moves Officer shall action the process from referral stage through to physical decant and set up license agreement tenancies, supporting the tenant throughout.
- 5.5.2 Will assign decant status and banding for tenant given decant status.
- 5.5.3 Will liaise with colleagues to identify the most appropriate temporary accommodation meeting the tenant's housing needs and make relevant offers.
- 5.5.4 Will escalate cases where two or more offers are rejected and provide information to facilitate decisions.
- 5.5.5 Will advise tenant of timescales, financial arrangements, etc and arrange appropriate payments.
- 5.5.6 Will make appropriate recommendations re arrangements for decant property to become permanent.

## **5.6 Surveyors**

- 5.6.1 Surveyors shall investigate reported issues where decants are being considered and make recommendations to the appropriate Repairs Contract Manager.
- 5.6.2 Where a decant is appropriate, will complete and submit a decant form scoping the works and costs involved.



## **5.7 Rental Income Team**

- 5.7.1 The Rental Income Team shall oversee all matters relating to the decanted tenant's rent account including dealing with any negative charges.
- 5.7.2 Will liaise with the Allocations and Lettings team to agree payments and manage associated accounts.

## **5.8 Council Tax/Housing Benefit**

- 5.8.1 The Council Tax team shall deal with all matters relating to council tax which will include updating details since the Council Tax liability shall be at the address decanted to.

## **5.9 Emergency Response Officers (EROs)**

- 5.9.1 EROs shall deal with out of hours' emergencies as they occur and update the Allocations and Lettings team the following working day.

## **5.10 Assistant Director, Residents & Buildings Safety**

- 5.10.1 Council owned properties to which the resident is decanted to shall be compliant in terms of health & safety. Residents will not necessarily be decanted to a council property but may move to temporary accommodation.

## **6. Monitoring, Review, and Evaluation**

- 6.1 The Emergency & Major Works Decant Policy will be monitored through a set performance Key Performance Indicators (KPI's), which are reviewed monthly through a monitoring dashboard overseen by the Economy DMT.
- 6.2 Risk Assessments actions are kept in a log and actions against them monitored to ensure that they are being carried out.
- 6.3 This policy will be reviewed as when changes occur to the process or the relevant services within the organisation. Any amendments will be made, and review will be completed internally.

## **7. Associated policies and documents**

### **Linked Documents:**

- Housing Allocations Scheme

- Decant Procedure
- Allocations and Lettings Policy

**Statutory Instruments and Approved Codes of Practice:**

- Land Compensation Act 1973