

SUBJECT: WORK OF TENANCY SUSTAINABILITY TEAM

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: DAVID GENERY, SENIOR HOUSING PROJECT MANAGER

1. Purpose of Report

- 1.1 To update Members on the current position on tenancy sustainment within Tenancy Services. The last update on the project to the committee was January 2023.

2. Background

- 2.1 Sustaining tenancies and keeping people in their homes is a key priority for the City of Lincoln Council (CoLC). There are benefits of doing this for our tenants and for us as a landlord in terms of reduced void costs, reduced income loss and decreased management costs. There is also a benefit to the General Fund as tenant's facing eviction are likely to apply for rehousing or assistance via the Homelessness Team.
- 2.2 Since the introduction of the Welfare Reform Act in 2012 tenants have faced challenges to their income such as introduction of the 'spare room subsidy', benefit cap, Universal Credit, Personal Independence Payments.
- 2.3 This has left tenants with little income to absorb any other cost increases. The Pandemic in 2019, has now led to a further erosion of income, not only for those on benefits, but even those who work full time have seen a continued erosion of available income due to the cost-of-living crisis.
- 2.4 To address these issues, in April 2022, Tenancy Services introduced three Housing Officers on two-year contracts, dedicated to working on our sustainment objectives which cover four phases.

3. Project Overview

- 3.1 To address these issues, in April 2022, the Tenancy Sustainment Team (TST) was introduced with a focus to support tenants to maintain and avoid losing their homes through financial hardship. This team comprised of three housing officers on two-year fixed term contracts. The pilot had four key themes which are:
- 1. Pre-tenancy support for vulnerable tenants.*
 - 2. Roll out of referrals to any tenant at risk of enforcement action.*
 - 3. All general referrals accepted for any tenant experiencing some type of hardship.*
 - 4. Forming strong relationships with the third sector*

Further detail of what each phase covered is included in the background papers to this update (Housing Scrutiny Sub Committee Report January 2023).

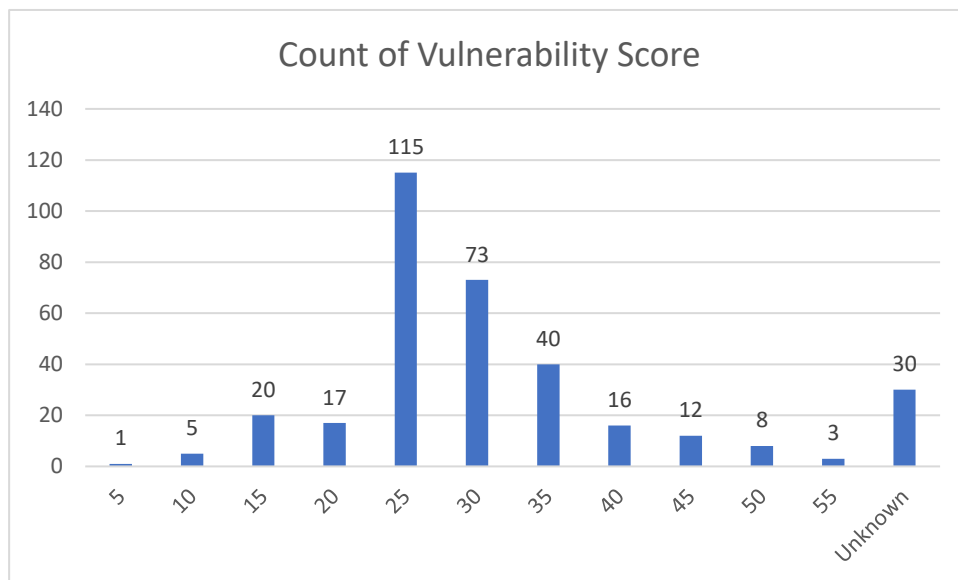
4. Analysis of how the project has performed against each phase.

4.1 Phase 1 - *Pre-Tenancy Support for Vulnerable Tenants.*

Supporting new introductory tenants is a key priority for the Council.

Up to the end of October 2023, 58.92% (340) of all closed cases referred to the service were Introductory Tenants/ new Tenants.

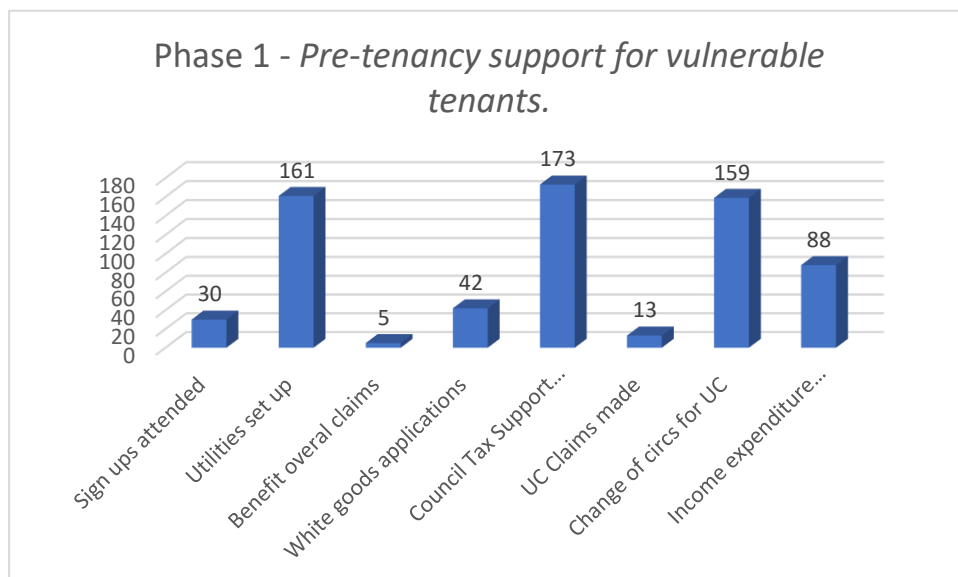
Table 1 – Breakdown of Vulnerability Scores



Each tenant referred to the service has a vulnerability score calculated and of the Introductory/ new tenants referred 78.53% had a vulnerability score of 25 or more. This demonstrates that most tenancies have vulnerability in more than one area. All tenants with a score of 25 or more are an automatic referral to the TST. For a breakdown of the list of vulnerability markers/areas please see appendix 2.

A slight concern is that thirty referrals did not have a vulnerability score, we are currently investigating these cases, so we can identify why there was no score and ensure processes are robust.

Table 2 – Breakdown of Tenancy Sustainment Work for Introductory/ New Tenants



The highest areas of work for the TST have been for Council Tax Support Applications, followed by setting up utilities and then making changes to Universal Credit claims.

The figure that stands out is the small numbers attributed to sign ups attended, the TST has only been fully resourced for 20% of the project, this has meant that the TST have not had the capacity to do the support needed for those high-risk tenancies.

A considerable proportion of the work in this phase could be undertaken by the Void Support Team with extra training. This would include setting up utilities, Council Tax Support Claims, UC change of circumstances, white goods applications. This would then enable the TST to focus on other priorities.

4.2 **Phase 2 - Roll out of Referrals to any Tenant at Risk of Enforcement Action.**

One of the key functions of the TST is to prevent tenants from possession action on their tenancy. This enables the CoLC to comply with the pre-action protocol for possession claims by social landlords.

Analysing cases from April 2022 to the end of October 2023, there were 520 referrals made to the service, this includes both Secure and Introductory Tenants.

Of those 520, 385 tenancies have not had a legal notice served on them since April 2022. This equates to 74.04% of tenancies.

Further analysis shows of all those who have had a Notice served, 89.63% have not progressed in legal action.

Table 3 – Breakdown of Tenancy Void Codes

Tenancy Termination Reason	Number of tenancies ended
Eviction	10
Homeless T/A	2
Moved with family/ relatives	8
MX	2
No forwarding address	3
Notice to quit	7
Deceased	1
True void – other reason	1
Transfer	12

The largest void reason is Transfers, which is as a positive as those who transfer need to meet the strict Allocations Policy in place (such as not being significantly in rent arrears or demonstrating behaviour likely to make them unsuitable to be a tenant).

A key metric for the TST was to prevent evictions from occurring, the service up to the end of October 2023 only had ten referrals that have ended in eviction. Analysing the data behind the ten evictions, more investigation needs undertaken to assess the length of time between the referral and the tenancy end date(eviction). This data is not currently available in the reports available.

Following the removal of transfers, mutual exchanges, and deceased customers from the number of tenancies that ended as they are not failures to sustain a tenancy, 6.93% of tenancies that engaged with the service have failed. Further analysis is required to

validate this, as tenancy end reasons are not specific enough within the current IT system. For example, 'Notice to quit,' is part of the tenancy ending process and required by law in all tenancies. Having seven tenancies with this code does not give us the detail required to conduct thorough analysis.

Further work is required to compare the service to those tenancies that have not been referred to the service to see if the data is comparable.

4.3 **Phase 3 - All General Referrals Accepted for any Tenant Experiencing some Type of Hardship.**

The TST have engaged with tenants over a vast array of reasons for enduring forms of hardship. Hardship does not necessarily mean the inability to pay rent, this can include, but not limited to, putting the heating on, turning the lights on, or at its basic level having food in the cupboard to make a meal.

The TST have had 520 referrals from April 2022 to the end of October 2023 to support tenants with non-rent related queries, this includes supporting with utilities claims, foodbank referrals and white good applications.

The number of referrals as a proportion of the overall housing stock demonstrates that 6.2% of tenants have had a referral. This figure would be more if the service were fully resourced as per the original business case. Another factor impacting on this number is that at certain times, due to lack of resource, there have been temporary suspensions on referrals to the service due to volume. An example of resource issues is that the current member of the TST has been working on their own since February 2023.

The TST have assisted tenants in becoming as much as £900 per calendar month better off. The following case study highlights the work of the team for one family.

Tenant referred to TST due to rent arrears. They have five children and Ms is pregnant with her sixth child. Both are from Latvia and have pre-settled status. This means they must prove they satisfy the Habitual Residence and Right to Reside tests to claim benefits and have recourse to public funds. They said they had not claimed UC previously because they did not think they qualified.

Housing benefit had ceased due to failure to return a review form. As a result, considerable rent arrears had accrued. Their only sources of income were working tax credit (which they had failed to declare a change for and were not entitled to), child tax credit and child benefit. They were at risk of their tax credits being withdrawn altogether because they had claimed eligibility due to Mr working.

TST helped them identify significant financial benefits in claiming UC, which demonstrated they would be over £900 per month better off by claiming UC. TST was also able to demonstrate two ways in which they would meet the Habitual Residence Test (HRT) meaning they could claim benefits. TST helped them with a claim and helped them put the case forward to satisfy their right to claim benefits and have recourse to public funds (both through work and derived right of having a child born in the UK, being in work since that child was born and that child now being in compulsory education).

Their claim was accepted, and now they can fully cover their rent and pay a significant sum towards their arrears, alongside having a substantial increase in their household income.

Since this, there has been an issue with the incorrect amount of money being declared as earnings by the employer to HMRC, meaning that the benefits paid was reduced significantly (by about £1,000) for one month. The TST have been supporting them in appealing this decision and have helped them gather and provide evidence of the mistake to the DWP.

Complex cases as the one above may not have had such a successful outcome if it was not for the TST, who have the time and expert knowledge to navigate the complexities of benefit and immigration law.

4.4 Phase 4 - Forming Strong Relationships with the Third Sector.

Forming strong links with organisations is a key facet of the Tenancy Sustainment Team. The pilot has allowed the team to forge long lasting relationships and enhance existing ones.

Externally they have relationships with seventeen organisations with points of contact regularly updated, to prevent any wasted time in supporting CoLC tenants.

There are notable examples such as the Ignite charity, which looks to repurpose old furniture so new tenants can have them. Furnishing a property makes it a home and supports tenants from potentially having to use monies on furnishing rather than for rent, food, or heating.

Two recent organisations that are now engaged with CoLC are Energy Save Lincoln and Community Greengrocer. Community Greengrocer has had seven referrals since CoLC started collaborating with them in July 2023. The Community Greengrocer allows those registered to buy twelve items of food for £5.

The team are very much out there and receive requests for help and referrals for our tenants by these organisations and there may be other organisations of whom we are not yet aware.

5. Other Findings

5.1 Welfare Rights Team v's Tenancy Sustainment Team

We are going to review the **TST** service and explore opportunities to improve the overall effectiveness and improve overall sustainability of Tenancies.

5.2 Recruitment

Since April 2022, the team have only been fully resourced for 20% of the project.

Recruitment has proved difficult and when appointments have been occurred, staff retention has again proved challenging due to the temporary nature of the contract.

This has impacted on the service available to customers, as the service has had to curtail substantial portions of its pro-active work to solely focus on income related activities which is the strength of the current TST member.

5.3 Reporting

It has been a challenge to identify the actual impact the TST has made to customers other than anecdotal feedback from individuals or spreadsheet information.

Amendments to the system have been completed, to allow better reporting of cases as of December 2023, this will improve the ability to see if behaviour has been amended by interaction with the service.

6. Finance

The financial implications relating to the extension of 1 x Tenancy Sustainment Officer Post for six months up to 30 September 2024. This cost will be fully met from the HRA Invest to Save reserve.

Use of this reserve was agreed by the Executive in the original business case, and due to the level of vacancies throughout this project the funding required to extend this post does not exceed that of the original approved request. All residual funding will remain within the HRA Invest to Save reserve.

	22/23	23/24	24/25	Total
Original Funding	107,980	110,140		218,120
Revised Funding	76,830	*41,230	*21,300	139,360

*Forecast

7. Legal implications (including procurement rules)

The work completed by the Tenancy Sustainment Team contributes towards the assurance that CoLC are compliant with the pre-action protocol for possession claims by social landlords.

8. Equality, Diversity and Human Rights

Project is in accordance with the equality duty impact assessments required from local government.

9. Recommendation

- 9.1 To note the contents of this update on the work completed by the Tenancy Sustainment Team.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

None

List of Background Papers:

Housing Scrutiny update January 2023

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