

Social Care Health and Wellbeing Scrutiny Committee

(Via Microsoft Teams)

Members Present:

13 September 2021

Chairperson: Councillor L.M.Purcell

Vice Chairperson: Councillor C.Galsworthy

Councillors: A.P.H.Davies, J.Miller, S.Paddison,
S.H.Reynolds, A.N.Woolcock, C.Edwards,
W.F.Griffiths and N.J.E.Davies

Officers In Attendance A.Thomas, J.Hodges, R Davies and C.Davies

Tai Tarian Officers in Attendance C.Edwards, C.Way.

Cabinet Invitees: Councillor P.Richards

1. **Welcome and Roll Call**

The Chair welcomed everyone to the meeting.

2. **Chairs Announcements**

The Chair advised there was only one item on the agenda and that it would be scrutinised.

3. **Declarations of Interest**

Cllr J Miller – Item 3a – Family Members rent from Tai Tarian.

Cllr C Edwards – Item 3a – Family Member may living in rented accommodation from Tai Tarian.

4. **Neath Port Talbot Council and Tai Tarian Consultative Draft Shared Lettings Policy 2021**

Members commented on the easy read version of the document that was provided. Other than being slightly shorter, Members noted that it still contained details and complex language that many would fail to understand. It was noted that it was a legal document and would need to contain certain language. Tai Tarian officers advised that once the legal document had been approved they would look to engage with a group of tenants and applicants to determine if they could create something to sit alongside the document.

Tai Tarian Officers provided a presentation to members.

Following the transfer of the housing stock in 2011, NPT retained its role as the Local Strategic Housing Authority. Within that role, the Council has the legal responsibility to formulate, adopt and amend an allocation scheme and where appropriate, consult on proposed changes to it.

Under the 2010 transfer agreement, a Shared Lettings Policy between the Council and Tai Tarian was therefore agreed and both now share that ongoing responsibility for alterations or changes to the Joint Lettings Policy, including its periodic review.

The document that members were considering was out on its 90 day consultation. The last review was in 2015 and the current review process started in 2017. A considerable effort has been taken to ensure that the draft document only contained relevant items. The project was paused to respond to the pandemic.

Tai Tarian is an active partner with the council in terms of alleviating and preventing homelessness. Much of the work during the pandemic focused on responding to homelessness. Tai Tarian is an active partner with the Council and has in place various agreements at operational and strategic level to assist with responding to and preventing homelessness.

With regards to the Integrated Impact Assessment (IIA), the draft has no currently known or anticipated negative impacts on applicant households by virtue of protected characteristics of any household member. The consultative draft of the IIA will be updated to reflect further testing and findings and any consultation responses received.

Impact testing was carried out to determine if the changes had negative impacts on applicants and current tenants. Each lead factor was considered in turn. The lead factor determines what band an

applicant goes into. The testing looked at current applicants and determined if there was material changes to their application.

The Housing Options Teams also looked at their current cases and determined if there would be any effect from the new draft. The officer went through the results of the testing. Of the 75 tested, there were 73 no changes. The remaining 2 had two positive changes. The overall testing demonstrated the changes proposed would not have a negative impact but in some cases would have a positive impact.

Members queried what the difference was between a standard occupation contract and a secure occupation contract. Currently Tai Tarian operate on two tenancy basis. The first is the short hold tenancy agreement. The second includes both assured full-right and assured protected tenancies. Under the Renting Homes Act, there are two contracts. These contracts are referred to in the report. The standard contract will essential replace the assured short-hold tenancy. The secure contract will replace the assured full-right and assured protected tenancy agreements.

Members queried succession planning. In the event of the request for a succession of tenancy, and that right has already been exercised up to the maximum permitted number, if the person making the request needs to live in the area, will Tai Tarian consider the request for succession.

There are three levels in terms of succession. Firstly an automatic right for example a spouse. The second right considers family members. The third right is in respect of a family member who will have lived at the property for less than 12 months. Individual circumstances and demand are always considered when looking at the succession rights, unless the right is automatic.

Member queried if there was a separate lettings policy. It was confirmed there is no local lettings policy at this current time. This is usually only in place when required and would usually have a time limit applied to it.

Members queried the timescale for urgent reviews. It was confirmed that some people in an urgent band may not bid as required. The three month review allows the company to review the urgency and determine if they are bidding as required. It allows Tai Tarian to determine if the urgency is still in place and that they haven't been housed through other avenues.

Officers agreed to consider if there was a way to determine if forms could be streamlined and information shared between Tai Tarian more efficiently.

Many process involve digital access. If someone can't access digital applications Tai Tarian will accept applications via other avenues. There is a team in place to support non-digital applications. Members queried if this was clear within the policy document. Tai Tarian agreed to put something in place.

Officers confirmed that any visits to an applicant would be pre-arranged with the applicant.

Member queried how it was assessed if an applicant was able to 'maintain' a property. Officers confirmed a visit would be carried out to the property and other agencies may be approached to determine if there was knowledge on the applicant. In some circumstances an application may be put on hold to allow for further investigation.

With regards to applicants under 16, would Tai Tarian make background checks with children's services and other checks as required. Members' specific concerns were in relation to the vulnerability of an applicant. Tai Tarian advised that all the relevant checks would be made. A specific scheme has also been set up to support youngsters applying for accommodation.

Members queried financial assessments. As NPT Council has ultimate responsibility for awarding administering benefits, will Tai Tarian undertake assessments in full consultation with NPT's benefits department. Officers confirmed this would be done. There is a partnership working arrangement in place. Further, officers explained that sometimes a house move would trigger a claim to the housing element of universal credit. Working relationships have also been built up with the Job Centre and DWP in order to ensure that applicants have the same support and experience.

Members queried the Veterans Policy and if applicants have to have a prior links to the area before going into the service? It was confirmed if they have established a local connection to the area then a link would be established. For example if they were living in the area at the time they leave the forces.

If someone applies from the armed forces, they can apply through the housing options route and they will be given access to the higher bands. Members queried if the spouse of the veteran had a link to the area, would that be considered as a strong link? Officers confirmed that would suffice for a link to the area.

With regards to affordability for the applicant, in terms of service charges there are two elements. The cost of the service charge is considered. Also, there is currently a review of the service charges across Wales, as it is recognised these charges can sometime impact on affordability.

Where there is an unreasonable refusal, what mechanism in the policy allows for challenges to an unreasonable refusal? How would it be dealt with where the applicant considers the refusal reasonable? It was confirmed anyone has a right to a review of any decision. This would be considered by a senior officer. Generally, only a small number of accommodations are refused with less being refused as unreasonable.

A verbal review can be undertaken. An advocate can be brought with the applicant. A review can also be undertaken in writing. Officers confirmed they try to accommodate the individual applicant's circumstances. The policy confirms that an advocate is allowed during the process and it is the applicant's choice how the review is carried out.

Officers were asked about adapted properties. Members queried if there was anything in place to preserve adapted stock to ensure that it is available when required. Officers confirmed wherever possible adapted accommodation will always be allocated to someone who needs it. The level of adaptations varies significantly between properties. Applicants will always try to be matched to a property that is suitable. Sometimes partially adapted properties will be advertised through the homes by choice scheme and advertise it that disabled applicants will be considered first. Equipment can be reused and recirculated if required.

Members queried what would trigger a review in terms of assessment of need for an applicant where no new information has been submitted. Officers confirmed that sometimes information has been considered wrong, for example an applicant says they are overcrowded but they are actually not. Where an assessment is

wrong, the review trigger allows information to be changed where required. It ensures that everyone is fairly assessed.

The policy refers to the statutory homeless duty and where it ceases to exist, whereby the homeless person refuses a property. This covers a position whereby a person refuses properties and does not leave the interim accommodation. The policy has to be read and interpreted according to the law, therefore this is catered to by the clause within the policy and allows for changes to circumstance i.e. response to COVID.

A frontier worker is a person who works in one member state but travels to another country regularly for work. To date, officers confirm they have not come across a frontier applicant. Officers agreed to speak with legal advisors to determine if the section relating to frontier workers can be reworded so that it is clear what the policy relates to.

Members queried the charts relating to bedroom allocation within the policy. The two charts presented have different meanings. The bedroom standard chart determines whether or not overcrowding exists. This chart relates to Government rules. Chart two looks at what an applicant can be accommodated in. One is the assessment element and the second is the allocation element.

Members expressed their concern that the policy will have a big impact on the valley areas. Officers noted the clause relating to the discretion of officers, so that they are not strictly bound by the allocation system.

At the beginning of the report it outlined the administrative rights have all been transferred to Tai Tarian. Members were concerned this transferred too much control to Tai Tarian. NPT Officers confirmed that the arrangement works well for both NPT and Tai Tarian delivering the same aims and policies.

Members of the Committee were thanked for their commitment and time in scrutinising the document.

CHAIRPERSON