

**Paragon Asra Housing Limited**

# **Permanent Decant policy**

February 2018

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<b>Owning manager</b>	Anna Henderson, Lettings Manager
<b>Department</b>	Housing Services
<b>Approved by</b>	EMT 21 February 2018
<b>Next review date</b>	March 2021

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**Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.**

**We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.**

## AUDIT LOG

Date of change	Who updated	Details of the change
09.03.18	TJ	5.1 relating to making deductions from home loss payment for rent arrears removed. Arrears will be tackled through the income collection process.

## **1 Introduction**

- 1.1 There are occasions when Paragon Asra Housing Limited (PA Housing) has to move residents from their homes permanently due to the redevelopment, disposal, or change of use of a property or block. This is known as a permanent decant.
- 1.2 The purpose of this policy is to clarify what we will do when this is necessary; describe the options we will make available; and provide guidance on the financial help to be offered.

## **2 Objectives**

- 2.1 We recognise that moving home can be a disruptive and stressful experience, so the objectives of this policy are to:
  - Ensure that good information, communication and support is provided in order to make the move and resettlement process go as smoothly as possible
  - Be flexible in managing the decant process, especially where groups or individuals are identified as likely to need extra support and reassurance
  - Set out guidance on the calculation of statutory and discretionary payments.

## **3 Scope and limitations of policy**

- 3.1 The decision to redevelop, change the use, or dispose of a property can only be authorised by two Executive Directors, one to be the Executive Director of Development and Sales.
- 3.2 This decision will be made on receipt of a business case by senior managers, such as the Head of Asset or Property Services, and will be undertaken in accordance with the Asset Management strategy.
- 3.3 This policy does not cover residents decanted temporarily to enable repairs to be carried out to their property. In this instance the Temporary Decant policy applies

## **4 Key points of policy**

- 4.1 In order to achieve successful outcomes, when we require residents to move we will:
  - Consult the residents affected, and their relatives or advocates if appropriate, at the earliest opportunity. We will explain the process, including the support available and identify, consider and respond to their views, concerns and needs.

- For substantial decant programmes, we will develop an action plan and keep individual residents, the local authority, and any recognised residents' associations operating in the area updated on our progress.
  - Discuss how we identify and offer potential alternative properties.
  - Clarify whether the resident might have the option to return to a new property on the same site.
  - Identify a dedicated member of staff who will be the key point of contact, responsible for making sure that all moves go as smoothly as possible, including arranging removals and other services.
  - Treat each move individually, recognising, respecting and responding to different needs, circumstances and requirements. Certain groups of residents may need extra support, such as older people, lone parents, non-English speaking households, or those with mental ill-health, or a physical or learning disability.
  - Take into account, wherever possible, preferred locations and property types. If a resident wishes to move to an area where PA Housing does not have any or appropriate properties, we will approach other housing providers to seek a reciprocal move, but we cannot offer certainty that this will be successful. If this is not possible we will work with the resident to achieve the most equitable solution.
  - Clarify the financial package available, which will include a Disturbance Allowance and the Statutory Home Loss Payment.
- 4.2 Where residents have the opportunity to move back to a redeveloped property, we will ensure that the decorations have been completed to an appropriate standard and that any minor adaptations are re-installed.
- 4.3 Where the move is to another property on a permanent basis, we will consider reasonable requests for minor alterations, in addition to decorating the property and fitting floor coverings.
- 4.4 Whilst we will do everything we can to ensure that suitable offers of alternative accommodation are made, we will only offer accommodation on a like for like basis, unless the resident wishes to move to a smaller property. The decant will not be to a home larger than the household's needs.
- 4.5 Although we will always be reasonable and work with the resident to reach an acceptable solution, if the resident refuses to move despite three suitable offers being made, we may consider legal action under the Housing Act 1988 schedule II Ground 6 <https://www.legislation.gov.uk/ukpga/1988/50/schedule/2>

## **5 Compensation**

- 5.1 Statutory Home Loss Payment - This is prescribed in law under the Planning and Compensation Act 1991 and the amount is reviewed annually - details can be found at <https://www.legislation.gov.uk>. Payment will usually be made after the keys for the vacated property have been returned to PA Housing.
- 5.2 In addition to the Home Loss Payment, residents are entitled to a package of Disturbance Allowances intended to cover the actual costs and reasonable expenses incurred as a result of the decant. There is not a nationally set amount, but the following would normally be eligible:
- Disconnection and reconnection of gas or electric cooker; washing machine, dishwasher, satellite dish or TV aerial, telephone lines, broadband, light fittings.
  - Removal costs (including a packing service for residents who are older or otherwise identified as vulnerable and requiring assistance).
  - Re-direction of mail for a three month period.
  - Refitting or replacement of personal support aids.
  - Other discretionary costs reasonably associated with and incurred as a direct result of the move, such as refitting additional locks or external lights for security; replacement of the cooker where the fuel supply in the new property is incompatible with the resident's cooker or a fitted cooker cannot be moved; removal and refitting of fitted wardrobes, or possible replacement with freestanding wardrobes.
- 5.3 The Home Loss and Disturbance Payment will be made to the person(s) who signed the tenancy agreement, unless an advocate can demonstrate financial Power of Attorney. There will be one payment per household.

## **6 Security of tenure**

- 6.1 The resident will be offered an equally secure tenure on the property they move into, comparable to their vacated home. The Preserved Right to Buy will not be affected by the move.

## **7 Training**

- 7.1 We will carry out training for all relevant staff to make sure that they are aware of our policy. All relevant managers will receive specific training to provide the skills and knowledge to comply with the policy.
- 7.2 New staff will have a thorough induction and training to ensure that they understand and can implement the policy.

## **8 Monitoring and reporting**

- 8.1 Regular monitoring will take place by carrying out satisfaction surveys to obtain views on our performance during the decant process and opportunities to identify and suggest any areas for improvement. Feedback from this exercise will contribute towards the continuous improvement of our decant practices.

## **9 Equality analysis, consultation and feedback**

- 9.1 This policy is subject to an equality analysis to make sure that we do not discriminate against anyone and that it is fair to everyone.
- 9.2 Residents were consulted on whether this policy is clear, reasonable and easy to understand. Where they didn't find the policy clear we responded and changed it to meet their suggestions.

## **10 Legislation**

- 10.1 Compensation payments are covered by Section 30 of the Land Compensation Act 1973 (as amended by the Planning and Compensation Act 1991).
- 10.2 Grounds for possession for major works are contained in Schedule 2 of the Housing Act 1985

## **11 Linked policies**

Aids & Adaptations

Complaints

Equality, Diversity and Inclusion

Leasehold Management

Temporary Decant

Tenancy