

To: Deputy Leader and Members of the Resources Board

Councillors Symonds, Chambers, A Clews, D Clews, Davey, Dirveiks, Hancocks, D Humphreys, Morson, Moss, O Phillips and Simpson

For the information of other Members of the Council

For general enquiries please contact Democratic Services on 01827 719221 or via email – democraticservices@northwarks.gov.

For enquiries about specific reports please contact the Officer named in the reports.

This document can be made available in large print and electronic accessible formats if requested.

RESOURCES BOARD AGENDA

20 June 2022

The Resources Board will meet on Monday 20 June 2022 at 7.00pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The meeting can also be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

- 4 **Minutes of the Resources Board held on 28 March 2022** – copy herewith, to be approved as a correct record and signed by the Chairman.

5 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221/719226/719237.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber;
- (b) attend remotely via Teams; or
- (c) request that the Chair reads out their written question.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 6 **Members' Allowances 2021/22** – Report of the Corporate Director – Resources

Summary

The purpose of this report is to advise Members of the allowances paid for 2021/22. The Council also has a duty to publish the amounts paid to Members under the Members' Allowance Scheme.

The Contact Officer for this report is Nigel Lane (719371).

- 7 **Risk Management Annual Report 2021/22** – Report of the Corporate Director – Resources

Summary

This report is to inform Members of risk management actions undertaken during 2021/22 and the risks identified for 2022/23.

The Contact Officer for this report is Sue Garner (719374).

- 8 **Annual Treasury Report for 2021/22** – Report of the Corporate Director – Resources

This report shows the out-turn for 2021/22 and highlights any areas of significance.

The Contact Officer for this report is Daniel Hogan (719337).

- 9 **Internal Audit Annual Report 2021-22** – Report of the Corporate Director - Resources

Summary

The purpose of this report is to present the Head of Internal Audit's Annual Report.

The Contact Officer for this report is Sue Garner (719374).

- 10 **Internal Audit Plan 2022/23 and Counter Fraud Activity** - Report of the Corporate Director - Resources

Summary

The purpose of this report is to set out the proposed Internal Audit Plan for 2022/23 and update Board members on the work of the Counter Fraud Officer.

The Contact Officer for this report is Sue Garner (719374).

- 11 **Revisions to Lettings Scheme & Addressing Housing Needs of Refugees & Asylum Seekers** – Report of the Director of Housing

Summary

The Housing Task and Finish Group has considered the Council's Lettings Scheme and proposed some amendments to ensure the housing needs of applicants are being met. This report shares the Lettings Scheme with the amendments and requests consideration prior to formal consultation with stakeholders. The report also provides information about the current Government arrangements for Asylum Seekers and Refugees and the implications for the Council.

The Contact Officer for this report is Angela Coates (719369)

- 12 **Housing Task and Finish Group** – Report of the Director of Housing

Summary

The Director of Housing provided feedback from the most recent meetings of the Housing Task and Finish Group.

The Contact Officer for this report is Angela Coates (719369)

- 13 **Exclusion of the Public and Press**

To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12 A to the Act.

- 14 **Land Sales** - Report of the Corporate Director – Streetscape

The Contact Officer for this report is Richard Dobbs (719440)

- 15 **Confidential Extract of the minutes of the Resources Board held on 28 March 2022** – copy herewith to be approved as a correct record and signed by the Chairman.

STEVE MAXEY
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

28 March 2022

Present: Councillor Symonds in the Chair

Councillors A Clews, Bell, D Clews, Davey, Dirveiks, D Humphreys, Morson, Moss, H Phillips, O Phillips and D Wright.

Apologies for absence were received from Councillor Deakin (Substitute H Phillips), Lees (Substitute Bell) and Simpson (Substitute D Wright).

Councillor Chambers was also in attendance and, with the consent of the Chairman spoke on Minute No 48 (Leisure Facilities: Local Authority Trading Company).

41 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

42 **Minutes of the Resources Board held on 24 January 2022**

The minutes of the Resources Board held on 24 January 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

43 **HEART Shared Service Partnership**

The Director of Housing updated the Board on the HEART shared service partnership and made a proposal for future joint working.

Resolved:

- a **That the progress to provide one, consistent service to deliver Disabled Facilities Grants and a Home Improvement Services for the whole County be noted;**
- b **That the proposal that 2022 acts as a transitional year to allow Authorities to refresh key aspects of the Partnership, act to strengthen it and consider how full service integration could be achieved be approved;**

- c That the Director of Housing be authorised to sign a letter of intent to agree to extend the partnership contract arrangements during the financial year 2022/2023;**
- d That the strategic objectives of the HEART Board be confirmed;**
- e That the HEART Management Board’s intention to draw on the expertise of Foundations to support it to innovate and develop HEART be welcomed;**
- f That the implications of the White Paper for Social Care for arrangements to deliver Disabled Facilities Grants be acknowledged; and**
- g That the recommendation of the HEART Board to continue to build the partnership during 2022 with a view to creating a new legal agreement for a 5 year Partnership from April 2023 be supported.**

44 Vexatious Complaints Policy

The Director of Housing asked the Board to approve the introduction of a vexatious complaints policy to accompany the Housing Division’s Anti-Social Behaviour Policy.

Resolved:

- a That the Persistent or Vexatious Complaints Policy, attached as Appendix A to the report of the Director of Housing, be approved;**
- b That consideration be given to Vexatious Complaints Policies for other areas within the Council.**

45 Off-Street Parking Scheme for Residents

The Corporate Director – Streetscape, following the public questions considered at the Full Council meeting held in January, and in response to wider concerns expressed about off-street parking restrictions for residents with no immediate access to on-street or driveway parking, proposed a trial scheme to make off-street parking easier for those residents worst affected.

Resolved:

- a That a trial off-street parking scheme for residents, as set out in paragraph 3.2 (amended to cover Monday to Saturday) of the report of the Corporate Director – Streetscape, for twelve months, be agreed; and**
- b That a further report be brought back to a future meeting of the Board updating Members on the scheme's success and recommending next steps.**

(The Chief Executive has subsequently received a notice signed by Councillors Morson, H Phillips, O Phillips and Dirveiks) under Standing Order No 30(1)(b) (Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

46 Closure of Corley Churchyard

The Corporate Director – Streetscape advised the Board on the Council's obligation in respect of the maintenance of the churchyard at Corley Parish Church following the transfer of responsibility under Section 215 of the Local Government Act 1972.

Resolved:

That the Council's obligations in respect of the maintenance of the churchyard at Corley be noted.

47 Housing Maintenance Service & Asset Management Plan

The Director of Housing updated Members on the delivery of the Asset Management Plan for the Council's Landlord stock and informed the Board about the challenges posed by an ageing stock profile and proposed a review of the Maintenance Team to support future service delivery.

Resolved:

- a That the current position of the Housing Asset Management Plan be noted;**
- b That the implications of the Social Housing White Paper be noted;**
- c That the Asset Management Plan and 30 Year Housing Revenue Account Business Plan be reviewed during 2022/23;**

- d That the development of the Housing Direct Works team to meet the demands of the service be welcomed and the proposal to undertake a review to further develop the team (including a review of the salary structure) to meet the demands on the service be noted;**
- e That the market supplement for the Carpentry and Bricklayer trades approved by the Special Sub-Group and detailed in Section 7, of the report of the Director of Housing, be approved;**
- f That the temporary roles of multi trade Plasterer and Decorator continue whilst the review is undertaken; and**
- e That the progress to deliver the major works programme be welcomed and risks caused by increased costs and delays for materials be noted.**

48 Leisure Facilities: Local Authority Trading Company

The Corporate Director – Resources and the Director of Leisure and Community Development sought the Board’s approval to use the New Initiative Reserve through which to engage external advisory support to assist the Borough Council with its approved undertaking to establish a wholly owned Leisure Facilities Local Authority Trading Company.

It was proposed by Councillor Chambers and seconded by Councillor Gosling by way of amendment:

That recommendations (a) and (b) be replaced by the following:

Recommendation to Executive Board:

- a That Executive Board clarify the governance arrangements to oversee the leadership and management of the transition of our in-house leisure services to a wholly owned Local Authority Trading Company; and**
- b That Executive Board consider the establishment of a Shadow Board in order to ensure an integrated approach to managing this change.**

Upon being put to the meeting the Chairman declared the amendment to be lost.

Resolved:

That the use of the New Initiatives Reserve, in the maximum sum of £60,000, through which to engage external advisory support to assist the Borough Council in the establishment of a wholly owned Leisure Facilities Local Authority Trading Company be approved.

(The Chief Executive has subsequently received a notice signed by Councillors Morson, H Phillips, O Phillips and Dirveiks) under Standing Order No 30(1)(b) (Minority Report) with regard to the decision of the Board on this matter and it is therefore referred to Council for confirmation.)

49 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

50 IT System Replacement

The Head of Development Control and the Environmental Health Manager sought additional financial provision for the replacement of two IT systems

Resolved:

That recommendations (a) and (b), as set out in the report of the Head of Development Control and the Environmental Health Manager, be approved.

51 Staffing Matter

The Corporate Director – Streetscape detailed proposed changes to a staffing structure in a Team within his Directorate.

Resolved:

That recommendations (a) and (b) as set out in the report of the Corporate Director – Streetscape, be approved.

52 Property in Coleshill

The Corporate Director Streetscape detailed the de minimus work that had been undertaken and recommended further steps for the Board to consider in respect of this property in Coleshill.

Resolved:

That recommendations (a), (b), and (c), as set out in the report of the Corporate Director – Streetscape, be approved.

53 Request to Purchase Land

The Director of Housing informed the Board of a request to lease a piece of land in the Council's ownership.

Recommended:

That negotiations in respect of the lease or purchase of the land, as shown on Appendix A to the report of the Director of Housing, be delegated to the Director of Housing, in consultation with the Chairman and Opposition Spokesperson of the Board.

54 Confidential Extract of the minutes of the minutes of the Resources Board held on 28 March 2022

The confidential extract of the minutes of the Resources Board held on 28 March 2022, copies having been previously circulated, were approved as a correct record and signed by the Chairman,

C Symonds
Chairman

Agenda Item No 6

Resources Board

20 June 2022

**Report of the Corporate Director
Resources**

Members' Allowances 2021/22

1 Summary

- 1.1 The purpose of this report is to advise Members of the allowances paid for 2021/22. The Council also has a duty to publish the amounts paid to Members under the Members' Allowance Scheme.

Recommendation to the Board

That the report be noted.

2 Report

2.1 Out-turn for 2021/22

- 2.1.1 The cost of Members' Allowances and other payments made under the Members' Allowance Scheme in 2021/22 was £236,976.19. A breakdown of these costs is shown at Appendix A. There were no claims in respect of Dependents'/ Carers' Allowance.

3 Report Implications

3.1 Finance and Value for Money Implications

- 3.1.1 Provision was made in the Cost of Democratic Processes budget.

3.2 Legal, Data Protection and Human Rights Implications

- 3.2.1 Under the Local Authorities (Members' Allowances) (England) Regulations 2003 the Council must publish details of its Members Allowances scheme in a local newspaper annually. In summary, this information must state that a scheme has been made, its main features, any special responsibility allowances, confirming the Council consulted and took account of the recommendations of the Independent Remuneration Panel in preparing the scheme, and that the scheme and records of the payments referred to below for that year can be inspected at the Council's offices.

3.2.2 It is a specific requirement that the Council keeps a record of the names of recipients of payments, the amount that each receives under the scheme and the nature of those payments, and makes it available for inspection at the Council's offices. As soon as possible after the end of each year the Council must arrange for publication in its area of the total sum paid to each Member in respect of each of the following:

Basic Allowance;
Special Responsibility Allowance;
Dependents'/Carers' Allowance;
Travel and Subsistence; and
Co-optees' Allowance.

3.2.3 The Council will be discharging the above duties by publishing a record in the Atherstone Herald.

The Contact Officer for this report is Nigel Lane (719371).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

PAYMENTS TO MEMBERS 2021/22

Name	Initials	Basic Allowance £	Special Responsibility £	Travel (Mileage) £	Total £
Bell	M	5,414.04	5,421.00		10,835.04
Chambers	J	5,414.04			5,414.04
Clews	D	5,414.04	1,899.00		7,313.04
Clews	T	5,414.04	1,618.23		7,032.27
Davey	B	5,414.04	1,899.00		7,313.04
Deakin	J	5,414.04	1,899.00		7,313.04
Dirveiks	N	5,414.04			5,414.04
Farrow	J	5,414.04			5,414.04
Gosling	J	5,414.04	4,121.52		9,535.56
Hancocks	D	4,875.54			4,875.54
Hayfield	CC	5,414.04			5,414.04
Humphreys	DJ	5,414.04	640.38		6,054.42
Humphreys	M	5,414.04	1,866.00		7,280.04
Jarvis	RJ	5,414.04	280.77		5,694.81
Jenns	A	5,414.04	1,899.00	185.40	7,498.44
Jordon	M	4,875.54			4,875.54
Lees	B	5,414.04			5,414.04
MacDonald	J	5,414.04		107.10	5,521.14
McClauchlan	A	5,414.04			5,414.04
Morson	PF	5,414.04			5,414.04
Moss	BP	5,414.04		108.00	5,522.04
Osbourne	M	5,414.04			5,414.04
Parker	K	5,414.04	1,618.23		7,032.27
Parsons	D	5,414.04		117.90	5,531.94
Phillips	H	5,414.04		211.05	5,625.09
Phillips	O	5,414.04			5,414.04
Reilly	D	5,414.04	1,899.00		7,313.04
Rose	S	5,414.04			5,414.04
Simpson	M	5,414.04	5,421.00		10,835.04
Singh	M	5,414.04			5,414.04
Smith	LJ	5,414.04	280.77		5,694.81
Smith	S	4,875.54		161.10	5,036.64
Symonds	C	5,414.04	5,421.00		10,835.04
Wright	A	5,414.04		70.75	5,484.79
Wright	DA	5,414.04	11,951.04	4.05	17,369.13
TOTAL		187,875.90	48,134.94	965.35	236,976.19

1 Summary

- 1.1 This report is to inform Members of risk management actions undertaken during 2021/22 and the risks identified for 2022/23.

Recommendation to the Board

That progress be noted.

2 Introduction

- 2.1 Risk is the threat that an event or action will affect the Council's ability to achieve its objectives and to successfully execute its strategies. Risk Management is the process by which risks are identified, evaluated and controlled. It is a key element of the framework of corporate governance.
- 2.2 The Council's strategic risks are normally identified by Management Team, who will ensure that processes are in place to control them. They are risks which need to be taken into account in judgements about the medium to long term goals and objectives of the Council. Strategic risk assessments are carried out as part of the corporate, community and service planning process and as a key element of service reviews. Operational risks are identified and managed by each Division.

3 Risk Management Framework

- 3.1 The risk assessment process that the Council uses is based on an assessment of the likelihood of a risk happening, together with the potential impact if that risk occurs. The likelihood is scored on a scale of 1 to 5, with 1 being almost impossible up to 5, which is very likely to happen. The impact is also scored on a scale of 1 to 5, with 1 having a negligible impact up to 5, which indicates a severe impact. The impact of a risk can be financial, legal, reputational or physical. The impact score is then multiplied by the likelihood score to provide the overall risk score.
- 3.2 A risk is assessed without any controls in place, and again with the controls that the Council has in place to manage the risk. Risk scores are grouped as follows: Green - low risks; Amber - medium risks; and Red – high risks. Where possible additional controls will be put in place to mitigate and / or manage the red and amber risks. However, some risks remain high due to factors outside the Council's control.

- 3.3 The risk management framework has been in place now for a number of years and takes into account any areas of perceived weakness identified by officers, including those identified by the Internal Audit section. It is used consistently throughout the Authority.
- 3.4 Strategic risk assessments are scored for both the following year and over the longer term. Risk Management is important as it enables us to ensure that our plans are sound and proportionate to the risks that exist in our area and enable us to take preventative action where appropriate.
- 3.5 Risk implications are included in Board reports. A full risk assessment will be included if the report relates to a new service, policy or significant change in service provision. Implications are identified to assist Members in making informed decisions.

3 Work Undertaken During 2021/22

- 3.1 As part of the internal control framework, members of Management Team and Directors complete an Annual Statement of Assurance on the risks within their area of control. This process informs the Annual Governance Statement, which is a statutory requirement and is reported to the Executive Board. The review process carried out for the Statements of Assurance includes an assessment of how identified risks were managed during the year, as well as a forward look at the risks facing the Council and its services in the coming year.
- 3.2 A number of issues were identified in the Annual Governance review for 2020/21 which needed to be addressed in 2021/22. Examples of action taken include:
- Restarting the staff appraisal process;
 - Staffing reviews in a number of service areas, as part of workforce planning;
 - A review of the revised Corporate Plan format;
 - The resumption of some internal working groups.
- 3.3 A lot of other risk management work was undertaken in 2021/22, which was identified through Statement of Assurance reviews but which wasn't mentioned separately in last year's Annual Governance Statement. Examples include: -
- Partnership working with Private Registered Providers has continued to provide affordable housing in the Borough to meet housing needs;
 - The Council is no longer able to access DBS checks directly, so established an alternative route for obtaining DBS checks;
 - The introduction of Office 365 was completed, allowing data stored in the Microsoft cloud to be accessed even when the Council network is inoperable;
 - S106 monitoring meetings were set up with Warwickshire County Council;
 - Senior Benefits Officers received coaching around legislative requirements for payment of benefit and completion of subsidy claims;

- Tree-related work has been undertaken through Warwickshire County Council, due to the inability to recruit to either of the Green Space Officer positions;
- A new approach was taken to leisure facility provision in Polesworth to ensure residents could continue to access facilities;
- The development of a new facility for reprocessing recycling waste progressed, and an outlet for processing dry materials in the interim has been secured.

3.4 The forward look at the risks facing the Council in 2022/23 requires the 2021/22 strategic and operational risk registers to be updated, to ensure that changes in external factors and service provision or processes have been taken into account.

3.5 The changes made to the strategic risks of the Council relate to a reduction in score for the risk relating to the health impact of Coronavirus, although work in this area will continue. The risk included in 2021/22 relating to the increasing threat of cyber attacks on council systems continues to be monitored, and the score has been increased in light of current events.

... 3.6 A copy of the Authority's 2022/23 Strategic Risk Register is attached as Appendix A. There are four significant risks in 2022/23 and over the longer term (classed as "red"). These are risks around the delivery of the required financial savings, the potential inadequacy of resources to maintain the Council's capital assets, the Council's ability to recruit and maintain appropriately qualified staff and the potential for a cyber incident affecting council systems. The high scores reflect the need to make significant savings in the 2023/24 revenue budget, the need to obtain external funding to manage the replacement of the Council's leisure facilities, the ongoing struggle to recruit and retain qualified staff in a number of service areas and the increasing threat of cyber attacks on all public bodies.

... 3.7 The individual assessments for the red risks are attached as Appendix B. These show the controls that are already in place to manage the risks.

3.8 Operational risks in the Housing Division have been adjusted to remove the risks related to the Borough Care service. A new operational risk has been identified within Leisure and Community Development, around the establishment of a LATCo.

... 3.9 A summary of the red operational risks and also the highest scoring amber risks are shown at Appendix C. Individual assessments are held for all of these risks, including the controls already in place. Further work will be carried out during 2022/23 to help manage these risks.

4 Report Implications

4.1 Safer Communities Implications

4.1.1 There are specific risks identified for the work the Council carries out with partners to help reduce crime and disorder in North Warwickshire. These are reflected within the Partnership Plan of the North Warwickshire Community Safety Partnership and in specific service plans of the Council.

4.2 Legal and Human Rights Implications

4.2.1 The Annual Governance Statement referred to in paragraph 3.1 is part of the legal framework for financial reporting and is an effective tool for identifying risk. Specific legal advice has been and will continue to be given where required in relation to the control procedures for each of the risks identified in the Appendices.

4.3 Environment and Sustainability Implications

4.3.1 Having effective risk management will contribute towards the delivery of sustainability and helps the Council continue to provide services to help improve the quality of life for the communities of North Warwickshire.

4.4 Equality Implications

4.4.1 The risk to the Council in not complying appropriately with the requirements of the Equality Act is included as an operational risk. Our corporate approach of including the identification of equality implications in reports to boards wherever appropriate to do so and carrying out equality impact assessments on all significant changes in our policies and practices helps to minimise any associated risks.

4.5 Risk Management Implications

4.5.1 Regular reports and ongoing monitoring will maintain the awareness of the importance of Risk Management. Individual risks fall into various categories, such as political, environmental, financial, economic, organisational, legal, technical etc. The implication of each risk is assessed and scored to identify whether there are sufficient controls in place or whether additional action needs to be taken.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

No.	2022/23 Score			2023/24 – 2025/26 score			Risk	Responsible Officer	Corporate Objective
	Likelihood	Impact	Score	Likelihood	Impact	Score			
2022 S01	2	3	6	2	3	6	Council's procurement procedures are inadequate leading to poor VFM or lack of probity	HoCS	Responsible Financial & Resource Management
2022 S02	3	4	12	3	4	12	Insufficient corporate capacity to deal with all the issues facing the Council	CE	Responsible Financial & Resource Management
2022 S03	3	4	12	3	4	12	The Council's political arrangements cease to work effectively	CE	Responsible Financial & Resource Management
2022 S04	2	3	6	2	3	6	Sickness absence is not managed effectively	CD (R)	Responsible Financial & Resource Management / Improving Leisure & Wellbeing Opportunities
2022 S05	4	4	16	4	4	16	The Council is unable to recruit, motivate and retain appropriately qualified staff	CD (R)	Supporting Employment & Business
2022 S06	2	4	8	2	4	8	Ineffective response to an incident (or business continuity plan fails)	CE	All Priorities
2022 S07	2	2	4	2	2	4	Relationships with key partners fail or become ineffective	CE	Responsible Financial & Resource Management
2022 S08	4	4	16	3	3	9	Expected efficiency savings and service improvements are not delivered whilst maintaining resilience	CD (R)	Responsible Financial & Resource Management
2022 S09	3	3	9	3	3	9	The Council fails to meet its commitments arising from the Community and Corporate Plans	CE	Responsible Financial & Resource Management
2022 S10	2	4	8	2	4	8	The council fails to comply with key legislation	CE / SH-L	All Priorities
2022 S11	4	3	12	4	4	16	Inadequate resources to maintain the Council's capital assets	CD (R)	Responsible Financial & Resource Management
2022 S12	2	5	10	2	5	10	Health & Safety is not managed effectively	CD (R)	Responsible Financial & Resource Management / Improving Leisure & Wellbeing Opportunities
2022 S13	2	4	8	2	4	8	Failure to manage staff concerns and well being, in the current economic climate	CE	Supporting Employment & Business
2022 S14	3	2	6	4	3	12	The instability of the Business Rates system	CD (R)	Responsible Financial & Resource Management
2022 S15	2	4	8	2	4	8	The impact of the duty to cooperate on the Borough	CE	Protecting our Countryside & Heritage

No.	2022/23 Score			2023/24 – 2025/26 score			Risk	Responsible Officer	Corporate Objective
	Likelihood	Impact	Score	Likelihood	Impact	Score			
2022 S16	2	4	8	2	4	8	Failure to manage reputational risk	CE	Responsible Financial & Resource Management
2022 S17	1	1	1	5	2	10	Changes to external resources as a result of the new Needs Assessment	CD (R)	Responsible Financial & Resource Management
2022 S18	3	4	12	3	4	12	Unplanned development happening across the Borough	CE	Protecting our Countryside & Heritage
2022 S19	3	4	12	2	4	8	Non compliance with the General Data Protection Regulations (GDPR)	CE	Responsible Financial & Resource Management
2022 S20	4	3	12	4	3	12	A significant downturn in the economy, reducing businesses in the Borough and increasing the numbers of benefit claimants.	CE	Responsible Financial & Resource Management
2022 S21	3	4	12	3	4	12	Health impact of Coronavirus	CE	Improving Leisure & Wellbeing Opportunities Financial & Resource Management
2022 S22	4	2	8	4	2	8	Devolution issues	CE	Responsible Financial & Resource Management
2022 S23	3	5	15	2	5	10	Cyber incident on council systems	HoCS	Responsible Financial & Resource Management
2021 S24	2	4	8	2	4	8	Delays in the building and operation of the MRF	CDS	Responsible Financial & Resource Management

NWBC STRATEGIC RISK REGISTER 2022/23

Corporate Priority: Supporting Employment & Business

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating	
2022 S05	Council unable to recruit, motivate and retain appropriately qualified staff	High staff turnover, leading to difficulties in succession planning	5	4	20	D's	Use of induction programmes for new staff	<u>22/23 Score</u> 4	4	16	
		Key posts unfilled				Individual Director	Training and development opportunities for employees	<u>23/24 On</u> 4			16
		Gaps appear in structures, putting pressure on existing staff who become de-motivated				D's / HR Manager	Use of an appraisal system				
		Reliance on agency/ temporary staff, which increases employee costs				HR Manager	An annual staff survey used to obtain feedback from staff				
		Pressure to offer more lucrative packages				D's	Flexible Working Policy, with flexible / hybrid working arrangements in many areas				
		Adverse impact on service delivery				D's / HR Manager	Shared working arrangements eg Housing, Revs & Bens				
		Service failure, leading to adverse publicity				EMT	Partnerships used where appropriate eg Building control				
	The reputation of the Council is damaged	HR Manager	Exit interviews carried out								
		D's / MT	Trainee posts agreed and used for some difficult to fill posts								
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating	
	<ul style="list-style-type: none"> Carry out a risk assessment to establish problem areas for recruitment Explore possible solutions as part of a workforce planning exercise 										

Corporate Priority: Responsible Financial & Resource Management

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
2022 S08	Expected efficiency savings and service improvements are not delivered whilst maintaining resilience	<ul style="list-style-type: none"> Poor service performance Council has a deficit budget Higher costs than budgeted for Staffing issues Adverse impact on service delivery 	5	4	20	CD (R)	<ul style="list-style-type: none"> Medium term financial strategy Savings programme to identify savings in advance Healthy level of reserves to help manage the process Minimise risk through ongoing discussion with Members on savings options 	<u>22/23 Score</u> 4	4	16
								<u>23/24 On</u> 3	3	9
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	Nb. reduced score in 23/24 is dependent on achieving the required savings in 22/23									

Responsible Officer: Corporate Director (Resources)

Reviewed: Management Team

Corporate Priority: Responsible Financial & Resource Management

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
2022 S11	Inadequate resources to maintain the Council's capital assets	Poorly maintained / potentially dangerous buildings	5	4	20	CD (R)	Long term capital programme which identifies shortfall- 10 year plan	<u>21/22 Score</u> 4	3	12
		Injury to staff and public Reduced services Bad publicity Reputation damaged					Identified spending needs for assets Review of assets, with sales where appropriate AMP updated for HRA property	<u>22/23 On</u> 4	4	16
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	Update Asset Management Strategy									

Responsible Officer: Corporate Director (Resources)

Reviewed : Management Team

Corporate Priority: Responsible Financial & Resource Management

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood(5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
2022 S23	Cyber attack on council systems	Immediate loss of services for residents and service users Loss of income and inability to pay creditors / staff Additional costs to restore systems Financial hardship for residents Loss of reputation Substantial fines	5	5	25	Head of Corporate Services	Systems are managed, controlled and configured to industry good practice standards where feasible, including: <ul style="list-style-type: none"> • Firewalls • Anti-malware systems • Endeavor to patch and maintain systems in a timely fashion where possible • regular reminders to staff 	22/23Score 3	5	15
								23/24 On 2	5	10
Risk Ref	Options for additional / replacement control procedure						Targeted Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	Replacement of old systems – Planning, Finance									

Responsible Officer: Head of Corporate Services

Reviewed By: Management Team

SUMMARY OPERATIONAL RISK REGISTER 2022/23

Risk Register number 2022/23	Risk	Gross Score	Net Score	Colour	Division	Corporate Priority
2022 CPS14	Virus/malware entering the Council's computer system via various methods	25	15	Red	Corporate Services	RF&RM
2022 SS14	Reduced / no market for recyclable materials	20	15	Red	Streetscape	RF&RM, PC&H
2022 R10	Inadequate capital strategy and monitoring of capital schemes	20	12	Amber	Resources	RF&RM
2022 E04	Major incident – out of hours not responded to	20	12	Amber	Environment	PC&H, RF&RM
2022 E17	North Warwickshire is considered a low priority for the allocation of resources commissioned by the PCC and for the use of policing resources	20	12	Amber	Environment	CSC
2022 H26	Pressure on HRA budgets due to ongoing rent reductions until 2020 and from the roll out of Universal Credit from September 2018	16	12	Amber	Housing	PS&VC
2022 LCD13	Failure to maintain the Borough Council's tree stock to an appropriate level of safety and sustainability	25	12	Amber	Leisure & Community Development	PC&H, RF&RM
2022 SS01	Failure to maintain assets	20	12	Amber	Streetscape	RF&RM
2022 R19	Loss of qualified audit staff and/or inability to recruit suitably qualified and experienced staff to fill vacancies	16	12	Amber	Resources	RF&RM

KEY – Corporate Priorities	
RF&RM	Responsible Financial & Resource Management
CSC	Creating Safer Communities
PC&H	Protecting our Countryside & Heritage
IL&WO	Improving Leisure & Wellbeing Opportunities
PS&VC	Promoting Sustainable & Vibrant Communities
SE&B	Supporting Employment & Business

Agenda Item No 8

Resources Board

20 June 2022

**Report of the Corporate Director -
Resources**

**Annual Treasury Report for
2021/22**

1 Summary

- 1.1 This report shows the out-turn for 2021/22 and highlights any areas of significance.

Recommendation to the Board

- a That the Annual Treasury Report for 2021/22 be noted; and**

Recommendation to the Council

- b That the Annual Treasury Report be approved.**

2 Report

- 2.1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2021/22. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, 2018 Edition (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 2.2 During 2021/22 the minimum reporting requirements were that the Resources Board and full Council should receive the following reports:
- An annual treasury strategy in advance of the year (Resources Board 24 January 2022).
 - A mid-year treasury update report (Resources Board 8 November 2021); and
 - An annual report following the year describing the activity compared to the strategy (this report).
- 2.3 The regulatory environment places an onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the out-turn position for treasury

activities and highlights compliance with the Council’s policies previously approved by Members.

2.4 This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all the above treasury management reports by the Resources Board before they were reported to the full Council.

2.5 Treasury Management in this context is defined as: *The management of the local authority’s investments and cash flows, its banking, money market and capital transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.*

2.6 The Annual Treasury report covers:

- The Council’s treasury position as at 31 March 2022
- Performance measurement
- The strategy for 2021/22
- The economy in 2021/22
- The borrowing out-turn for 2021/22
- Compliance with treasury limits and Prudential Indicators
- Investment rates in 2021/22
- Investment out-turn for 2021/22

3 Current Treasury Position as at 31 March 2022

3.1 The Council’s debt and investment position at the beginning and end of the year was as follows:

	31 March 2021 Principal £m	Ave Rate %	31 March 2022 Principal £m	Ave Rate %	Average Life Years
Fixed Rate Funding: PWLB	46.489	3.05	44.239	3.10	8.08
Internal borrowing	12.451	0.18	12.098	0.18	19.55
Short-term Funding	-	-	2.000	0.59	-
Total Debt	58.940	2.40	58.337	2.41	10.55
Investments	29.500	0.18	28.500	0.39	159 days

3.2 The investments held include £2,344,347 held on behalf of other organisations (£1,867,956 in 2020/21).

4 Performance Measurement

- 4.1 Part of the Code relates to the use of performance measurement relating to investments, debt and capital financing activities. Whilst investment performance criteria have been well developed, this is still a difficult area for a small Authority with limited cash balances, as generally we are only able to place funds for short periods and consequently at lower rates. For this reason, we measure investment interest against the 7-day LIBID rate. We exceeded the 7-day LIBID rate for three quarters of the year but fell behind it in the final quarter due to successive rate increases.
- 4.2 As a member of the Link Investment Benchmarking Group for the region, we can compare our treasury performance against those of other authorities in the Warwickshire, Worcestershire and Oxfordshire region. Overall, for 2021/22, our performance has compared unfavourably to these authorities, with our investment portfolio providing a lower rate of return than the average benchmarked performance. The higher level of investments held by comparator authorities can often allow better rates to be accessed. However, differences in the length of time investments are held and the greater use of call accounts made by some comparators will be assessed to see if improvements can be made to our investment strategy.

5 The Strategy for 2021/22

- 5.1 Within the Treasury Strategy for 2021/22, it was assumed that interest rates would remain at 0.10% throughout the period. However, following the lifting of Covid restrictions in 2021, there were 3 interest rate rises during the last 4 months of the year. By March 2022, the interest rate had risen to 0.75%.
- 5.2 Given the low levels of investment interest available at the start of the year, the treasury strategy was to postpone external borrowing to avoid the cost of holding higher levels of investments and to reduce counterparty risk. As a result, we continued to use internal borrowing for General Fund debt. Towards the end of March, two short loans were borrowed from other local authorities.

6 Borrowing Outturn for 2021/22

- 6.1 The Council's external borrowing of £44.239 million at the 31 March 2022 is shown below and relates entirely to the Housing Revenue Account (HRA). The repayments were profiled to take account of expected surpluses in the HRA, having regard to the HRA Business Plan, whilst still allowing some flexibility within the plan for unexpected events.

Years	Total loans £000	Rate %
1-5	12,010	2.56 – 3.01
6-10	18,280	3.08 – 3.30
11-15	3,949	3.34 – 3.34
16-20	10,000	3.49 – 3.50

6.2 The Council took out two short term loans during the year. These loans were for £1m each and borrowed from other local authorities in March 2022, to cover temporary cash flow shortfalls.

7 Investment Out-Turn for 2021/22

7.1 The Council's investment policy is governed by CLG guidance, which has been implemented in the annual investment strategy. The Council manages its investments in-house with the institutions which fulfil its requirements with regards to credit ratings and security. Investments were made for a range of periods, although predominantly in Certificate of Deposits, enhanced money market funds and money market funds.

7.2 The Council invested with external bodies on 17 occasions when the bank accounts had a surplus of funds. Investments were made in a Certificate of Deposit (through broker King & Shaxson) on 14 occasions and in a Money Market Fund on 1 occasion. The remaining 2 investments were with banks for a fixed term. Funds were invested over a range of periods to take advantage of the better interest rates available or to fund expenditure later in the year, e.g. payment of precepts. The average amount invested was £1,558,824. The average total investment held was £32.4 million, and the rate of return was 0.39%, earning a total of £63,714 in the year.

8 Prudential Indicators

8.1 The Prudential Code for Capital Finance in Local Authorities includes requirements for the way in which capital spending plans are to be considered and approved. The prudential code was developed which requires the Council to consider the affordability of its proposals, their prudence and sustainability, value for money, asset management planning, practicality and service objectives.

8.2 The Council is required to set and review regularly a range of indicators that have been developed as part of the Code, which will be used to support capital investment decision-making. In February 2021, the capital prudential indicators for 2021/22 were reported to the Executive Board as part of the 3-Year Capital programme and the treasury indicators were reported to the Resources Board as part of the Council's Treasury Policy Statement and Annual Treasury Strategy Statement.

8.3 During the financial year the Council operated within the treasury limits.

9 Report Implications

9.1 Finance and Value for Money Implications

9.1.1 During 2021/22 the net interest earned on investments was £63,714.

9.2 Environment, Climate Change and Health Implications

9.2.1 By having effective and prudent treasury management, this contributes towards sustainability and providing services that improve the quality of life for the communities of North Warwickshire.

9.3 Risk Management Implications

9.3.1 Credit ratings are used in assessing the institutions on the lending list and the maximum investment level permitted.

9.4 Legal Implications

9.4.1 As indicated above, the Council is required by law to publish an annual treasury report and to adhere to the Code of Practice on Treasury Management and the Prudential Code for Capital Finance. This report demonstrates compliance with those requirements.

The Contact Officer for this report is Daniel Hogan (719337).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

1 Summary

1.1 The purpose of this report is to present the Annual Report on Internal Audit, which includes:

- A statement on conformance with the Public Sector Internal Audit Standards (PSIAS);
- The results of the quality assurance and improvement programme.
- The Corporate Director Resources opinion on the overall adequacy and effectiveness of NWBC's framework of governance, risk management and control; and
- A summary of the work that supports that opinion.

Recommendation to the Board

- a To note the findings of an assessment of the internal audit function against the PSIAS and quality assurance programme;**
- b To consider the summary of internal audit work at Appendix A, which supports the Corporate Director Resources opinion; and**
- c That the Corporate Director Resources overall opinion on the control environment be noted.**

2 Background

2.1 The PSIAS came into force on the 1 April 2013 and were amended with effect from 1 April 2017. They are mandatory for all public sector bodies and the purpose of them is to:

- Define the nature of internal auditing within the UK public sector.
- Set basic principles for carrying out internal audit in the UK public sector.
- Establish a framework for providing internal audit services, which add value to the organisation, leading to improved organisational processes and operations; and

- Establish the basis for the evaluation of internal audit performance and to drive improvement planning.
- 2.2 The Standards refer to the Chief Audit Executive (CAE), which at North Warwickshire Borough Council is the Head of Internal Audit; all references to the board refer to the Resources Board. The Standards require the CAE to present an annual report to the board which incorporates a statement on conformance with the PSIAS, an opinion on the Council's overall control environment and a summary of the work that has been completed to support that opinion. As the Head of Internal Audit is on long term sick leave, the Corporate Director Resources is covering this reporting requirement for 2021/22.

3 Requirements of the PSIAS

- 3.1 The Standards are split into Attribute Standards and Performance Standards. The Attribute Standards address the characteristics of the organisation. The Performance Standards describe the nature of the internal audit activity and provide quality criteria against which performance can be evaluated.

Attribute Standards

1000 – Purpose, Authority and Responsibility

- 3.2 The purpose, authority and responsibility of internal audit must be formally defined in an internal audit charter. The charter is a formal document that establishes internal audit's position within the organisation, including the CAE's reporting relationship with the board; authorises access to records, personnel, and physical properties relevant to the performance of reviews and defines the scope of internal audit activities. Final approval of the charter resides with the board.

1100 – Independence and Objectivity

- 3.3 Independence is the freedom from conditions that threaten the ability of the internal audit function to carry out its responsibilities in an unbiased manner. To achieve the degree of independence necessary to effectively carry out the responsibilities of the internal audit service, the CAE must have direct and unrestricted access to senior management and the board. The Corporate Director Resources can confirm that the North Warwickshire Borough Council's internal audit service is organisationally independent.
- 3.4 Individual objectivity is achieved when internal auditors have an impartial, unbiased attitude and avoid any conflict of interest.
- 3.5 The Standards suggest that the board should have responsibility for the appointment and removal of the CAE and for approving the CAE's remuneration. However, it is recognised that in the UK public sector it would be unusual for the board to have such a role, although it may be the case if the internal audit function is supplied by contractors or a partnership.

1200 – Proficiency and Due Professional Care

- 3.6 Internal auditors must possess the knowledge, skills and other competencies needed to perform their individual responsibilities. The internal audit team collectively must possess or obtain the knowledge, skills and other competencies needed to perform its responsibilities. The CAE must hold a professional qualification and be suitably experienced. In addition, all internal auditors are encouraged to demonstrate their proficiency by obtaining appropriate professional qualifications.

1300 – Quality Assurance and Improvement Programme

- 3.7 The CAE must develop and maintain a quality assurance and improvement programme (QAIP) that covers all aspects of the internal audit activity. A QAIP is designed to enable an evaluation of internal audits conformance with the Standards and an evaluation of whether the auditors apply the Code of Ethics. The programme also assesses the efficiency and effectiveness of internal audit and identifies opportunities for improvement. The QAIP must include both internal and external assessments.

Performance Standards

- 3.8 The Performance Standards describe the nature of the internal audit services being provided and provide criteria against which the performance of an internal audit function can be measured.
- 3.9 The elements included within this section are:
- *2000 - Managing the internal audit activity* – the CAE must effectively manage the internal audit activity to ensure that it adds value to the organisation. The activity adds value when it considers strategies, objectives, and risks; strives to offer ways to enhance governance, risk management and control processes; and objectively provides relevant assurance.
 - *2100 - Nature of the Work* – the internal audit activity must evaluate and contribute to the improvement of governance, risk management and control processes using a systematic, disciplined and risk-based approach. Internal audit credibility and value are enhanced when auditors are proactive, and their evaluations offer new insights and consider future impact.
 - *2200 - Engagement Planning* – internal auditors must develop and document a plan for each engagement, including the engagement's objectives, scope, timing, and resource allocations. The plan must consider the organisation's strategies, objectives and risks relevant to the engagement.
 - *2300 - Performing the Engagement* – internal auditors must identify, analyse, evaluate, and document sufficient information to achieve the engagement's objectives.

- *2400 - Communicating results* – communications must include the engagement’s objectives, scope, results, an appropriate conclusion, recommendations, and an action plan. Where appropriate, the internal auditors’ opinion should be provided, which must take account of the expectations of senior management and must be supported by sufficient, reliable, relevant, and useful information.
- *2500 - Monitoring progress* – The CAE must implement a follow up process to monitor and ensure that management actions have been effectively implemented or that senior management has accepted the risk of not taking action.
- *2600 – Communicating the acceptance of risks* - If the CAE concludes that management has accepted a level of risk that may be unacceptable to the organisation, the CAE must discuss the matter with senior management. If the CAE determines that the matter has not been resolved, the CAE must communicate the matter to the board.

4 Conformance with the PSIAS

- 4.1 The Standards state that an external assessment to establish compliance should be completed at least every 5 years. To comply with this requirement, Elizabeth Humphrey, who formed Tilia Solutions in February 2007 to provide training and consultancy in all areas of corporate governance, completed a review of the internal audit service against the requirements of the PSIAS in November 2017.
- 4.2 The findings of Elizabeth’s review identified several areas for improvement, which were addressed, ensuring that the Council’s internal audit service was fully compliant with the PSIAS. A further external review will be undertaken during 2022 in line with the Standards and to ensure the internal audit service remains compliant.

5 Quality Assurance Improvement Programme

- 5.1 The internal audit quality assurance programme includes reviews of the files by the Head of Internal Audit (currently by the Corporate Director Resources) before draft reports are issued and approval of the audit brief and audit programme before any work is completed. Performance is also monitored in quantitative and qualitative terms using the following factors:
- Proportion of planned audits completed in the year;
 - Extent to which management adopt Internal Audit recommendations; and
 - Feedback from managers on the value and performance of the audit.

- 5.2 It has been a difficult year for the completion and review of audits. The pandemic continued to affect a number of services and the majority of staff continued to work from home so the accessibility of some of the information required has been difficult. However the greater issue has been the reduction of resource within the team. Although the vacant Audit Assistant post was filled in April 2021, the new member of the team only remained in post for a few months. In addition, the CAE has been on long term sick leave since August 2021. This left just one member of staff to carry out audits included in the Plan.
- 5.3 Despite the reduction in audit resource, the audit plan was revised primarily for other reasons. Deferral of four of the planned audits was due to staff vacancies in the relevant service area being audited and difficulties in obtaining information, whilst a further audit was deferred due to a lack of service activity to audit. However, an unplanned audit on the governance arrangements relating to the Material Recycling Facility was added to the work programme, due to the scale of the undertaking and the impact on future recycling operations. Of the remaining fifteen audits in the plan, twelve were completed, which is approximately 80% of the revised plan. Two of the remaining audits were started in the year, although one was started by the Audit Assistant who left, with little progress being made. This will need to be carried forward into the audit plan for the current year, together with the other outstanding audits.
- 5.4 Client questionnaires are normally issued to all managers with the final report, to establish the effectiveness of the review, however feedback has been obtained verbally over the last year. Managers felt that a good or very good performance had been achieved in respect of planning the audit, the quality of the report and recommendations made, the timing of the review, the standard of communication and the professionalism of the auditor. Managers also confirmed that the implementation of the recommendations made would lead to improvements in performance.

6 Opinion on the adequacy of the Council's control environment and a summary of the work supporting that opinion

- 6.1 The Operational Audit Plan for 2021/22 was approved by the Resources Board in March 2021, when a full team and some reduction in restrictions were anticipated.
- 6.2 Twelve operational audit reviews were completed during the year (2 from 2020/21 and 10 from 2021/22); and all were considered to be satisfactory or better. Also, seven follow-up reviews were carried out. Whilst there are some recommendations that have not yet been implemented, this is due to staff turnover in relevant areas, with some recommendations currently in progress or scheduled for later in the year.
- 6.3 Based upon the results of the work undertaken during the year I can give satisfactory assurance on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.

6.4 A summary of the findings of the audit reviews is at Appendix A to this report, but it must be noted that this is a snapshot of the situation at the time of the audit and procedures may well have changed since then if agreed recommendations have been actioned.

7 Report Implications

7.1 Risk Management Implications

7.1.1 Failure to provide an effective Internal Audit Service may adversely affect the level of internal control operating within the Council.

7.1.2 Non-conformance with the PSIAS, which is a mandatory requirement, will attract criticism from external assessors.

7.2 Links to Council's Priorities

7.2.1 The audit programme agreed and delivered are aligned to both the priorities of the Council and the requirements of external assessors.

The Contact Officer for this report is Sue Garner (719374).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Summary of Internal Audit Findings

Planned Audits 2021/22

Council Tax

Audit Scope

The audit work was structured to establish the effectiveness of the controls in place to mitigate the key risks to the Council's Council Tax arrangements.

Audit Findings

A '**Satisfactory Assurance**' level was given. Generally, the controls in place for the Council's council tax arrangements are adequate and operating satisfactorily. A few areas for improvement were identified, including annual review of the council tax information on the website, such as discounts and exemptions, tightening access controls where staff have declared an Interest with regard to a business, friend or family, and more frequent review of NFI data reports which are followed up in a timely manner.

Insurance

Audit Scope

The audit work was structured to review the design and operating effectiveness of controls in place, to mitigate key risks for the Council's insurance arrangements to protect the Council against risk exposures to its key assets, employees, operations, reputation and the public. This needs to be achieved at the best cost.

Audit Findings

Our overall audit opinion is '**Satisfactory Assurance**'. Generally, the controls in place over the Council's insurance arrangements are adequate and operating satisfactorily, however there are a few areas where internal controls can be strengthened. Existing guidance notes need to be updated to reflect some staffing and procedural changes, including the recent move to an online hub by the Council's Insurers. Increased detail is also recommended in some areas. Increased use of claim analysis and more structured use of inventories will aid decision making. Work being undertaken on cyber insurance needs to be progressed.

Discretionary Grant Scheme Payments (Business Grants)

Audit Scope

The audit work was structured to review the controls in place for ensuring applications for discretionary business grants met the eligibility criteria set out in the Councils Additional Restrictions Grant Policy.

Audit findings

Our overall audit opinion is '**Satisfactory Assurance**'. The ongoing workload of the Revenues Team has prevented this report being finalised, however testing highlighted only one case of possible concern. This case was followed up by the Council's Fraud Officer who confirmed eligibility.

Covid 19 Test & Trace (Self Isolation) Payments

Audit Scope

This audit looked at the Benefits team processes to ensure that only applicants that meet the eligibility criteria set by central Government under the NHS Covid-19 Test & Trace Support Payments Scheme, or under the Council's Test & Trace Support Payments Scheme, are paid and that clear management / audit trails are retained of all applications, transactions and payments.

Audit Findings

Our overall audit opinion is '**Significant Assurance**'. Sample audit testing identified that there is a sound system of internal controls that are being consistently applied.

Economic Development

Audit Scope

The audit was structured to establish the effectiveness of the controls in place to mitigate the key risks to the Council's Economic Development [ED] arrangements. ED is one of the primary roles of the Forward Planning & Economic Development section, supported by the Policy Support and Community Development teams.

Audit Findings

Our overall opinion is '**satisfactory**' assurance on the controls in place for the Council's economic development arrangements. Ensuring emerging priorities are included in future updates and the use of more up to date assessments of the impact of national economic conditions on the local economy would improve the process further. Recommendations will be implemented as the part of the ongoing process.

Cesspool Emptying Service

Audit Scope

This audit reviewed the design and operating effectiveness of controls in place, to mitigate key risks relating to the Council's cesspool and septic tank emptying service.

Audit Findings

A '**satisfactory**' assurance on the controls in place for the Council's Cesspool and Septic Tank Emptying Service arrangements was given. Generally, the controls in place are adequate and operating satisfactorily. A few areas for improvement were

identified, including improving the information for customers on the website and ensuring all information flows between departments are as efficient as possible.

It is also recommended that a benchmarking exercise and financial viability review on the service that had been put on hold due to the pandemic and other emerging workload priorities, should be re-run.

Housing Lettings

Audit Scope

The purpose of this audit is to consider whether the current systems and processes in place for persons being placed on the Council's Housing Register (i.e. waiting list) and allocating Housing properties to tenants (i.e. lettings) are robust, operating effectively and are compliant with the Council's approved Lettings Scheme [LS], including appropriate verification checks of applicants and vetting all short-lists and re-lets by a senior Housing Officer.

Audit Findings

Overall, Internal Audit can give a **'significant'** assurance on the controls in place for the Council's Housing 'Lettings Scheme' and allocations arrangements.

Recycling

Audit Scope

The overall scope of this audit was to review internal controls and identify any potential improvements in relation to the Council's in-house kerbside recycling collection service, which excludes domestic refuse, green, trade and clinical waste, although noting there is some degree of overlap between some of these, especially with domestic refuse kerbside collection.

Audit Findings

Overall, Internal Audit can give a **'significant'** assurance on the controls in place for the Council's in-house kerbside recycling waste collection service. In addition, a separate audit was undertaken which looked at the MRF (see below)

Sub Regional Materials Recycling Facility - Governance Arrangements

Audit Scope

To review the adequacy of the governance framework put in place by Sherbourne Recycling Ltd [SRL], the arms-length Company created in 2021. Whilst Coventry City Council undertook the lead authority role during the development and procurement phase, subsequent to the incorporation of SRL all partners are equal in voting rights, with no lead Partner. All partners are contributing funding to develop, construct and eventually operate a Sub-Regional Materials Recycling Facility [SRMRF] to be situated in Coventry. Coventry City Council remains closely linked to the company through contracted assistance for commercial, financial and legal support to provide

continuity in the transition from project development through to construction and next year operations.

Audit Findings

Overall, NWBC Internal Audit can give a **'significant' assurance** on the ongoing development and implementation by SRL of a sound governance framework to govern the Sub-Regional Materials Recycling Facility [SRMRF].

Civic Silver and Security

Audit Scope

To ensure that the Council's valuable civic regalia assets / items are safeguarded from loss / theft / misappropriation and damage caused perils such as by fire / flood / vandalism, etc through being adequately insured based on their reasonable annual revaluation. Furthermore, that checks are undertaken by the responsible officer, on at least an annual basis, to confirm the physical whereabouts and safe custody of the valuable civic regalia assets / items.

Audit Findings

Overall, Internal Audit can give a **'satisfactory'** assurance that controls to safeguard the Council's valuable civic regalia assets are basically sound, although there is scope to strengthen / affirm certain safeguards and controls. This includes the production of a Protocol which covers the administration and security of the Civic Regalia.

Follow Up Audit Reviews

Corporate Governance

Audit Scope

The purpose of the audit was to establish whether the Council's Corporate Governance arrangements conform to the seven core principles of good corporate governance as set out in the 'Delivering Good Governance in Local Government Framework (CIPFA / SOLACE 2016) publication.

Audit Findings

A **'Satisfactory Assurance'** level was given. At the time of the audit, the Council's Local Code of Governance document only referred to six core principles and so did not fully embrace the latest CIPFA / SOLACE Framework', which outlines seven good governance principles but this has since been updated to reflect the seven principles. A number of Council policies, e.g. Anti-Money Laundering Policy, Anti-Fraud Policy and Information Security Policy have also been updated to reflect changes in staffing structures and updated legislation.

Updating the Constitution is currently in progress and improvements to the Business Continuity planning process will be undertaken, once staffing changes in the Policy area have been finalised.

Corporate Feedback

Audit Scope

The purpose of this audit was to ensure that: -

- A Corporate Policy exists which is up to date and effectively communicated to the public.
- The process is easily accessible for people to raise a concern, including catering for persons who are unable to make complaints or compliments online.
- Roles and responsibilities for dealing with complaints are clearly defined.
- A formal record is held corporately of all complaints and compliments received, which clearly shows the date of receipt, the service area it related to and the date it was closed.
- All complaints are responded to in a timely manner, in line with agreed timescales.
- People who raise concerns are adequately protected from discrimination, harassment or disadvantage.
- That the Council has in place effective measures to deal with vexatious complaints.
- Complaints and compliments are used as an opportunity to learn and drive continuous improvement of Council services.
- Annual reports are presented to the Executive Board of the number of complaints and compliments received, analysis of these numbers split by service department, the time taken to respond to the complaints and the service improvements identified as a result of the complaint;
- In the event a complainant is dissatisfied with the outcome, he/she is given details about how to take escalate the complaint to the Local Government Ombudsman.

Audit Findings

A '**Satisfactory Assurance**' level was given. Some areas for improvement were identified as follows: -

- Although the information on the website clearly describes the Council's approach for dealing with complaints, there is no Policy and no description of how the Council would deal with persistent, vexatious or abusive complainants.
- Complaints are properly investigated and are documented appropriately by the relevant service departments. There is a Complaint Investigation Outcome form that departments are required to complete but these are not always returned, so it is possible that some service improvements could go unrecorded.

The Housing Division have taken a 'vexatious' complaints policy to Resources Board and Councillors endorsed this, and recommended it be applied to the Council as a whole. This is due to go to Executive Board in July.

Improvements to the complaints process will be completed when staffing restructures have been finalised and decisions have been taken in the next few months on a new website.

Risk Management

Audit Scope

The audit work was structured to establish the effectiveness of the controls in place to mitigate the key risks to the Council's risk management arrangements. The audit focused on reviewing the high 'red' scored operational risks to ensure that they were being managed in accordance with the requirements set out in the Council's Risk Management Manual.

Audit Findings

Our overall audit opinion was '**Satisfactory Assurance**'. There is basically a sound system of internal controls although there are some minor weaknesses and/or evidence that the level of non-compliance may put some minor systems objectives at risk. The Council's Risk Management Manual when referring to the Risk Profile scoring matrix states that "the risks in the red area should be "managed down as a matter of urgency". To help progress this, Risk Management has been included as a Key Corporate Issue for Management Team and is routinely considered at least every six months. However, some risks arise from external factors outside the Council's control and it isn't always possible to manage them down.

Partnerships

Audit Scope

The purpose of this audit was to ensure that:

- The Council has formally adopted a Board approved 'Partnership Framework & Significance Scorecard' protocol providing guidance on partnerships and shared services.
- There is a comprehensive and up to date Register of partnerships and shared services;
- The governance arrangements in relation to the following shared service partnerships are adequate and operating effectively in practice
 - Home Environment Assessment & Response Team [HEART];
 - North Warwickshire Community Safety Partnership (NWCSP);
 - Coleshill School – Joint Indoor Leisure Provision Partnership;
 - Building Control – Local Authority Partnership.

Audit Findings

A '**Limited Assurance**' level was given in terms of oversight of the Council's partnership governance arrangements due to the lack of a formally approved Partnership Framework document.

Whilst work on the partnerships highlighted has been undertaken where necessary, only limited progress has been made on the production and approval of a Partnership Framework & Significance Scorecard' protocol and comprehensive and up to date Register of partnerships and shared services. However there are plans to complete the required documentation by the end of July, to enable this to be reported to Executive Board in September.

Transport – Fleet Vehicle Management

Audit Scope

The purpose of this audit was to ensure that: -

- An adequate fleet management strategy is in place;
- The Drivers Handbook is comprehensive and up to date and has been issued to all relevant staff;
- Complete and accurate fleet asset listings are being maintained;
- Fleet vehicles are being adequately maintained and checked to ensure that they are fit for purpose, safe, reliable and cost effective;
- Adequate security features and camera technology are fitted on vehicles as appropriate;
- Adequate driver licence checks are completed;
- Appropriate medical fitness checks are carried out for all permanent and agency staff;
- Any accidents are adequately reported, and insurance claims are being monitored;
- All vehicles have an MOT certificate, adequate insurance cover and have been taxed;
- Driver hour rules, as contained in the Transport Act, are complied with;
- All relevant staff have attended appropriate health and safety training courses.

Audit Findings

A '**Satisfactory Assurance**' level was given. In general, the controls in place over the Council's fleet management are considered adequate, although some procedures need reaffirming and certain arrangements need strengthening to afford more robust control.

The recommendation to reconvene the Council's vehicle management group has been implemented. However other recommendations such as the compilation of a formal Fleet Vehicle Management Strategy, updating the Drivers Handbook and improving the checks in existing processes will be undertaken as working arrangements return to a more normal pattern.

Equalities

Audit Scope

The purpose of this audit was to ensure that: -

- There is an up to date Equality policy;
- The Council has established and communicated equality objectives that are specific and measurable, and these are reviewed at least every four years;
- The Council publishes its equality data to demonstrate compliance with the 'Public Sector Equality Duty, at least annually;
- Equality training has been provided to all employees and elected members;
- Adequate procedures are in place and these are being adhered to, when dealing with any discrimination incidents;
- Equality risk assessments have been undertaken for all key decisions made by Boards;
- Equality impact assessments are complete, accurate and up to date;
Contractors, suppliers and consultants have provided an appropriate level of equality commitment; and
- There is an adequate system in place to ensure that any changes in the legislative requirements are being identified promptly and relevant policies and procedures updated.

Audit Findings

A '**Limited Assurance**' level was given, mainly because of the issues raised around the equality objectives and information published relative to requirements of the Equality Act 2010. The areas for improvement included the need to ensure that equality objectives directly relate to the Equality Act and are specific, measurable and transparent; to publish an Annual Public Sector Equality Duty Compliance Report; to complete Member equality training and fully document staff training for those without direct access to the e learning system.

Due to staff turnover, work has not yet been carried out in this area but will be progressed later this year when staffing structures have been finalised.

Fly Tipping

Audit Scope

The purpose of this audit was to ensure that: -

- Suitable measures were in place to detect and deter the illegal dumping of waste within the Borough;
- Waste illegally dumped within the Borough is collected promptly and disposed of safely;
- The health and safety arrangements for the staff responsible for clearing illegally dumped waste are adequate and appropriate;

- The Council has robust enforcement procedures in place.

Audit Findings

A '**Satisfactory Assurance**' level was given. The Council has a 'zero tolerance' approach to Fly-Tipping and, generally, its arrangements for preventing, identifying, clearing, investigating incidents and taking enforcement action are adequate and operating satisfactory. A few areas for improvement were identified, including checking bulky waste collection charges are up to date on any notices issued; providing refresher training for the operatives; updating knowledge of government guidelines; and producing a risk assessment in relation to dealing with the clearance of fly-tipped waste which may potentially contain contaminated, hazardous, or toxic waste.

Action has been delayed due to the Covid pandemic but also due to key staff absences in Streetscape for several months since restrictions started to ease and changes in the Environmental Health team.

Assurance Level	Definition
Significant	There is a sound system of internal controls that are being consistently applied
Satisfactory	There is basically a sound system of internal controls although there are some minor weaknesses and/or there is evidence that the level of non-compliance may put some minor system objectives at risk.
Limited	There are some weaknesses in the adequacy of the internal control system and/or the level of non-compliance puts some of the system objectives at risk.
No Assurance	Control is weak leaving the system open to significant error or abuse and/or there is significant non-compliance with basic controls.

Agenda Item No 10

Resources Board

20 June 2022

Report of the
Corporate Director - Resources

Internal Audit Plan 2022/23 and
Counter Fraud Activity

1 Summary

- 1.1 The purpose of this report is to set out the proposed Internal Audit Plan for 2022/23 and update Board members on the work of the Counter Fraud Officer.

Recommendation to the Board

That the Internal Audit Plan at Appendix A be approved, and that the work of the Counter Fraud Officer be noted.

2 Internal Audit Plan

- 2.1 The Public Sector Internal Audit Standards (PSIAS) require an annual internal audit plan to be developed using a risk-based assessment process. The assessment process at North Warwickshire Borough Council considers factors such as:-
- the extent of change and development;
 - Staffing issues, e.g. potential inadequate training, high vacancy levels or extensive delegation;
 - the complexity of the system;
 - previous audit reports/agreed action plans and the length of time since the last review;
 - frauds detected or investigated;
 - the sensitivity of the system, for example the impact to the authority of something going wrong; and
 - the value and volume of transactions.

2.2 From the assessment, a risk score is allocated to each system, which is then used to prioritise audits and determine the frequency of each review. Scores of 100 or below are deemed to be too low a risk to warrant a review; 101 to 200 are medium risk, which require a review every 3 to 5 years and scores of 201 or more are high risk and will be reviewed at least once every 2 years. On completion of each review the assessment will be updated to ensure that it remains reasonable and is based on sound judgement.

...

2.3 The proposed plan at Appendix A includes the risk score established from the risk assessment process described above and an indication of when the work is likely to be completed; although there has to be some flexibility in this as some reviews will run over from one quarter to the next at times for various reasons. In determining the number and timing of the reviews, consideration has been given to service priorities and the audit resources available.

2.4 The plan includes the audits that were deferred in 2021/22 and work that the team was unable to complete. Those audits that have been carried forward are marked with an Asterix.

2.5 In developing the 2022/23 plan, it has been assumed that the impact on services from the pandemic will reduce as lockdown restrictions are lifted.

2.6 Follow-up reviews are completed after the final report has been issued to ensure that all agreed actions have been addressed as planned; the timing of these reviews is dependent upon when the report was finalised, and the audit opinion given. As some of the audits reviewed in 2021/22 had recommendations outstanding due to staff turnover and other factors, a further follow up will be undertaken to ensure that recommendations are implemented as agreed.

3 Counter Fraud Activity

3.1 The current Counter Fraud Officer has been employed by the Council since June 2018, this is a shared role with Nuneaton and Bedworth Borough Council (NBBC), on average the Officer spends 40% of his time investigating fraud allegations at NWBC and 60% at NBBC.

3.2 During the year, the Counter Fraud Officer investigated 119 cases at NWBC, made up of 78 fraud investigations and 41 Right to Buy investigations. Of these, 20 of the fraud cases continued into 2022/23, with 9 of the investigations being joint cases with DWP. Referrals came from Housing (41%), Benefits (31%) and Other (19%). Other referrals come from sources including the fraud hotline, other internal departments and the DWP.

- 3.3 The Counter Fraud Officer identified cashable savings to the public purse of approximately £92,650 and notional savings of approximately £212,800. Notional savings are the estimated future savings to the public purse because of the intervention and successful fraud investigation. For example, it is assumed that had it not been for the investigation a housing benefit claim would have continued to be paid at the higher rate for at least 21 weeks. The notional saving calculations are in line with those used by the Cabinet Office for their data matching exercise, the National Fraud Initiative, which is conducted to assist in the prevention and detection of fraud with data being provided by some 1,200 organisations from both the public and private sectors, NWBC being one of them.
- 3.4 The Counter Fraud Officer investigated all Right to Buy applications received in the year and of the 41 applications received, 3 were denied outright and 15 were subsequently withdrawn. It should be noted that there can be a variety of reasons why an application may be withdrawn.

4 Report Implications

4.1 Risk Management Implications

- 4.1.1 The Audit Plan for 2022/23 takes specific account of the Council's strategic and operational risks.

4.2 Links to Council's Priorities

- 4.2.1 The Audit Plan for 2022/23 is based on a risk assessment which will ensure the best use of resources to provide a high-quality service.

The Contact Officer for this report is Sue Garner (719374).

Internal Audit Plan 2022/23

System Reviews	Risk Score	Timing of Review
Cleaning (HRA) *	103 – Medium	Quarter 1
Community Centres*	124 - Medium	Quarter 1
Procurement	210 – High	Quarter 1
Contaminated Land *	105 - Medium	Quarter 2
Environmental Protection – Food Hygiene & Inspection*	137 - Medium	Quarter 2
Leaseholder Management *	188 - Medium	Quarter 2
Democratic Services	131 – Medium	Quarter 3
Housing Repairs (excluding voids)*	196 - Medium	Quarter 3
Commercial Properties and Industrial Units	142 - Medium	Quarter 4
Events and Publicity*	132 - Medium	Quarter 4
Civil Parking Enforcement	154 – Medium	Quarter 4
Annual Reviews		
Leisure	242 - High	Quarter 4
Follow-up Reviews	Original Opinion And Date Finalised	
Corporate Feedback (Complaints and Compliments)*	Satisfactory – Nov 20	Quarter 3
Corporate Governance*	Satisfactory – July 20	Quarter 3
Equalities*	Limited – Oct 20	Quarter 3
Fly Tipping*	Satisfactory – Mar 21	Quarter 2
Partnerships and Shared Services*	Limited -May 21	Quarter 2
Transport Fleet Management*	Satisfactory – Oct 21	Quarter 4
Domestic Refuse*	Satisfactory – June 20	Quarter 2
Petty Cash Procedures – Leisure Centres *	New process	Quarter 2
Council Tax	Satisfactory – Sep 21	Quarter 1
Insurance	Satisfactory – Oct 21	Quarter 1
Economic Development	Satisfactory – Mar 22	Quarter 2
Cesspool Emptying	Satisfactory – Mar 22	Quarter 4
Civic Silver and Security	Satisfactory – Mar 22	Quarter 2

Agenda Item 11

Resources Board

20 June 2022

Report of the Director of Housing

**Revisions to Lettings Scheme &
Addressing Housing Needs of
Refugees & Asylum Seekers**

1 Summary

- 1.1 The Housing Task and Finish Group has considered the Council's Lettings Scheme and proposed some amendments to ensure the housing needs of applicants are being met. This report shares the Lettings Scheme with the amendments and requests consideration prior to formal consultation with stakeholders. The report also provides information about the current Government arrangements for Asylum Seekers and Refugees and the implications for the Council.

Recommendation to the Resources Board

- a That the amendments to the Lettings Scheme be considered and agreed; and**
- b To note that the amended Scheme is subject to consultation and that a further report will be submitted when feedback is received from stakeholders; and**
- c To note the national arrangements for Asylum Seekers and Refugees and the implications for additional demand on the Council's property vacancies.**

2 Consultation

- 2.1 The Task and Finish Group consists of Councillors Clews (D) (Chair), Symonds, Smith (S), Jarvis, Phillips (H) and Gosling. The Group are proposing amendment to the Lettings Scheme.
- 2.2 A period of consultation will be undertaken with stakeholders when the Resources Board has considered the amendments proposed.

3 Introduction

- 3.1 The Housing Act 1996 is the legislation that underpins how Local Authorities let their stock. A Local Authority must have a published policy / Lettings Scheme which sets out transparently how it will let its properties. The Lettings Scheme must meet certain legislative criteria (for example reasonable preference categories for particular needs groups) however in doing so each Local Authority can set out how it intends to meet local housing need using its policy. It must act to assess applicants and let vacancies in accordance with the published policy.
- 3.2 The Housing Division provides the Council's duties for homeless households. The Housing Options Officers & Homeless Persons Officer assess applications in accordance with the homelessness legislation and Code of Guidance. We are expected to prevent homelessness where possible. If that is not possible, we are expected to provide temporary accommodation for some applicants until they are secured accommodation.
- 3.3 The Housing Options Officers also assess applications to join the housing register. The Lettings Officers let vacancies. All the Council's properties are let in accordance with the published Lettings Scheme. This scheme is drafted in accordance with legislative requirements. There are 4 priority categories – Bands 1,2,3,4. There is an assessment of each application in accordance with the Scheme and applications are put into a priority band. Vacancies are advertised weekly; applicants apply and are shortlisted by priority Band and date order.
- 3.4 Vacant properties are brought up to a lettable standard in accordance with the published Void Property Standard.
- 3.5 There is an average of 340 applicants on the housing register at any time. Over a year an average of 150 properties are let from the Council's own stock. The number of applicants on the register depends on the broader housing market in the Borough and the number of both Council and housing association properties to let. Lack of affordability in the former will create more housing need and a reduction in vacancies means that applicants stay on the list longer.
- 3.2 During the year 2021 to 2022 143 Council properties were let. 43 to Band 1 applicants; 69 to Band 2; 17 to Band 3; 5 to Band 4. 9 properties were let to tenants from the transfer list. 2 properties were bedsits; 31 bungalows; 39 flats; 69 houses and 2 maisonettes. The number of houses was relatively high during the year because we let the new properties in Warton. Applicants waited an average of 10 months to be re-housed.

3.3 Vacancies during the year were let in Atherstone (29) where we have the most stock followed by Kingsbury (12) and Polesworth (13). Many of these would have been flats. 2-bedroom houses are in high demand. We let 7 properties in Coleshill – mainly flats and bungalows.

4 **Lettings Scheme Revisions**

4.1 Most of the scheme is defined by Legislative requirements. Nonetheless Councils do have some discretion in particular aspects of the scheme. The Housing Task and Finish Group has suggested the following changes. These are included in the revised Scheme at Appendix A

4.2 The Housing Task and Finish Group reviewed the whole Lettings Scheme and are recommending changes to the income levels set out in the qualifying criteria, to the transfer list in order to address the needs of family households and to allow home owners who do not have the financial resources to source their own alternative accommodation the opportunity to join the Register.

4.3 The Financial Resources criteria on page 10 has been updated to reflect current, average wage levels and recommendations made by the Internal Audit Section to provide clear information about the resources that will be considered in an assessment.

4.4 The Section on the Transfer Register on page 20 has been changed so that the Scheme can account for and assist family households in the Council's own properties who need to move because they do not have sufficient space for their family's needs. Welfare benefit restrictions on the bedroom sizes for households can mean that family's grow out of the tenancies that they are initially allocated. The change means that their needs can be met within the Scheme.

4.5 The current scheme gives consideration to applicants living at home who are seeking independence. It does not give consideration to owner occupiers who cannot afford to source their own alternative accommodation and who need to do so to remain independent. A new criteria has been added to Band 4 on page 20 to reflect this circumstance. This amends the scheme so that housing need is considered regardless of tenure. Enabling applicants to move to Council accommodation which is more suitable for their needs means that they can reside in a managed property – which includes a full repair service and support from a designated Tenancy Services Officer. In some circumstances this will help prevent the need for more intensive care or supported accommodation.

4.6 The Scheme has been adjusted to ensure that the needs of applicants suffering domestic abuse can be met. This accords with the requirements of the recent Domestic Abuse Act 2021.

5 **Asylum Seekers and Refugees**

- 5.1 Different arrangements are in place for housing and support for Asylum Seekers, Afghan Refugees and Ukrainian Refugees. Local Authorities are expected to co-operate with the national arrangements.
- 5.2 Until recently the dispersal arrangements for Asylum Seekers has been by agreement and co-operation with specific Local Authorities. This has meant that some Local Authorities have worked closely with the Home Office over many years to enable Asylum Seekers to move into their area. It also means that there are many areas where no Asylum Seekers have been found housing. On 13 April 2022 the Home Office wrote to all Local Authorities and told them that they intend allow their contractor, SERCO, to carry out a full dispersal programme and seek to find accommodation in local area in the Country without restriction.
- 5.2 The Home Office is talking to and consulting with Local Authorities about the arrangements but the decision about full dispersal has been made. This is because of the pressing need to find suitable accommodation for Asylum Seekers. The consultation will be undertaken from 9th May to 1st July 2022.
- 5.3 Initially, for Asylum Seekers, their housing and support needs are met by a company contracted by the Home Office. It is currently SERCO. This company is contracted to find accommodation for Asylum Seeker households and meet their support needs. When a decision is made that an Asylum Seeker can remain in the Country, they are expected to meet their own housing needs. At that time, they can approach a Local Authority for assistance.
- 5.4 Local Authorities have been asked to provide for the housing needs of Syrian and Afghan Refugees. This provision is met in collaboration with Warwickshire County Council in this area. Properties can be from the private sector or from social housing stock. There are considerations around affordability which means that private rented stock is usually more expensive than the criteria limits.
- 5.5 On 9 May 2022 the Department for Levelling Up, Housing and Communities wrote to all Local Authorities to explain the criteria that they are using to find accommodation for Afghan Refugees who they are seeking to move out of hotel accommodation. Essentially the household will be made two reasonable offers of accommodation and if both are refused, they will be asked to find their own accommodation. If they do not source their own accommodation the Home Office on their behalf or the household independently can contact Local Authorities to make a homeless application. Councils can claim funding for both temporary and permanent accommodation if they assist the Afghan Refugee households.

5.6 The arrangements for refugees from the Ukraine is based on sponsorship – either family sponsorship or guest sponsorship. The Housing Division has been involved in ensuring the arrangements for guest sponsorship are appropriate and safe however for the first 6 months after arrival sponsors are expected to meet the housing and support needs of their guests. They are not allowed to seek rent payments but are not expected to pay for day to day living expenses. Unlike Syrian or Afghan Refugees those from Ukraine have been given full citizen rights – they can seek employment and have recourse to public funds which includes welfare benefits and housing. After the initial 6 months of sponsorship some refugee households may stay in the accommodation provided for them and pay rent, some may find privately rented accommodation and others may seek assistance from the Council – either by way of a homeless application or to be placed on the housing register.

6 Report Implications

6.1 Finance and Value for Money

6.1.1 The Council's Letting Scheme must be fit for purpose to ensure the Council can let its own properties and provide nominations to other landlords to meet housing need in the Borough. It should prevent long void times and having demand and supply in balance also prevents homelessness – which is expensive for the Council and causes difficulties for the households it affects.

6.1.2 In its letter dated the 9th May 2022 the Department for Levelling Up, Housing and Communities has set out funding available to Local Authorities providing temporary or permanent accommodation for Afghan Asylum Seekers. This is because these refugees have no recourse to public funding. For example, a fixed sum of £2000 is paid per household for 2 months accommodation and the cost of administering the application. After 2 months £80.00 a week will be paid per household. The total the Council will receive over a six months period will be £3,280. If settled accommodation is offered integration funding of £20,520 per person can be claimed over three years for integration support and secure accommodation.

6.2 Legal and Human Rights Implications

6.2.1 The Council's Lettings Scheme must comply with legislative requirements. This includes the Housing Act 1996, the Localism Act 2011 and the Domestic Abuse Act 2021, some of the detail of which is referred to in the body of the report. There is also statutory Guidance which provides direction for Councils with regard to their Lettings Scheme.

6.2.2 Government requirements for Local Authorities in seeking to meet the needs of Asylum Seekers and Refugees must be met. The details of these arrangements are usually set out in letters from the relevant Ministry dependant on the specific circumstances and can expressly refer to how legislation and/or guidance regarding housing allocation and/or homelessness applies to the categories of persons concerned.

6.3 Equality Implications

6.3.1 Public authorities are required to have due regard to the general aims of the general equality duty when making decisions and setting policies. The Lettings Scheme includes information about how it is consistent with meeting the requirements of the Equality Act 2010. The Scheme sets out how it prioritises applicants with differing housing needs. An equalities impact assessment has been undertaken.

6.4 Environment, Climate Change and Health Implications

6.4.1 Letting properties quickly prevents blight to estates and ensures applicants are not waiting on the housing register longer than necessary. However, speed must be tempered with ensuring we work effectively to get the right tenant for the right property and ensure sustainable tenancies and communities.

6.4.2 Giving choice to applicants ensures they are able to live where they want and prevents the churn of vacancies which can arise if they feel they are being pressurised into accepting a home that does not meet their long term needs. In the new system this choice will be based on good information given personally to the customer based on an understanding of their needs and the stock available.

The Contact Officer for this report is Angela Coates (719369).

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Housing Act 1996	H.M. Government	Legislation	1996
Domestic Abuse Act 2021	H.M. Government	Legislation	2021
Localism Act 2011	H.M. Government	Legislation	2011

Afghan Resettlement	Department for Levelling Up, Housing and Communities	Letter from the Home Office and DLUHC	9 May 2022
Asylum Seeker Full Dispersal Arrangements	Home Office	Letter from the Home Office	13 April 2022
Ukraine Sponsorship Scheme	UK Government	Guidance for Sponsors	Undated – April 2022
Equality Impact Assessment	Housing Strategy Officer	Equalities Assessment	19 May 2022

North Warwickshire Borough Council

Lettings Scheme

If you would like this document in another language or format, or if you require the services of an interpreter, please contact us.

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Section One

Background

All of North Warwickshire's properties are let in accordance with this published Lettings Scheme.

Housing Associations (Private Registered Providers) that have stock in the area are encouraged to use this Scheme for their lettings and have a legal requirement to do so for some estates. In certain circumstances they will use their own policies and procedures. Housing Associations with properties to rent in North Warwickshire include:

- Platform Housing Group
- Midland Heart
- Stonewater
- Citizen Housing
- Orbit Housing
- Derwent Living
- Trent & Dove Housing
- ASRA Housing
- SAGE Housing
- Optivo Housing
- Legal & General (affordable homes)

Regulatory Framework

The Council and the Housing Associations must adhere to the Tenancy Standard set by the Housing Regulator. This insists that landlords let their homes "in a fair, transparent and efficient way" and that they shall take into account the housing needs and aspirations of tenants and potential tenants and be able to demonstrate how their lettings make the best use of available housing. There must be a clear application, decision making and appeals process in place.

Registered providers are expected to co-operate with local authorities strategic housing function and their duties to meet local housing needs. This includes assistance with local authorities' homelessness duties and through meeting obligations in nomination agreements.

Key Aims and Objectives

The overall aim of the Lettings Scheme is to ensure that the Council's vacancies and those of Housing Associations are allocated fairly and objectively to those in the greatest housing need. In doing so the Council has regard to legislative requirements, codes of guidance and the Housing Regulator's standards.

This Scheme has been developed with a view to meeting the following principles and key objectives:

- To offer an advice service which helps applicants understand what housing options may be available for them and assist with access where appropriate
- To operate a Scheme that offers realistic, informed choice.
- To promote the best use of the Council's own stock of properties and provide access to Housing Association properties

- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief and age.
- To operate a lettings procedure that is easy to understand, transparent, fair and can assist with exceptional circumstances
- To give appropriate priority to customers who fall within the legislation's "Reasonable Preference" categories.
- To give customers the opportunity to express choice and preferences about where they want to live whilst being informed by the availability of vacancies by type and area.
- To tailor our services to customers requirements and ensure they can access the Scheme.

Service Standards

Our customer service promises include:

- ✓ Treating you with courtesy and respect
- ✓ Listening
- ✓ Being helpful and polite
- ✓ Assisting on the first point of contact
- ✓ Making things as easy as possible
- ✓ Dealing with any concern or complaint promptly

Equality and Fairness

North Warwickshire Borough Council will ensure its policies and practices are non-discriminatory and will promote equal opportunity by preventing and eliminating discrimination on the grounds of race, disability, gender, sexual orientation, religion and belief and age. The Scheme will be accessible, responsive and sensitive to the diverse needs of individuals. Our aim is to create an environment where equality and diversity is at the heart of everything we do.

The impact of the Scheme will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all customers will be asked to provide details of their ethnic origin and any other demographic information when they apply to join the Register.

We will ensure customers have accessible information about the service and equal opportunity to apply, express an interest in and receive offers of accommodation. We will do this by acting to provide a tailored service for all customers so that they can choose how they express interest in properties this will include expressing interest on their behalf if they wish and monitoring the profile of those who are applying and expressing an interest in properties to ensure that minority and hard to reach groups are actively engaged in the service.

Housing Associations

This Lettings Scheme will apply to some of the vacancies which are let by Housing Associations (Private Registered Providers) who have properties in the North Warwickshire area. It will apply to the percentage of properties which the Council has nomination rights to and some others by agreement. All other properties will be let in accordance with the relevant Registered Providers own policies and procedures.

Applicants can contact them directly for more information using the contact details set out at the end of this policy.

Charitable Status

Platform Housing Group, Derwent Living, Stonewater and Midland Heart are charitable organisations. This means that before they grant a tenancy to an applicant they ensure the applicant meets the criteria set out as part of their charitable status. If the property you are expressing an interest in is owned by a Housing Association with charitable status it means that before an applicant is offered a home they may be asked for further information about their circumstances. An applicant may also be refused a tenancy by a charitable landlord if they do not meet the criterion which applies to their charitable status.

Deliberately Withholding Information or Providing False Information

Fraudulent behaviour is taken very seriously by the Council and all appropriate action will be taken to address it. It is a criminal offence (punishable by a fine of up to £5,000) if an applicant gives false information or withholds information related to their housing application.

The Council may decide to take legal action to repossess a tenancy it was obtained by giving false information. If the applicant has previously obtained a tenancy by deception, for example by giving false information, consideration will be given to excluding them from the list.

Section Two The Housing Register & Transfer Register

Introduction

It is not possible for North Warwickshire Borough Council to re-house every potential applicant who may wish to rent one of its properties. This is because the demand for most vacancies outstrips supply. For this reason the lettings scheme prioritises those applicants who are assessed as meeting certain qualifying criteria. This includes being in housing need.

There are two registers. One is for applicants who can demonstrate that they are in housing need. The other is for applicants who are already Council tenants but need to move to alternative accommodation.

The Housing Register is a list of all the applicants who meet the qualifying criteria and have been accepted onto the Housing Register. It includes new customers and existing social housing tenants who are assessed as having a housing need.

The Transfer Register is a list of applicants who live in a North Warwickshire Borough Council owned property, have expressed a need to move to a property which better meets their circumstances or assist them to receive support and to do so will enable the Council to make the best use of its stock

Applications to join the Housing Register

Immigration Status

The Government has stated that certain applicants cannot be placed on the housing register because they are ineligible due to immigration status. Some applicants for whom the immigration status test does apply may be assessed against the Habitual Residence test set out in the allocation of accommodation regulations.

Some people travelling to the United Kingdom from abroad are not entitled to social housing on the basis of their status as detailed in Section 160A of the Housing Act 1996. Some applicants may not meet the habitual residence test. Where a registration form indicates that this may be an issue, checks will be made to confirm the eligibility status of an applicant.

If you are not sure if this section applies to you please contact us and we will advise you.

If you are subject to this section we have no duty to offer you a home but we will offer you advice on your other housing options. Such customers should provide their passports and/or other relevant information to confirm immigration status.

Qualifying Criteria

The Council applies qualifying criteria in order to decide who can join its Housing Register. It does this because there are insufficient vacancies to meet the wishes of all potential applicants. In summary applicants will only be registered where the applicant(s):

- Is aged 16 or over
- Has a local connection to the area.
- Have a housing need assessed in accordance with the Lettings Scheme
- Do not have current rent arrears, or a history of serious rent arrears, owed to social or private landlord where the Council is not satisfied about the reasons why the arrears have accrued or by the actions taken by the applicant to resolve the debt.
- Has not perpetrated unacceptable or anti social behaviour in their accommodation which has led to legal action and where the Council is satisfied that the behaviour has been addressed.
- Is not a home owner (unless there are exceptional circumstances)
- **Cannot afford to source alternative accommodation. An applicant will not qualify if their gross income is £30,000 for a single applicant without children or £45,000 for a couple or single person with children or they have savings (including shares or investments) of more than £18,000.**

All applicants who are advised that they do not qualify to join the Housing Register will be provided with written notification of the decision and the reasons for it. They also have a right to request a review of that decision and will be encouraged to submit any new information about their application.

Local Connection

Applicants or persons in their household who might reasonably be expected to reside with the applicant who fulfils any the following will be classed as having a local connection:

- If they are normally resident in the Borough which means that they currently live, or have lived, within North Warwickshire and have done for at least 6 out of the last 12 months or for not less than 3 years out of the last 5 years.
- Have close family associations in the Borough with the family members concerned currently living in the North Warwickshire area and have done for at least five years or more. This would normally be parents (including adoptive parents), adult children, brothers or sisters provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Other family associations such as grandparents would also be considered if sufficiently close links are shown.
- If they are working in the Borough and have a permanent contract of employment or self employment. In assessing whether an applicant meets this criteria they:
 - Must satisfy the Council that they need to move rather than wish to move for work related reasons.
 - Must provide documentary evidence that their contract of employment is for more than 12 months, that it for more than 16 hours a week, that it is not occasional work in the Borough and that it is not voluntary work.
 - Must be able to demonstrate that they have an offer of employment that they intend to take up or a permanent contract of employment or are self employed
- If they have special circumstances which might include the need to be near special medical or support services which are available only in a North Warwickshire.
- *In exceptional circumstances applications may be accepted from people who do not have a local connection to North Warwickshire if their situation means they meet one of the statutory Reasonable Preference categories and they have a need to move to North Warwickshire. Their application will be given a lower priority than those applicants in the same category who have a local connection to North Warwickshire.*
- *Exceptions are made for applicants fleeing domestic abuse and military personnel. Particular consideration will be given to victims of domestic abuse who need to move to an area in which they may not have a local connection to ensure the safety of their household.*

Local Connection criteria do not apply to the following applicants:

- Military personnel who meet a Reasonable Preference category. In accordance with the Armed Forces Covenant this also includes the spouses and partners of military personnel.
- Existing social housing tenants living in another local authority district in England who have a reasonable preference because of a need to move to North Warwickshire to avoid hardship and need to move because the tenant works in the area or take up an offer of work

Please refer to Section 3 'Assessing Housing Need' for more detail.'

Rent Arrears & Property Debts

To pay for the services, it provides the Council must collect rent from its tenants. Applicants with a poor rent payment history could pose a risk to the Council's income due to non-payment of rent. For this reason, an applicant who has current rent arrears over £400 and/or a history of rent arrears and there is no evidence of willingness to reduce/ repay the debt, may be excluded from the register or have a reduced preference. Other property debts such as court costs or charges for damage to a premises will be taken into account. Applicants will need to provide clear information about why the property debt accrued and be prepared to explain the steps they have taken to address the issue. The Council will consider all of the facts, including documentary information, before deciding whether to place the applicant on the housing register. If the information indicates that the income of the applicant was sufficient to cover rent payments (as a priority debt) but rent arrears still accrued, with occupancy of the property put at risk, a decision may be made to exclude the applicant from the Register. In some circumstances an applicant will be expected to accept appropriate support to assist them if they are included on the housing register.

Unacceptable Behaviour

The Council provides tenancy management services to ensure that its estates are nice places to live. As part of its Lettings Scheme it will act to ensure it is able to sustain the standards its tenants expect. For this reason applications may not be accepted from persons guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, or where a member of the applicant's household is guilty of such behaviour. Examples of such behaviour are:

- Behaviour that has caused or is likely to cause significant nuisance or annoyance in a neighbourhood or to neighbours.
- Using a property for illegal or immoral purposes.
- Violence or threatening behaviour towards employees of the Council

The Council will consider the facts, including documentary information, before deciding whether to place the applicant on the housing register. If an applicant has recently been evicted from or had to leave a property because of nuisance behaviour or is not able to show a change in behaviour since they left the property, and there is an indication that this behaviour would continue if they were the tenant of a Council property it may be decided to exclude the applicant from the Housing

Register. In some circumstances an applicant will be expected to accept appropriate support to assist them if they are included on the housing register.

Further information about how behaviour will be assessed is set out at the end of this leaflet.

Home Owners

In most circumstances home owners will not be placed on the Housing Register unless they have exceptional circumstances. This could be because of significant financial hardship or serious medical circumstances. For example owner occupiers may have a serious medical condition which will be resolved by moving home, an applicant may need level access accommodation or an owner may be facing homelessness or hardship because of financial difficulties and no alternative to social housing accommodation is available to them. [Home owners who require adaptations to meet their needs will be referred to the Home Environment Assessment and Response Team \(HEART\) to seek advice and assistance.](#) If their home cannot be adapted and they cannot afford to source alternative accommodation consideration will be given to their application if they need to move for medical or welfare reasons.

Financial Resources

[If an applicant has the financial resources to resolve their own housing needs they will not be placed on the Housing Register. Consideration will be given to buying or renting in the private housing market. Local property values and private accommodation rent levels will be considered in order to make this assessment.](#)

[Based on the average wage levels for North Warwickshire the following thresholds will be used to assess whether a household has sufficient means to meet their needs in the private sector. An applicant will not qualify if their gross income is £30,000 for a single applicant without children or £45,000 for a couple or single person with children. Other resources, such as capital assets, equity and savings, will be considered. Applicants will not qualify if they have savings \(including shares or investments\) of more than £18,000.](#)

[Applicants with sufficient levels of property equity that would enable them to access market housing within the Borough will not qualify for the Housing Register.](#)

Joint Applications

Joint applications will be accepted, provided both customers are eligible, meet the qualifying criteria and aged 16 or over and intend to occupy the property together as their only or main home.

Multiple Applications

Multiple applications will not be allowed. If multiple applications do exist, the application which is a true reflection of the customers' circumstances will be kept open. Any other applications will be cancelled.

Applications to Join the Transfer Register

Where their circumstances do not indicate that a tenant meets the statutory criteria to be placed in a reasonable preference category an existing tenant can apply to join the Transfer Register if they want to move.

This Register will act to assist the Council to make the best use of its stock and promote mobility for tenants. Tenants will only be registered if two conditions are met:

- Their tenancy must be assessed as in good condition in accordance with their tenancy agreement
- They must have a clear rent account for at least 6 months

A home visit will be undertaken to assess the condition of the property.

In exceptional circumstances the Council may decide that to make best use of its housing stock or to support the needs of the tenant a management move is required. An example would be because of the need for a tenant to move from a larger property to a smaller one to avoid the increase of rent debt or deterioration of the condition of the property or extensive repairs are required to the property and they cannot be undertaken in occupation. We may approach a tenant to initiate a move to a different property. This could be to meet an urgent housing need or to release a property to meet a particular housing need and therefore make better use of the stock. The Housing Services Manager will assess and approve these cases.

Mutual Exchange Register

Mutual exchanges are promoted and encouraged in order to assist tenants to be mobile. The Housing Options Team is available to provide advice and assistance to tenants to make best use of the Register.

Mutual exchanges are advertised through 'Homeswapper'. A link to this website will be provided on the Council's homepage.

If you are a social housing tenant, you may find another tenant who would like to exchange/swap homes with you. The Council is part of the HomeSwapper scheme, as a Council tenant you can register free of charge and seek suitable tenants to exchange with. To register with this please visit the Council's website and follow the HomeSwapper link or log on at www.homeswapper.co.uk. If you are a tenant of another Council you can also use the HomeSwapper scheme.

Before the exchange can take place both parties must apply to their landlord for written permission to move. You must not exchange until you have received permission in writing.

Whilst Council tenants have a legal right to exchange there are some conditions which are taken into account. Some of these conditions are:

- Ensuring neither property will be overcrowded or extensively under occupied
- There is no legal proceedings on either property
- If the property has been specially designed or adapted for a disabled person and no person requiring an adaptation would be living there if the exchange takes place
- The property is part of a sheltered housing scheme and no person qualifying for sheltered housing will be living there

Applications from Elected Members and Employees

Applications can be accepted from employees or elected members and their close relatives, provided they are eligible to apply and subject to the rules in Schedule 1

of Housing Act 1996. Customers must disclose any such relationship at the time of application.

Advice, Support and Information

Not everyone who contacts us will be able to join the Housing Register. However we will be able to provide advice which will enable customers to understand what housing options are available to them and in some circumstances we may be able to help find an alternative solution to joining the Register.

How to apply

An enquiry to seek advice or an application can be made by contacting the Council. A short housing enquiry form can be completed on our website which will be followed up by a telephone call from an officer from the Team.

If you think your circumstances meet the criteria set out in the Lettings Scheme you can complete an application form on our website without the need for an initial enquiry.

The purpose of the application is to correctly identify the housing circumstances for each customer. This process may start with a telephone call. Proof of circumstances documentation will be required for all applications to be processed. The information provided will enable the Council to decide whether the applicant meets the necessary qualifying criteria and, where relevant, once an applicant's circumstances are understood which list they will be placed on and what their priority banding is assessed as.

Decisions on applications are made by officers in the Housing Options Team. For most new applicants the Housing Options Officer who undertook the assessment will make the decision. Sometimes this will be in liaison with the Housing Options and Lettings Team Leader. When registered applications are reviewed this will be by a Lettings Officer for most cases.

It is usual for a home visit be made to applicants to be registered to confirm circumstances and confirm identity documentation.

The Council is committed to giving all applicants choice over their housing options. However it also, at a time of high demand, needs to make the best use of its stock. This means that usually the main choice for applicants will be the area in which they want to live. An applicant's circumstances will usually dictate the type of property they will be offered.

Once an application has been registered customers will be advised what type of property they will be considered for and asked how they want to express interest in properties. They can either express interest themselves directly on the website as properties are advertised or the Lettings Team can express for them in accordance with their area preference.

Notification to confirm the application will be given in writing stating:

- The date of registration (date the application is received).
- The priority banding awarded and applicable date
- The type of property they will be considered for

- The Username and Password for the web site.
- Application reference (for expressing an interest in properties).
- The right to have a review of the decision on their priority banding.

Home Visits

Applicants are usually subject to a home visit to validate their circumstances. If this is not possible or they live some distance from the Borough references which indicate their current housing circumstances will be requested. Usually a property will not be offered unless a visit has taken place. A visiting officer will usually contact you to make a convenient appointment. They will ask questions about your housing circumstances and complete a home visit report. Applicants will be able to read and sign the report. If there have been any changes in circumstances the banding assessment may be re-assessed. This will be approved and confirmation will be given in writing.

Applicants who have no fixed abode and therefore do not have any settled accommodation are usually seen at the Council Offices although all addresses on the application may be visited for verification.

Changes in Circumstances

Applicants who move to a new address or whose circumstances change after they have been accepted onto the housing register, (e.g. someone joining or leaving their household) should contact the Lettings Team promptly to notify them of the change.

If the change of circumstances affects the customer's priority banding they will be informed in writing of the outcome of the reassessment.

Annual Renewal

Every year, on the anniversary of a customer's registration date, an annual renewal letter will be sent to the customer asking if they wish to stay on the housing register and if there has been any change in their circumstances. Applicants will be asked to provide up to date documentation such as details of any rent arrears or child access arrangements where these have changed. Whether the applicant has been actively considering vacancies will also be considered. If no reply is received within 28 days the application will be cancelled. If a customer is known to be vulnerable every effort will be made to contact them, either by telephone, visiting them at home or contacting a relevant support agency to confirm whether they wish to remain on the register. The Lettings Officers will lead on this review.

Cancelling Applications

Applications could be cancelled in the following circumstances:

- A request has been received from the customer (or their advocate) in writing.
- There is no reply to the annual review
- The customer has been re-housed by the Council or another Registered Provider
- Notification has been received from an executor or personal representative that the customer is deceased and s/he was the sole applicant.

- It is discovered that the customer has given false or misleading information in their application.
- Evidence is obtained that the applicant is no longer eligible or does not meet the qualification criteria
- If information requested remains outstanding after timescales given have elapsed
- The applicant has not expressed interest in any properties for 12 months and/ or are assessed as being no longer in housing need

Applicants will be informed of the reason(s) why their application has been cancelled and informed of their right to request a review of the decision (see section on Reviews below). Lettings Officers, in liaison with the Housing Options and Lettings Team Leader will decide whether applications are cancelled.

Reviews

Decisions about housing applications are made following an assessment of the applicant's circumstances in accordance with this written Lettings Scheme. It is the Housing Options Team officers' assessment against this agreed Scheme which directs the decision. All vacancies are let in accordance with this policy scheme.

It is our intention to be fair and factual in all of our decisions. However we realise that some applicants may be concerned that all of the facts regarding their application have not been taken into account or have not been assessed fairly against the Lettings Scheme. They may be concerned that the Lettings Scheme has not been followed with regard to a particular vacancy.

Applicants can ask for a review against decisions made in the lettings policy scheme process.

We request that the applicant formally states that they want a review of the decision within 21 working days of it being made. The customer should provide supporting information, including additional facts where appropriate, and explain why they require a review of the original decision.

A senior officer not involved in the original decision will conduct the review. This will usually be the Housing Services Manager. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The customer will be informed within 21 working days of receipt of the request for a review. If necessary an extension of this time period will be notified to the applicant. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.

Making a Complaint

All customers who make a complaint will be treated fairly and objectively. A written reply to any complaint received will be sent out within the timescales set out in our complaints policy which is available on request or accessible on our website.

If the customer has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman or apply for a judicial review.

Section Three Assessing Housing Need

The Council has framed its Lettings Scheme to determine allocation priorities by giving reasonable preference to certain categories of people identified in the Housing Act 1996. It has also had regard to its Tenancy and Homelessness Strategies as well as Government guidance.

The reasonable preference which must be given to customers is set out in s166A of the Localism Act 2011 and the Homelessness Act 2002. These are:

- People who are homeless as defined by Part 7 of the 1996 Housing Act
- People who are owed a homelessness duty by any housing authority under specific sections of the Act or who are occupying accommodation secured by any housing authority because they are homeless
- Applicants occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical or welfare grounds, including grounds relating to disability
- Applicants who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

The Council's scheme places applicants meeting these criteria in Band 1 or Band 2.

The Housing Act 1996 also allows for the Council to give additional preference to those applicants who fall within the reasonable preference categories who also have urgent housing needs. This includes:

- Those who need to move urgently because of a life threatening illness or sudden disability
- Families in severe overcrowding which poses a serious health hazard
- Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses and those escaping serious anti social behaviour
- Additional preference will be given to people who are homeless and require urgent rehousing as a result of domestic abuse. Consideration will be given to apply the medical or welfare reasonable preference category to victims and their families who have escaped abuse and are being accommodated in a refuge or other temporary accommodation.

The Council is required to give additional preference to the following military personnel if they fall within one or more of the reasonable preference categories and who have urgent housing needs:

- Are serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- Are former members of the regular forces
- Are bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner and (ii) the death was wholly or partly attributable to their service
- Are existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service

The local connection criteria linked to residence is not applicable to these applicants.

Additional preference can be given to people who are homeless and require urgent rehousing as a result of domestic abuse because they are living in a refuge or other form of safe temporary accommodation. Applicants may be given priority within medical and welfare reasonable preference categories to reflect the circumstances of the household.

Where an applicant is an existing social housing tenant living in another local authority area and is seeking to transfer to North Warwickshire we will consider whether:

- They have a reasonable preference because they need to move to North Warwickshire to avoid hardship and;
- They need to move because the tenant works in the district or;
- They need to move to take up an offer of work

In assessing these matters the Council

- Must be satisfied that the need to move to a particular locality and if they were unable to do so it would cause them hardship
- Must be satisfied that the tenant needs to move rather than wishes to move for work related reasons.

The Council will only consider contracts of employment which are not short term (more than 12 months.) and the work should be more than 16 hours a week. The term work includes an apprenticeship (this is because it normally involves an employment contract).

The Council expects a tenant to be able to demonstrate that they have been offered a job and intend to take up the offer.

Documentary evidence will be requested to confirm the employment or employment offer and if it is not provided the Council will not be able to complete its assessment.

The Council will have a quota of 1% of its lettings to offer to applicants who meet these criteria.

The local connection criteria linked to residence is not applicable to these applicants.

Local Priorities

The intention of the Council's Lettings Scheme is to meet local housing needs. In order to do so certain factors will be taken into account when prioritising applications. In addition the behaviour of applicants will also be taken into consideration.

The financial circumstances of applicants will be considered when giving priority. This will include how much of a household's income is required to pay for housing costs.

Applicants with a local connection will be given priority over those who do not meet the criteria except in circumstances where they meet the Armed Forces criteria [or they are victim of domestic abuse and the risk to their household means that they must move to another area.](#)

In some circumstances applicants may be assessed as having deliberately worsened their housing circumstances in order to improve their housing priority. These cases will be investigated and some may have their priority banding reduced. For example, if a household were in accommodation that they could afford and had no overcrowding issues and then gave that tenancy up to move in with relatives where they are overcrowded, their band priority will be assessed as though they were still occupying the privately rented accommodation. Applicants will be notified of this decision and advised of the right to request a review of this decision.

In assessing an applicant's priority at the time of their application we will take into account behaviour that relates to their suitability to be a tenant. This could be because of past or current behaviour and may include rent or mortgage debt or evidence of anti social behaviour. In certain circumstances an applicant may not be considered for an allocation of accommodation until the behaviour is improved however it may be that they are accepted on to the Register but are given less priority than is reflected in their circumstances. An applicant will be told what the behaviour is that is a cause for concern and how it should be remedied as well as a timescale for a review.

The Banding System

Housing Register

Priority banding is based on housing need. The Scheme will be used to assess the housing need of housing applicants and they will be advised which band reflects their need most appropriately.

There will also be prioritisation of applicants within specific bands. All applications will be given an application date. Within each band there will be prioritisation using the date that the applicant is placed within the band awarded to their application. In

addition applicants will be prioritised if they have a local connection to North Warwickshire as defined in the Scheme.

Band 1+

Applicants in the following circumstances will be placed in the highest priority band (Band 1+):

Applicants assessed as having a priority because their circumstances meet one of the criteria set out for Band 1 but who also need to move very urgently. [For example this could be because they cannot be discharged from hospital until they have alternative accommodation.](#)

Band 1

Applicants in the following circumstances are deemed to have an **urgent need** for re-housing:

Applicants assessed as statutorily homeless who are owed a full housing duty. (Please see page 21)

Applicants in properties that are assessed as having a lack of facilities or that are subject to statutory Prohibition or Demolition Orders in accordance with legislation and statutory regulations. This would also include situations where the condition of property occupied is seriously detrimental to the health of any of the household and the defects to the property cannot be readily remedied. (Please see page 25)

Applicants who are overcrowded because their present home is short of at least 3 bedrooms. (Please see page 24)

Where applicants are unable to continue to occupy their current accommodation due to a urgent medical need or disability. (Please see page 22)

Applicants with an urgent need for alternative accommodation on the grounds of significant welfare need because they need to receive or provide care or support (Please see page 23)

Applicants who cannot continue to live in their current home because of serious harassment or violence. (Please see page 25)

Applicants with a need to move to a particular locality where significant hardship would be caused if they did not move. (Please see page 24)

Applicants who are residing in private rented accommodation who have an urgent need to move because the cost is assessed as causing significant financial hardship.

Armed forces personnel who fall into a statutory reasonable preference category and are in urgent housing need will be given additional preference and placed in this category if they:

- Are serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- Are former members of the regular forces
- Are bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner and (ii) the death was wholly or partly attributable to their service
- Are existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service

Band 2

Applicants in the following circumstances are deemed to have a **high need** for re-housing:

Applicants who are assessed as threatened with homelessness in 56 days. (Please see page 21)

Applicants who are overcrowded because their present home is short of at least 2 bedrooms. (Please see page 24)

Applicants who are in short term supported housing and are required to move on to alternative accommodation urgently. Confirmation about these circumstances will be required from the organisation providing the supported accommodation. (See page 22)

Tenants of Private Registered Providers (housing associations) living in the Borough who are under occupying their current accommodation. (For example they have a high need to move because of their own circumstances or because their transfer will help to make better use of their landlord's stock)

Applicants with a high housing need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a significant detrimental affect on their ability to live independently at home. (Please see page 22)

Applicants with a high need for alternative accommodation on the grounds of serious welfare need including issues of vulnerability because they need to receive or provide support. (Please see page 23)

Applicants with a high need to move to a particular locality where serious hardship would be caused if they did not move. (Please see page 24)

Applicants who are residing in private rented accommodation who have a high need to move because the cost is assessed as causing financial hardship or because an improvement notice has been served and been in place for 3 months and the landlord has not acted in accordance with it .

Applicants who live in the Borough with children under 5 in flats above ground floor.

Applicants who are sharing facilities with more than one household, this could include sharing the bathroom or kitchen. (A household is defined at page 22 below.)

Applicants who are in Armed Forces accommodation who have a need for re-housing will be placed in this category six months before discharge and vacation of service accommodation is required.

Band 3

Applicants in the following circumstances are deemed to have **a medium need** for re-housing:

Applicants living in a property that has minor disrepair and/or in poor condition but is not a risk to health or safety.

Applicants with a medium medical need or disability where a move to more suitable alternative accommodation would improve their health (Please see page 22)

Applicants with a medium welfare need where moving to more suitable accommodation would meet their care and support needs.

Applicants who are overcrowded because their present home is short of 1 bedroom.

Band 4

Applicants in the following circumstances are deemed to have **a low need** for re-housing:

Applicants who are privately renting or are Housing Association tenants and at risk of losing their home, or need to move for financial reasons or to gain employment. Private tenants or Housing Association Tenants who need to move to be nearer to family to give or receive support, or to be nearer to their place of work.

Applicants living at home with parents and/or family and seeking independence.

Owner occupiers who live in properties that cannot be adapted to meet their needs and who do not have the financial resources to source alternative accommodation that would benefit from ground floor, rented accommodation to sustain their independence.

Transfer Register

Applicants who are tenants of North Warwickshire Borough Council who wish to move and to do so would assist the Council to make better use of its stock will be placed on a Transfer Register.

To be able to register tenants must have a clear rent account. Their tenancy must be being conducted in accordance with their tenancy conditions. Applications will be assessed to understand the household's circumstances and the reason why they need to move.

In some exceptional circumstances the Housing Services Manager may support a tenant to transfer if these conditions are not met to best meet the needs of the tenant and the management of the Council's stock.

Tenancy Services Officers will gather information about and visit tenants who state that they wish to move to alternative accommodation. Once the information has been collated the Housing Options Team will decide whether the application can be registered and will contact the tenant.

A tenant who has an Introductory Tenancy will not be eligible to register on the Housing Register until the tenancy has been converted into a secure or affordable rent type of tenancy. Special circumstances will be considered by the Housing Services Manager.

Applicants in the following circumstances will be placed in date order priority on the transfer list:

Transfer Priority List - A

Applicants who are under-occupying their tenancy and whose circumstances require priority to be given to move them to alternative, smaller accommodation. (For example they have a high need to move because of their own circumstances or because their transfer will help to make better use of the Council's stock)

Applicants whose home does not have sufficient space for their family needs or who have young children in an upstairs flat and whose circumstances require priority to be given to move them to alternative accommodation. (For example they have a high need to move because of their own circumstances or because their transfer will help to make better use of the Council's stock)

Transfer Priority List - B

Applicants who need to move to sustain or gain employment.

Applicants who would benefit from a move to give or receive support.

Applicants who have a need to move to be closer to facilities such as shops, medical practices and/ or transport links.

Applications will not be taken from tenants who have accepted a tenancy transfer within the last 12 months. Tenants will only be registered if two conditions are met:

- Their tenancy must be assessed as in good condition in accordance with their tenancy agreement
- They must have a clear rent account for at least 6 months

A home visit will be required to assess the condition of the property.

Further Information about Categories

Homeless Applicants

We will work with all applicants who are homeless or threatened with homelessness to provide them with assistance and options appropriate to their circumstances. We will always act to prevent homelessness in the first instance.

Homeless applicants who have been notified by the Council that a full housing duty is owed will be placed in Band 1.

As Band 1 is effectively the highest priority band for most customers and all those within it are considered to be in high levels of relative need, it is not considered possible or necessary to accord any further priority to such homeless customers. Such customers are, by virtue of the s193 (2) duty, provided with accommodation suitable to their needs. However where a homeless customer exhibits an urgent need to move they may be placed in Band 1+.

Homeless applicants are awarded priority within the allocations scheme because of their urgent need to be re-housed. For this reason homeless applicants will be placed in Band 1+ or Band 1 for a period of 2 months from the date of the decision on their application after which there will be a review of the priority awarded to their application which could result in their application being placed in a lower band.

Applicants who are assessed as homeless or threatened with homelessness in 56 days in accordance with the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017) will be placed in Band 2. Applicants will have had a needs assessment and been given a Personal Housing Plan.

Any applicant given a priority because they are homeless is deemed to be in urgent housing need. This means they are expected to be re-housed within a short time period. They will be able to express an interest in properties of their choice for a period of 2 months from the date of the letter advising them of their priority. If a customer, during that 2 month period, isn't expressing an interest in available properties, or express an interest on unsuitable properties, or unreasonably restricts their choice during this period, we will express an interest on their behalf. If the customer is subsequently offered this accommodation and refuses it the homelessness priority will be reviewed and their priority on the Housing Register could be removed. If customers are expressing an interest in suitable properties but have been unsuccessful the 2 months will be extended.

Applicants in Supported Accommodation

Applicants in supported accommodation are awarded priority within the lettings scheme because they are ready to move on and to free up supported accommodation. Normally these applicants will be placed in Band 2 so that a move can be managed however if their circumstances mean that they need to move urgently Band 1 will be awarded.

Shared Facilities

Priority is given when an applicant is in circumstances where they have to share facilities with more than one household. This could be in a circumstance where the applicant is sharing facilities with people who are not members of their family. Sharing facilities would include sharing a bathroom and/or kitchen. A household is defined as an applicant or somebody who normally resides with them and it is deemed reasonable that they would continue to live with them. However in some

circumstances, where for example an applicant has lived independently and then had to move back to live with family, additional priority may be given following an assessment of the circumstances.

Medical Grounds

In these circumstances a housing needs assessment form will be completed. The information will be used to understand how a move from the applicants' current accommodation will assist with their housing need. In most cases the medical condition will be evident from the information provided by the applicant on the assessment form. A visit may be required in order to clarify circumstances. In some cases the Housing Division may seek advice from an appropriate health professional about addressing an applicant's housing need if they have a medical issue or disability.

Priority may be awarded on medical grounds if information received indicates a move to alternative accommodation will directly benefit the health of the customer or their household. This includes circumstances of domestic abuse.

When the level of medical need a customer has is being determined consideration will be given to whether the provision of adaptations will assist with improving their housing circumstances.

Urgent

Where applicants are unable to continue to occupy their current accommodation due to an urgent medical need or disability. These customers will be placed in Band 1.

Examples would include:

- A wheelchair user occupies a home where facilities are upstairs and therefore inaccessible
- An applicant is due to be discharged from hospital and their current accommodation is totally unsuitable
- A referral has been received from a mental health professional stating that the current housing is having a severe effect on an applicant's mental well being
- Any applicant who needs to move to suitable adapted accommodation because of serious injury, medical condition or disability which they, or a member of their household, have sustained as a result of service in the Armed Forces.

High

Applicants with a high medical need who have been assessed as requiring suitable alternative accommodation because their medical condition and/ or disability is having a significant detrimental affect on their ability to live independently at home will be placed in Band 2.

Medium

Applicants who have been assessed as having a medium medical need or a disability where a move to suitable alternative accommodation would improve their health will be placed in Band 3.

Welfare Grounds

Applicants with care or support needs who need to move to alternative accommodation on welfare grounds. In these circumstances evidence would be required to support the case. Usually this would be from a professional supporting the applicant. This includes circumstances of domestic abuse.

Urgent

Those applicants needing to move urgently on welfare grounds will be placed in Band 1. Priority of this level will only be awarded if the current situation is so significant it will have a serious impact on the well being of the applicants.

Examples would include:

- A young person leaving care or a vulnerable person needing stable accommodation
- Parents forced to live apart (where they have previously lived together) except where it could reasonably be expected for both parents to live in either of the homes that they occupy.
- Child separated from parents (where they have previously lived together) where the child cannot occupy the current home of the parent, and that they will live as a family unit if suitable accommodation is allocated.
- Applicants with a high degree of vulnerability and their housing situation is having a detrimental effect on their quality of life.

High

Applicants who have a high housing need on welfare grounds will be placed in Band 2.

Examples would include:

- Applicants who need to move to receive care or support. In these circumstances consideration will be given to the proximity of the support being provided.
- Applicants who need to move as part of an agreed support plan to re-integrate them into the community

Medium

Applicants who have been assessed as having a medium welfare need, including a care or support need, where a move to suitable alternative accommodation would improve their health and ability to live independently will be placed in Band 3.

Hardship Grounds

Applicants who need to move to a particular locality in North Warwickshire district where hardship would be caused if they did not. In these circumstances evidence would be required to support the case. Usually this would be from a professional supporting the applicant.

Examples could be where an applicant needs to move to a specific locality in order to give or receive care, to be able to access specialised medical treatment or to take up particular education, employment or training opportunities in a particular local authority district. Their need to move could be because of financial hardship.

Urgent

Those applicants needing to move urgently on hardship grounds will be placed in Band 1. Priority at this level will only be awarded if the current situation is so significant that it will cause significant hardship to the applicant or to others.

Examples would include:

- An applicant needing to move to a particular area to take up employment and if they did not significant financial hardship would be caused.
- An applicant needing to move to be closer to a vulnerable relative where there is no alternative solution and not to do so would cause significant hardship.

High

Applicants with a high housing need to move to a specific locality on hardship grounds will be placed in Band 2.

Examples would include:

- Applicants who need to move and if they did not do so they would not be able to take up an educational opportunity
- Applicants who need to move to a particular area provide support and not to do so would cause personal hardship.

Private Tenants in Financial Hardship

In these circumstances an income and expenditure assessment will be undertaken.

Urgent Need

Applicants may be placed in Band 1 following an assessment of financial circumstances undertaken by an independent agency, such as the Citizens Advice Bureau, has indicated that their current financial circumstances are impacting on their ability to pay for the costs of their accommodation and that this is causing significant financial hardship.

High Need

Applicants may be placed in Band 2 when an assessment has indicated that they cannot afford their housing costs and therefore cannot continue living in their current accommodation without facing hardship

Overcrowding

Only children permanently residing with the main applicant are included in the assessment. (Living permanently would mean that children must spend at least 50% of the time with the main applicant) In these circumstances evidence would be required to support the case and this may include a home visit in order to make an assessment. The type of information we would require would be proof of child benefit or tax credit award, a court order if one is in place or a residency order.

The main applicant and a household member living permanently with the main applicant will be considered as couple if the latter has a relationship of – Husband or Wife or Partner. A separate bedroom will be allowed for each person or couple living as part of the household. For the purpose of assessing overcrowding the following criteria will be used:

- A separate bedroom will be allotted to each couple

- A separate bedroom will be allotted to two children of the same sex up to the age of 16
- A separate bedroom will be allotted to two children under 10 years regardless of sex
- A couple may be allotted a bedroom each where medical reasons are evidenced.

We reserve for ourselves the discretion to modify the above criteria and not apply them rigidly particularly where that would result in unfairness to the particular applicant or other applicants generally. In particular in certain circumstances the size of the bedrooms in a property and the relationship between those sharing a bedroom will be taken into account.

Serious Harassment or Violence

In these circumstances supporting information will be required to confirm the circumstances of the case and enquiries will be carried out in conjunction with other agencies as appropriate. An example would be an applicant suffering serious harassment and legal remedies are not working or are inappropriate. Harassment implies a degree of deliberate intent with some underlying motive and can be distinguished from neighbour disputes or nuisance.

Disrepair

Applicants who are required to leave their homes as a result of an emergency Prohibition Order served in relation to the premises under the Housing Act 2004 will be placed in Band 1

Customers living in unsafe or unsanitary housing conditions (as defined by the Housing Health and Safety Rating System (HHSRS)) and there is a high risk of harm will be placed in Band 1.

Succession

For new tenancies from 1st April 2012 the succession rights for tenants are that only a spouse or partner can succeed to a tenancy after the death of a tenant. For all other tenancies which started before 1st April 2012 succession rights remain the same.

When a tenant has succeeded to a tenancy but the property is more extensive than they need they may be asked to move to more suitable accommodation. These transfer applicants will be placed in priority Transfer Band A because they are under occupying their current accommodation.

The applicants requirements will be assessed and considered. Three reasonable offers may be made. If they are not accepted possession may be sought through the County Court

Left in Occupation

When an applicant does not have a right to succeed to a tenancy but is left in occupation on the death of the tenant or the tenant has moved out of the property permanently we will assess their circumstances and consider whether the applicant:

Has been living with the tenant for a year before the tenants' death;
Has been looking after the tenant for a substantial period of time (for example 12 months or more);
Has accepted responsibility for the tenants' dependants

Depending on the applicant's circumstances the Council may consider granting a tenancy to the remaining person or persons. This could be either in the same home or in suitable alternative accommodation. We will have to be satisfied that this is a priority when viewed in the context of other demands on the housing stock and the housing needs in the area and the banding allocated gives sufficient priority within the allocation scheme. The banding would be in accordance with the applicant's circumstances.

In these circumstances a report about the occupants' circumstances will be prepared by a Tenancy Services Officer who will visit the tenant and discuss their circumstances. Relevant documentation will also be collected to validate those circumstances. A letter will be sent to the occupant setting out the report findings and how the Council will act. A Notice to Quit will be served to confirm the Council's position whilst the assessment is made with regard to the Lettings Scheme.

If the applicant's housing needs and circumstances mean that they can be offered the tenancy in which they are residing, within the terms of this lettings scheme, the property will not be advertised but will be offered to the occupant in accordance with the priority that they have been given within the Lettings Scheme.

If the applicant is to be allocated another property two reasonable offers may only be made. The applicant's requirements will be assessed and considered. If an offer is refused we will talk to the applicant to understand their needs. If two reasonable offers are refused possession may be sought through the County Court.

Section Four Selection of Applicants & Allocation of Accommodation

Introduction

It is our intention to publicise all vacancies on the Council's website. However sometimes a decision may be made not to advertise a property because of a special circumstance such as an emergency housing requirement, someone being left in occupation of a property or there is a need for a management move within the stock.

Properties will not generally be advertised more than twice. Each property will be clearly labelled to show the property features, local neighbourhood information and the types of household that the Council would expect to show an interest in the property. An indication will also be given as to whether applications will be invited from the Housing Register or Transfer Register.

The Council will endeavour to enable all applicants to exercise choice. It will do so by advertising properties and giving an indication about vacancy rates to allow

applicants to use information to decide on the type of property they wish to live in and the area. Family and educational circumstances will be taken into account. However, at a time of high demand for properties, it must also make the best use of its stock. This means that sometimes there will be restrictions in the advert. Advice will be available for applicants in receipt of Housing Benefit with regard to what size of property will be paid for by welfare benefits. Expressions of interest from customers will only count if they can match the requirements in the advert.

Type of Tenancy Offered

All new tenants will be offered an Introductory Tenancy. An Introductory Tenancy is a trial tenancy that usually lasts for 12 months but can be extended for a further 6 months.

At the end of the 12 months if the tenancy is going to continue the tenant will be offered a secure tenancy unless they are residing in a general purpose property which has been built from 2015.

Exceptions to this are where the tenant, or in the case of joint tenants, at least one of them meets one of the following criteria:

- An existing secure tenant
- Someone succeeding to a previously secure tenancy
- An assured tenant of another social landlord (i.e. housing association or registered housing provider) transferring or exchanging to a NWBC tenancy

Making the Best Use of Stock

Properties will be allocated in a way that makes the best use of a stock.

Properties will be offered according to an applicant's needs and labels will be used for the properties advertised to clearly to show the types of applicants the Council expects to apply for the property being let – for example by indicating family size or age of applicant.

The table in this section provides a guide which will be used in order to make the best use of the Council's stock. Applicants who are in receipt of welfare benefits should take into account the size of accommodation their payments cover. Advice will be given to all applicants with regard to the rent payment they will be expected to pay and support provided as appropriate.

ELIGIBLE HOUSEHOLDS	PROPERTY TYPE
Applicants with particular housing needs (For example households who have a requirement for ground floor accommodation or applicants whose disability means they have particular requirements)	Adapted properties or level access general purpose ground floor flats and bungalows
Applicants aged 60 or over	Sheltered and non-sheltered bungalows and sheltered and non-sheltered ground floor flats
Families with one or two children	Two bedroom house
Families with two or more children	Three or four bedroom house
Families with older children (aged over 5)	Flats, maisonettes and appropriate sized houses
Single person	Bedsit, one or two bedroom flat
Couple	One or two bedroom flat

Homes for Older People

Sheltered housing is housing for people who are aged 60 years. The Council has sheltered schemes for older people located across the Borough. All of the sheltered schemes have a communal room that is open for use by any scheme tenant. The sheltered schemes do not have a designated warden, however, the schemes are supported by the Neighbourhood Warden Service.

Access to Children

For those customers who require an additional bedroom for access purposes appropriate information to verify circumstances will be required. Examples could be a copy of the child's birth certificate, court order if one is in place or a residency order. Each case will be assessed on an individual basis.

If an applicant has regular access to their children but there is an arrangement for them to live mainly elsewhere they will be able to express an interest in properties that are advertised but preference will be given to applicants with children who are permanently with an applicant. It should be noted that Housing Associations who provide nomination rights to the Council may not allow applicants with access to children an extra bedroom. Advice with regard to welfare benefits entitlements will be given before applicants are selected for properties where they may be deemed to have a spare bedroom.

Local Lettings Policies

From time to time we may instigate a local lettings procedure for specific areas or new developments to reflect local circumstances. Any such procedure will be stated as part of the advert and may have regard to considerations such as the social mix, strong local demand, density, age and community stability. Any such procedure will be time limited but during that time properties may be let to applicants outside the normal rules for priority and banding included in this policy.

Adapted Properties for Customers with Disabilities

Accessible properties are homes which have been designed for or adapted to meet the needs of customers with physical or sensory disabilities.

Applicants with an assessed need for accessible accommodation will be given priority for that type of accommodation over others in the same band rating without that need and the property advert will make that clear. The advert will also describe the accessible features together with local neighbourhood information to help customers choose whether to express an interest in that property or not.

In selecting an applicant for an accessible property from the short-list of qualifying applicants, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances priority may be given outside of date order, if the vacancy is particularly suitable for the needs of an applicant.

Applicants in this category can also express an interest in properties, which do not have accessible features. However if they are short listed during the selection stage the Council will assess whether it is reasonable and practicable for the property to be adapted, the customer will be considered for the property on the same basis as the other customers who have submitted an expression of interest.

Affordable Housing Developments

New affordable housing will be advertised through the scheme. When new housing developments are built within rural areas planning restrictions may state that those customers wishing to apply must have a direct local connection to that specific rural area (local lettings policies). When publicised, properties will be clearly labelled with the eligibility criteria. It is also possible that the new tenancies will be let as Affordable Rent Tenancies and not secure or assured tenancies.

Expressing an Interest in a Property

Available properties will be advertised weekly.

Customers who have asked the Options Team to express for them do not need to take any action. The Team will act for them.

Other applicants can express an interest directly on the website if their circumstances meet the criteria set out in the advert.

Support for Customers

We will ensure all customers are able to access the scheme and let us know their choice of property and area.

A number of measures will be put in place to ensure that customers are not disadvantaged for example through:

- Providing appropriate advice and assistance
- Providing information in other formats
- Partnership working with support agencies
- Translating key documents
- Ensuring appropriate support is available for customers using the system

Where appropriate the Housing Division will act to help applicants access support to ensure they are able to sustain their tenancy when offered. This may be with additional support from Housing Management staff or by referral to another organisation which can provide tailored support services.

Short Listing

Expressions of interest will be placed in the order of priority e.g. Band 1+, then Band 1, then Band 2, then Band 3. The date that an application was placed in their most current category (the 'effective' date) will also be used to prioritise applications. In Bands 1+, 1 and 2 applicants with a local connection will be considered above those who do not have a local connection.

The Council retains the ability to decide, in order to use its stock effectively or move a tenant for housing management purposes, to re-house applicants on its Transfer Priority list ahead of applicants on the Housing Register.

If two or more customers within the same band have expressed an interest in the same property for which they qualify, their application date or the date they entered their current band will be used to determine the higher priority. In the unlikely event of the band date being the same, a management decision will be taken based on the applicants housing circumstances and making best use of the housing stock.

Where properties are targeted at specific customers, they will be given priority for that type of accommodation e.g. accessible accommodation for customers with disabilities or new build properties where certain eligibility rules apply under special Planning requirements. (Section 106 agreements)

If a customer is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to make a decision about which property they wish to accept.

Viewing Properties and Receiving Offers

If you are offered a property you will be contacted directly to invite you to view the property and arrange for you to sign for the tenancy if you decide to accept it.

Properties are let to the Council's published vacant property standard. When you view a property we are happy for you to share with us any concerns or queries that you have about the premises. We prefer you to share any issues or comments you have at an early stage so that we can resolve them. Officers are happy to assist.

Refusals

It is important that applicants are given choice over where they wish to live. This includes deciding not to take a property if it is offered if it is not suitable. However it is

the Council's intention to only register those applicants who it views it can assist with re-housing. Once an applicant's circumstances and choices are understood assistance will be given to finding an appropriate property. If an applicant decides to refuse 3 reasonable offers of accommodation that are suitable for their needs their application will be removed from the Housing Register or Transfer Register.

Feedback on Results

Information will be available on the website following the allocation of a property and will include the following information:

- The total number of expressions of interest made for the property
- The successful customer's band effective date.
- Properties where a direct offer was made.

Nominations

The Council is able to nominate applicants on its housing register to Registered Providers (Housing Associations) who have vacancies in the North Warwickshire area. Any housing association vacancies will be advertised on the Council's website in the usual way and the Council will nominate the person with the highest need, ranked as first on the property shortlist.

When allocating a property advertised by a Housing Association they may apply their own eligibility criteria. Please note this may not be the same as North Warwickshire Borough Council's.

Housing Associations help with the Borough's waiting list with around 40 to 50 lettings per year. If they have new build properties in the area the Council's waiting list will normally be used to let the properties in the first instance.

Appendix 1

Contacts

North Warwickshire Borough Council

The Council House
South Street
Atherstone
Warwickshire
CV9 1DE

Telephone:
One Stop Shop: 01827 715341
The Housing Options Team: 01827 719214
Email: housingservices@northwarks.gov.uk
Website: www.northwarks.gov.uk

Platform Housing Group

1700 Solihull Park Way
Birmingham Business Park
Solihull
West Midlands
B37 7YD

Telephone: 0333 200 7304
Website: www.platformhg.com

Midland Heart

20 Bath Row
Birmingham
B15 1LZ

Telephone: 0345 60 20 540
Website: www.midlandheart.org.uk

Stonewater

Suite C, Lancaster House
Lancaster House
Grange Business Park
Enderby Road,
Leicester
LE8 6EP

Telephone: 01202 319119
Website: www.stonewater.org.uk

Orbit Group

Binley Business Park
9 Orchard Court
Harry Weston Road
Binley
Coventry
CV3 2SU

Telephone: 0845 850 0500
Website: www.orbitgroup.org.uk

Derwent Living Housing

1 Centro Place,
Pride Park,
Derby,
DE24 8RF

Telephone: 01332 346477
Website: www.derwentliving.com

Citizen Housing

4040 Lakeside
Solihull Parkway
Birmingham Business Park
B37 7YN

Telephone: 0300 7906555
Website: www.citizenhousing.org.uk

Trent & Dove

Trinity Square
Horninglow Street
Burton upon Trent
DE14 1BL

Telephone: 01283 528528
Website: www.trentanddove.org.uk

ASRA Housing Group

3 Bede Island Road
Leicester
LE2 7EA

Telephone: 0116 257 0700
Website: www.asra.org.uk

Sage Housing

5th Floor Orion House
5 Upper St Martins Lane
London WC2 H9EA

Telephone: 02081680500
Website: www.sagehousing.co.uk

Optivo

Building 800, Guillat Avenue
Kent Science Park
Sittingbourne
ME9 8GU

Telephone: 0800 121 6060
Website: www.optivo.org.uk

Legal & General Affordable Homes

12 Cock Lane
London
EC1 A9BU

Website: www.legalandgeneral.com-affordable-homes

Appendix 2

Assessment Criteria for Unacceptable Behaviour

Introduction

An applicant may be advised they do not qualify to join the Housing or Transfer Register because of their unacceptable behaviour. The Council will consider whether the applicant or a member of his/her household, has been guilty of unacceptable behaviour that is serious enough to make him/her unsuitable to be a tenant at the time the application is being considered.

Each case of unacceptable behaviour will be assessed individually taking into account all relevant information. This applies to existing tenants applying to transfer and to new customers joining Register.

Examples of Unacceptable Behaviour

Examples of the types of behaviour that will be considered include domestic abuse, racial harassment, drug dealing, noise nuisance, and intimidation. Where an applicant (or a member of the household) has a history of anti-social behaviour or has breached their tenancy conditions (such as non payment of rent, damage to a tenancy), all relevant facts will be considered before a decision is made. Where anti-social behaviour has been committed by a person who was, but is no longer, a member of the customer's household, the behaviour will be disregarded provided that the customer is not guilty themselves of unacceptable behaviour. In some circumstances applicants who have relevant unspent convictions for serious criminal offences which caused issues with their previous accommodation and neighbourhood may be ineligible for an allocation following thorough investigation.

Exclusions

At the time of their application an applicant's behaviour could be deemed serious enough to disqualify them from the Housing or Transfer Register. The period of disqualification will depend on what action the customer takes to demonstrate a change in behaviour. Customers may initially be kept from registering for a 12-month period after which the onus will be on them to provide evidence that their behaviour has improved. If a customer can demonstrate a change in behaviour before the 12-month period has expired they may be allowed to join the Register sooner. A new application will need to be made by the customer at this point.

Reduced Priority Preference Category

In some cases an applicant's circumstances may be such that they need to be able to join the Housing or Transfer Register. However, it would not be fair to other applicants, to allow them to have the same level of priority because of concerns about their behaviour. In these circumstances their application will be given a reduced priority preference (not placed in Bands 1+, 1 or 2) even though their housing need would normally mean they would be. Customers may initially be given no priority to their application for a 12-month period, after which their application will be reviewed and the onus will be on them to provide evidence that their behaviour has improved. If a customer can demonstrate a change in behaviour before the 12-month period has expired their application can be re-assessed.

Agenda Item 12

Resources Board

20 June 2022

Report of the Director of Housing

Housing Task and Finish Group

1 Summary

- 1.1 Members will be aware that it established a Housing Task and Finish Group to consider the Council's landlord services. This report provides feedback from the most recent meetings of the Group.

Recommendation to the Resources Board

- a That the considerations of the Housing Task and Finish Group be acknowledged and supported; and
- b That the terms of reference of the Group be confirmed.

2 Consultation

- 2.1 The Task and Finish Group consists of Councillors Clews (D) (Chair), Symonds, Smith (S), Jarvis, Phillips (H) and Gosling. There has been agreement on the aspects of the housing service to be considered by the Group.

3 Housing Task and Finish Group Meetings

- ... 3.1 The terms of reference agreed by the Group are attached at Appendix A. The notes of the Housing Task and Finish Group are included with this report at Appendix C for consideration. It is the intention of the Group to give close consideration to the services the Housing Division provides for tenants and propose changes and/ or improvements to the Resources Board.
- 3.2 At its meeting on 12 January 2022 the Group considered the regulatory requirements for the Council's landlord services (these are attached at Appendix B) and how the service is funded
- ... 3.3 At its meetings on 22 February 2022 and 12 April 2022 the Group considered in detail the Council's Lettings Scheme and proposed some amendments. Amendments are being made to the Scheme in advance of submission to and consideration by the Resources Board. Following that there will be a statutory consultation period allowing key stakeholders to consider the changes proposed.

3.4 At its meeting on 10 May 2022 the Group started to consider how the maintenance services for tenants are delivered. It has asked to receive performance returns and feedback information from tenants so that it can consider the effectiveness of the service.

4 Report Implications

4.1 Finance and Value for Money

4.1.1 The Housing Task and Finish Group reports to the Resources Board. It cannot make decisions on funding (or other matters – see 4.2.2). If it makes a recommendation to the Resources Board about a particular service and there are financial implications these will be identified, and implications considered as part of the reporting arrangements.

4.2 Legal Implications

4.2.1 The Housing Task and Finish Group are aware that the work of the Housing Division is extensively regulated by various legislation. This defines how it can act with regard to assessing homelessness, letting properties and how to maintain our stock. With regard to the latter, examples are the ‘Right to Repair’ legislation, the Landlord and Tenant Act and the Homes (Fitness for Habitation) Act 2018 which came into force on 20 March 2019. In addition, there is health and safety legislation which includes specific requirements for legionella, asbestos, gas and electrical installations and fire risk assessments.

4.2.2 It is important for Members to note that the Housing Task and Finish Group is an informal body and, as such, has no power to make decisions on any matter. This means that meetings of the Group are not open to the public nor must its reports and minutes be published. It should also be noted however, that those documents may form background papers to reports to the Resources Board, other Boards, or the Council or, as on this occasion, may form part of a report to a Board or the Council on a particular issue.

4.2.3 If Members wish the Group to have power to make decisions it will need to establish it as a Sub-committee and delegate specific areas of responsibility to it, in which case its meetings, reports and minutes will be open to the public.

The Contact Officer for this report is Angela Coates (719369).

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Social Housing White Paper	Ministry of Housing Communities and Local Government	Government document which will define future legislation for social housing	17 November 2020

Housing Task and Finish Group Terms of Reference

Purpose

To receive sufficient information about the four main areas of the Council's landlord services to be able to offer assurance to the Resources Board and Social Housing Regulator, when required, about the quality and efficiency of their delivery.

In consideration of the information provided to make recommendations to the Resources Board about the services provided for the Council's landlord stock.

To consider the performance of landlord services and keep under review the Asset Management Plan for its stock.

The Task and Finish Group will bring focus and co-ordination to services provided to tenants and leaseholders and in doing so will have regard to the requirements set out in the Social Housing White Paper and any forthcoming legislation.

Objectives for 2022/2023

1. To review the Lettings Scheme to ensure that it is meeting housing needs in the Borough.
2. To develop a framework for oversight which allows the Group to understand how the landlord services are performing in terms of the regulatory requirements.
3. To understand the financial position for the Council's stock as reflected in the Housing Revenue Account Business Plan and in doing so provide direction for the review of the Asset Management Plan.
4. To be aware of new Government legislation with regard to social housing generally and the Council's own stock particularly and bring any specific matters to the attention of the Resources Board.

Membership

1. The Task and Finish Group shall consist of:
 - a. Representatives from the Resources Board
 - b. Representatives from other Boards as approved by Resources Board.
2. It will be Chaired by a Councillor from the majority party.

3. Non-members will be invited to the Task and Finish Group where expert advice is required.

Review

On an annual basis, the Task and Finish Group will review the focus and value of its work and set out its objectives for the year and ask Resources Board to approve those objectives.

Task and Finish Group Meetings

- 1 Meetings will take place once per Board cycle in advance of the Resources Board (*Approximately four weeks in advance of the Board*).
- 2 Meetings will be chaired by the appointed Chair and will be organised by the Director of Housing.
- 3 Agenda items will be set by the Task and Finish Group and / or the Resources Board.
- 4 The notes of each meeting will be reported to the Resources Board.

Housing Task & Finish Group

Note on Social Housing Regulatory Framework

12 January 2022

1 Introduction

- 1.1 The Regulator of Social Housing oversees all registered providers of social housing.
- 1.2 Housing Association providers are designated as Private Registered Providers because they are not within the public sector. There are some commonalities for the regulation of all registered providers however Private Registered Providers receive more intervention and are assessed and given a judgement grading – pass or fail based on a grading of 1 to 4.
- 1.3 There is no active assessment of Local Authority social housing providers. The regulatory framework is defined as co-regulation and the intention is that the Government appointed regulator, Councillors (Board Members for Housing Associations) and tenants act together to provide assurance around specific regulatory standards.
- 1.4 The principles of co-regulation are:
 - Councillors are responsible and accountable for delivering the organisations' social housing objectives
 - Providers must meet the regulatory standards
 - Transparency and accountability are central to co-regulations
 - Tenants should have the opportunity to shape service delivery and hold the service to account
 - Providers should demonstrate that they understand the particular needs of their tenants
 - Value for money goes to the heart of how providers ensure current and future delivery of their objectives
- 1.5 For Local Authorities the main regulatory test is causing 'serious detriment' to its tenants by its practices. In these cases the Regulator will investigate and take action.
- 1.6 The Regulator uses a risk based assessment to ensure standards are met. They provide an annual publication based on this risk based approach. It is concerned with stock quality, health and safety, service delivery and new supply and the housing market.
- 1.7 The Regulator acts in tandem with the Housing Ombudsman. The Ombudsman has become more proactive in recent years. It promotes its service and expects Providers

to accord with certain requirements around complaints handling. This body also publishes an annual report. The last one indicated that 46% of complaints were concerned with repairs, 15% were concerned with tenant behaviour and 11% were about complaint handling.

2 Social Housing White Paper

- 2.1 The social housing white paper was published on 17th November 2020. Its main thrust is that the Government is going to ensure that social housing tenants have a voice and that they are listened to. In his Foreword the Prime Minister's Foreword says that it is a national scandal that this is not the case and that his Government is going to deal with it. The implication is that the Grenfell Tower fire could have been avoided if the Tenant Management Organisation had been listened to during building works.
- 2.2 The White Paper sets out an intention to strengthen the social housing Regulator's role and proposes to undertake audits/ routine inspections of landlords every 4 years
- 2.3 The paper sets out a charter for social housing residents. It echoes the regulatory standards that have been in place for many years. In summary tenants should:
 - expect to be safe in their homes,
 - to know how their landlord is performing,
 - have complaints dealt with promptly and fairly,
 - to be treated with respect,
 - have their voice heard by their landlord,
 - to have a good quality home and neighbourhood to live and
 - to be supported to take their first step to ownership.
- 2.4 Some key matters to consider are:
 - An emphasis on providing homes that are energy efficient
 - A promise to review the Decent Homes Standard by the Autumn of 2021 (to include the quality of green spaces)
 - Electrical safety in homes is particularly noted
 - A requirement to identify a nominated person responsible for complying with the landlord's health and safety requirements
 - The Regulator's role is strengthened at the same time as the Housing Ombudsman is becoming more proactive
 - A requirement to provide information about performance & safety matters

Provide information about how income is spent – including levels of executive remuneration

A requirement to identify a senior person who is responsible for the consumer standards

Test tenant satisfaction in an approved manner

The paper states a determination to increase the supply of new and beautiful social homes (the removal of the borrowing cap on LA's to fund housebuilding is referenced & the use of RTB receipts)

3 Regulatory Standards

- 3.1 There are Economic and Consumer Regulatory Standards.
- 3.2 The Economic Standards are Governance, Value for Money and Rent. Only the last one is applied to Local Authority Registered Providers. The Rent Standard is used by Government to dictate the rent levels Providers can charge.
- 3.3 The Consumer Standards are Home, Tenancy, Neighbourhood and Tenant Involvement/ Empowerment.
- 3.4 The **Home Standard** is concerned with the quality of the Council's accommodation (in terms of the Decent Homes Standard) and how we deliver our repairs and maintenance service.
- 3.5 The **Tenancy Standard** is concerned with how we allocate our properties and the type of tenancies we grant.
- 3.6 The **Neighbourhood Standard** is concerned with the management of the Council's properties and how we tackle anti social behaviour.
- 3.7 The **Tenant and Empowerment Standard** is concerned with access to services, choice, complaints handling, involvement and empowerment and responding to diverse needs.

4 Meeting the Consumer Standards

- 4.1 In order to be transparent and accountable about the housing services we deliver we publish an annual report, provide a leaflet about what standards customers can expect to receive and send out two newsletters a year. The Housing Division is part of the Housemark Benchmarking and performance club which compares performance across the sector and promotes best practice.

- 4.2 Key performance indicators are collected monthly and reported to the Resources Board quarterly. Satisfaction feedback, complaints and compliments are tracked.
- 4.3 At its last meeting the Housing Task and Finish Group requested a table of information which identifies the Regulatory Standards and the information which indicates how they are met.
- 4.4 The Task Group intends to review the Council's Lettings Scheme and allocations procedures. This will support an assessment of how the Council's services meet the Tenancy Standard.
- 4.5 A first draft of table of information is included below.

Meeting the Regulatory Standards

Standard	Service Provider	KPIs (including benchmarking)	Publications
Home			
Quality (Decent & Safe)	Maintenance	Decent Homes (Based on stock condition data) Health & Safety (Annual gas services, fire safety, asbestos management, legionella, electrical) Energy efficiency EPC performance	Maintenance Standards and Timescales Newsletters Annual Report Standards Leaflet
Repairs & Maintenance	Maintenance	Right first time for repairs End to end times for repairs Track complaints & feedback	Maintenance Standards and Timescales Annual Report Standards Leaflet
Tenancy			
Allocations & Mutual Exchanges	Housing Options	Tracking of allocations by Band of the applicant Waiting time for an allocation Track complaints & feedback	Lettings Scheme Policy Vacant Property Standard Mutual Exchange register provided Standards Leaflet
Tenure	Tenancy Services	Rent collection performance Early intervention to prevent arrears escalating tracked	Tenancy Agreement

		Track complaints & feedback	Guide to Introductory Tenancy Standards Leaflet
Neighbourhood & Community Standard			
Neighbourhood Management (Clean & Safe)	Tenancy Services & Neighbourhood Services Maintenance Close co-operation with Streetscape	Neighbourhood Services Team document safety checks and condition of blocks of flats Track complaints & feedback	Tenancy Agreement Newsletters Standards Leaflet
Anti-Social Behaviour	Tenancy Services	Number of nuisance complaints dealt with & timescale Log of legal action taken Track complaints & feedback	Tenancy Agreement Anti-Social Behaviour Policy and Protocol Standards Leaflet
Tenant Involvement & Empowerment	Tenant Involvement & Neighbourhood Services	Track complaints & feedback	Tenant Partnership Agreement Newsletters Standards Leaflet

Housing Task & Finish Group

Note of Meeting 12 January 2022

Invited: Councillor Barry Lees (Chair), Councillor Denise Clews, Councillor Caroline Symonds, Councillor Jodie Gosling, Councillor Sandra Smith, Councillor Hayden Phillips, Angela Coates, Sue Garner

Present: Councillors Denise Clews, Sandra Smith, Hayden Phillip, Jane Farrow

Officers: Angela Coates, Sue Garner

Actions

1 The documents shared at the meeting included the Terms of Reference for the Group, a note on the regulation of social housing, a note on the Council's Lettings Scheme, the most recent Newsletter to tenants and the Housing Division's Service Standards Leaflet

2 It was noted that the Terms of Reference for the Group had been approved by the Resources Board at its meeting on 8th November 2021.

3 The overview of Social Housing Regulation briefing note was considered. It was agreed that the Group would keep the Council's performance against the regulatory requirements under review.

4 The Corporate Director for Resources provide a verbal report about the Housing Revenue Account which accounts for budgets related to the Council's landlord stock of properties. It was noted that the Account is ring fenced for the provision of social housing, is funded from tenants' rent payments and continues to be subject to a debt repayment to Government following Local Authority's exit from the national housing subsidy provisions in 2013. The fund must always be in balance and cannot go overdrawn. Whilst funding has been available to deliver new properties over the past few years there is currently a constraint because capital budgets are focussed on delivering remedial works to blocks of flats and providing for an ageing stock. In general terms the Council can keep 25% of its Right To Buy receipts but there are caveats and how the receipts can be spent or retained are subject to Government regulation.

5 The Group intend to review the Council's Lettings Scheme. A briefing note was considered which set out the legal requirements for allocations policies. The next meeting of the Group will focus on the review of the Scheme.

Date of Next Meeting – Tuesday 22nd February 2022 – 10 till 12am – The Board Room

Housing Task & Finish Group

Note of Meeting 22 February 2022

Invited: Councillor Barry Lees (Chair), Councillor Denise Clews, Councillor Caroline Symonds, Councillor Jodie Gosling, Councillor Sandra Smith, Councillor Hayden Phillips, Angela Coates

Present:

Councillors Caroline Symonds (Chair), Denise Clews, Sandra Smith, Hayden Phillip, Jodie Gosling,

Officers: Angela Coates

Documents circulated: Lettings Scheme; Regulator of Social Housing Proposed Tenant Satisfaction Measures

1 Notes of 12 January 2022 meeting

The notes were agreed as a true record.

2 Review of Lettings Scheme Policy

The Lettings Scheme was considered section by section. Consideration was given to whether the Scheme is acting in the way that Councillors expected and adequately addressing housing need.

It was agreed that further consideration would be given to:

- Amending parts of the qualifying criteria section (e.g. Homeowners; Financial Resources)
- Expanding the criteria for tenants to join the transfer register

It was agreed that an easy guide for applying for housing would be developed

3 Regulator of Social Housing Proposed Tenant Satisfaction Measures

The Regulator is intending to introduce tenant satisfaction measures for social housing landlords. The proposed measures were considered by the Group. When the measures are agreed they will be collected annually from April 2023. They will be published.

Date of Next Meeting – 12 April 2022 – 10am – Board Room

Housing Task & Finish Group

Note of Meeting 12 April 2022

Invited: Councillor Barry Lees (Chair), Councillor Denise Clews, Councillor Caroline Symonds, Councillor Jodie Gosling, Councillor Sandra Smith, Councillor Hayden Phillips, Angela Coates

Present:

Councillors Caroline Symonds (Chair), Sandra Smith, Hayden Phillip, Jodie Gosling,

Officers: Angela Coates

Apologies: Councillors Lees; Clews

Documents circulated: Amended Lettings Scheme; Service overview & regulatory framework

1 Notes of 22nd February 2022 meeting

The notes were agreed as a true record.

2 Review of Lettings Scheme Policy

The amendments to the Lettings Scheme were agreed.

It was proposed and agreed that there would be an amendment to the Band 4 criteria to reflect the needs of owner occupiers who need to move to sustain their independence but who do not have the financial capability to source their own alternative accommodation.

The Group asked for an update on setting up a Company which can be used to purchase properties and let them. It was agreed that when this company is set up the possibility of purchasing properties from owner occupiers who have been offered accommodation from the Letting Scheme would be considered.

As there is a statutory requirement to consult on changes to the Lettings Scheme this would be undertaken in advance of the amendments being submitted to the Resources Board for consideration.

3 Social Housing Regulation

The Regulator is intending to introduce tenant satisfaction measures for social housing landlords. The proposed measures were considered by the Group. When the measures are agreed they will be collected annually from April 2023. They will be published.

Date of Next Meeting – 10 May 2022 – 5pm – Board Room

Housing Task & Finish Group

Note of Meeting 10 May 2022

Invited: Councillor Denise Clews (Chair), Councillor Caroline Symonds, Councillor Jodie Gosling, Councillor Sandra Smith, Councillor Ray Jarvis, Councillor Hayden Phillips, Angela Coates

Present:

Councillors Denise Clews (Chair), Sandra Smith, Hayden Phillip, Jodie Gosling, Ray Jarvis

Officers: Angela Coates

Apologies: Councillor Symonds

Documents circulated: Amended Lettings Scheme; Service overview & regulatory framework

1 Notes of 12 April 2022 meeting

The notes were agreed as a true record.

2 Review of Vacant Property Standard

The Group considered the current Vacant Property Standard. There was a discussion about whether the opportunity should be taken to complete refurbish properties when they become vacant. It was agreed that on balance the Council is not in a position to do that because of funding availability and the need to turn around properties as quickly as possible to let them to applicants waiting on the Register.

It was suggested that feedback is requested from new tenants so that the Group can consider whether the standard is being met.

3 Consideration of Maintenance Service Responsibilities

The Group considered the Maintenance Service Responsibilities. It was agreed that they are balanced and reasonable.

The Group asked for the performance data which indicated whether the responsibilities are being met and to see feedback from tenants so that the delivery of the service can be considered.

The Group agreed to meet when the performance and feedback information is available.

Agenda Item No 13

Resources Board

20 June 2022

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 14

Land Sales – Report of the Corporate Director - Streetscape

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Agenda Item No 15

Confidential Extract of the Resources Board Minutes - 28 March 2022

Paragraph 1 – by reason of information relating to any individual.

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is: Marina Wallace (719226)