

Southend-on-Sea City Council

Draft Tenancy Strategy

2024-2029



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1. Introduction

Under Section 150 of the Localism Act 2011, the Council is required to prepare and publish a Tenancy Strategy. This document updates the Tenancy Strategy that the Council published in 2013 and sets out the Council's position for 2024 - 2029.

Registered providers (RPs) of social housing in Southend-on-Sea **must have regard to this strategy when formulating their policies** in relation to:

- The types of tenancies they will grant
- The circumstances under which different types of tenancies will be granted
- Where they elect to grant fixed-term tenancies, the length of the fixed term
- The circumstances in which they will grant a further tenancy when the fixed term expires

Under S150(2) of the Localism Act¹, 'the Tenancy Strategy must summarise those policies or explain where they can be found' – tenancy policies will either be published on RP websites or available on request (RP contact details in Appendix 1).

In accordance with S150(3) of the Localism Act 2011, Southend-on-Sea City Council will have regard to this strategy when exercising its own housing management functions. The Council must keep its tenancy strategy under review in the light of changing legislation and other factors and may amend it when necessary, but when doing so is required to consult with the RPs operating in the city. This strategy will be reviewed in 5 years' time, or earlier if legislative or business needs require.

Our Strategic approach has been developed in partnership with the council's Arms-Length Management Organisation, South Essex Homes (SEH), and in communication with RPs who own and manage properties in Southend-on-Sea. Alongside consideration of the legislative and regulatory framework, and the emerging best practice and guidance concerning social tenancy reform. The formal consultation with RPs and tenants/potential future tenants ran from October 2023 to December 2023. The feedback we received was used to amend the draft Strategy.

2. Our Position

The purpose of a tenancy strategy is to give RPs of Social Housing operating in Southend-on-Sea an indication of the approach the Council expect them to take when preparing their Tenancy Management Policies. As required under S.151 (3) of the Localism Act 2011, our strategic approach has been developed with regard to the council's current Social Housing [Allocations Policy](#) and [Housing, Homelessness and Rough Sleeping Strategy \(2018-2028\)](#). The measures used in this tenancy strategy are also intended to help realise the vision as set out in our [Corporate Plan for 2023 to 2027](#), in particular our priority of 'A safe city with a good quality of life for all'.

¹ [Localism Act 2011 \(legislation.gov.uk\)](https://legislation.gov.uk)

Our approach also acknowledges that, in light of the Social Housing (Regulation Act) 2023 (and the circumstances that led to its necessity) all RPs of social housing, including Southend-on-Sea City Council, must change how tenants are supported to remain safe and well in their homes.

Therefore, the key aims of this Tenancy Strategy are:

- a) To help fulfil the council's legal requirements.
- b) To set clear expectations for RPs operating in the city (including the council).
- c) To ensure that Southend-on-Sea City Council's own properties are managed and maintained in a way that meets legislation and regulation.
- d) To support people to live independently in their own homes and avoid homelessness.
- e) To encourage good quality housing management and maintenance and help embed social housing reforms.
- f) To complement our Corporate Plan 2023-2027.

3. National Context

In addition to the requirement that local authorities produce a tenancy strategy, a raft of fundamental reforms of social housing tenure were included in the Localism Act 2011. The most significant of these were:

- Local Authorities and RPs being able to offer tenancies for fixed terms with a minimum of 5 years, or in exceptional circumstances 2 years instead of the traditionally longer 'lifetime' secure tenancies.
- Local Authorities given more flexibility to set their own allocations policies to meet local needs and circumstances.
- Local Authorities being able place homeless households in suitable private rented sector housing.
- Affordable rents of up to 80% of market rent can be applied to new housing developments and in some cases existing housing stock can be converted when vacant from social rent to affordable rent levels.

In 2016, the Housing and Planning Act set out legislation to end the granting of secure tenancies to all, but a few 'nationally' agreed exceptions. However, in the Social Housing Green Paper 2018 the Government stated it would not implement compulsory fixed-term tenancies – there have been no suggestions since this time that the government has any plans to end the use of lifetime tenancies.

The Homelessness Reduction Act 2017 created a greater focus on homeless prevention for all households, including those not in 'priority need'.

The tragedy at Grenfell Tower in June 2017 raised critical questions for everyone involved in social housing, including residents, landlords, developers, and local and national government. In light of this, the Social Housing White Paper was published in 2020, and set out a Charter for Social Housing Residents, and affirms the Government's continued

commitment to give social housing tenants a greater voice, the right to safe and secure accommodation and of the importance of good quality homes and neighbourhoods to live in.

The Social Housing Regulation Act 2023 introduces measures to give tenants greater powers, improve access to redress and strengthen the Regulator of Social Housing's powers. RPs operating in Southend are expected to conform to the Act.

Nationally these changes have been the catalyst for some large RPSH and Councils to evaluate the benefits of fixed term tenancies and the potential they have to undermine their work to create sustainable communities. As a result, many have expressed their intention to stop offering this type of tenancy. Fixed term lettings made up just 3% of new LA lets in 2021/22, and 14% for Private Registered Providers (PRPs).

It is the opinion of housing and homelessness charities that local authorities should continue to grant and support 'lifetime' tenancies in most circumstances.²

4. Local Context

Southend on Sea is located on the north side of the Thames Estuary approximately 40 miles east of London. In addition to being a residential and business hub in its own right, Southend is an integral economic component of the Thames Gateway regeneration area, and has strong economic links with London, which is within easy commuting distance.

According to the 2021 Census³, Southend has a population of 180,700, this is an increase of 4.1% from around 173,700 in 2011. As of 2021, Southend-on-Sea is the third most densely populated of the East of England's 45 local authority areas. The population of Southend-on-Sea is also ageing, with 19.1% of people aged 65 and over, up from 17.8% a decade earlier. The population of younger age groups in Southend-on-Sea is also growing. Those aged under 15 grew 4.2 per cent in the ten years between 2011 to 2021. Over a third of households (33%) are single person against 29% in the East of England.

Housing data for Southend-on-Sea revealed that the majority of houses are owned outright (31.6%), with a further 30.4% owned with a mortgage, loan, or shared ownership. 11.5% are socially rented and 26.4% are privately rented, the private rented sector in Southend has grown since 2011 from 22%. Southend also has a higher proportion in the private rented sector than both England and the East of England. Meanwhile, local LHA rates do not cover the cost of the lowest 30th percentile of properties in our city.

The latest South Essex Housing Needs Assessment⁴ suggests that a net need for 507 affordable homes in Southend could arise every year, when considering annual gross need over the next 19 years as well as the estimated supply of affordable housing per annum.

² Shelter - [Local decisions on tenure reform full.pdf \(ctfassets.net\)](https://www.ctfassets.net/.../Local_decisions_on_tenure_reform_full.pdf)

³ Census, 2021

⁴ [South-Essex-Housing-Needs-Assessment-June-2022-2.pdf \(housingessex.org\)](https://www.housingessex.org/.../South-Essex-Housing-Needs-Assessment-June-2022-2.pdf)

Directly linked to the lack of affordable housing, homelessness is a key issue in our city; with 624 households owed a homeless Prevention, Relief or Main duty as at September 2023 and 269 households in emergency/temporary accommodation. Levels of homelessness are therefore a direct consideration in the council's approach towards tenancies.

4.1 Stock/allocations overview

The tenancy strategy is produced by Southend-on-Sea City Council in its capacity of Strategic Housing Authority, but the Council is also a stock owning authority and as at 31 March 2023 owned 6,028 units of accommodation⁵. In addition to the Council's own stock there are 36 private PRPs operating in Southend-on-Sea with 4,225 units of stock (homes).

Those deemed by the council to be in greatest need of these properties/tenancies qualify for inclusion on our Home-seekers' Register and are prioritised in accordance with our [Allocations Policy](#). The Council aims to ensure that those who qualify for entry onto the Home-seekers' Register can exercise choice in deciding where they wish to live and in the type of property they would prefer. The Council therefore operates a Choice Based Lettings (CBL) scheme whereby vacant social housing is advertised, and those who qualify are given the opportunity to 'bid' for (express an interest in) the properties they would like to be considered for. Following this process, nominations of those in greatest need of rehousing are then made to the Registered Provider.

In accordance with the Regulator for Social Housing's Tenancy Standard, Registered Providers are expected to support the council to meet identified local housing needs, including assistance with the council's homeless duties and through meeting obligations in nominations agreements. Southend-on-Sea City council will be reviewing nominations agreements with local RPs following the development of this strategy.

Most allocations of social housing fall within Part 6 of the 1996 Housing Act and should therefore be dealt with in accordance with the council's allocations scheme, but there are exceptions as detailed in S7.13 of our Allocations Policy. These exceptions include mutual exchanges, temporary decants, transfers from introductory to secure tenancies in the same property, successions and assignments to the same property and where specific court orders are made. Such allocations will be managed by the applicable registered provider, as detailed in their tenancy management policies. SCC arrangements for managing its own social housing stock is through its ALMO South Essex Homes.

5. Tenancy Types

It is essential that when granting tenancies, all tenants are informed of the type of tenancy they are being offered at the point of sign up. This should also be clearly presented in the tenancy agreement along with any rights specific to the type of tenancy.

⁵ [Registered provider social housing stock and rents in England 2022 to 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/registered-provider-social-housing-stock-and-rents-in-england-2022-to-2023)

There are a range of tenancy types available providing varying degrees of security for tenants whilst ensuring effective use of the social housing stock to meet local housing need.

The main forms of tenancy agreements offered by Local Authority Registered Providers are:

- a) **Introductory Tenancies:** offered to most new tenants; after twelve months tenants either become Secure or Flexible (fixed term) tenants (unless eviction action is being undertaken or the introductory tenancy has been extended by a up to a further six months). These are and will continue to be used by Southend Council.
- b) **Secure Lifetime Tenancies:** these agreements allow a tenant to live in a home for the rest of their life, providing they do not break the tenancy conditions. Such tenants have a number of Rights, such as the Right to Buy. These tenancies are and will continue to be used by Southend Council.
- c) **Secure Flexible (Fixed-Term) Tenancies:** introduced by the Localism Act 2011 for a fixed period, usually for at least five years, but for a statutory minimum of two years. At the end of the initial term the council must, in accordance with procedures set out in legislation, review the tenant's circumstances, and decide whether to offer another tenancy. As a secure tenant, a household with a flexible tenancy has a number of rights, such as the Right to Buy and can only have their tenancy ended in specific circumstances. These are not currently used by Southend council and for the reasons set out in this document it is not proposed that we adopt these.
- d) **Non-secure tenancies:** granted as part of any function under Part 7 of the Housing Act 1996 e.g., under prevention or relief, discharge of interim duty etc.

Private Registered Providers offer a wider range of tenancy and occupancy agreements, the main ones are:

- g) **Starter Tenancies:** Similar to introductory tenancies, these may be offered to new tenants, after twelve months tenants either become Assured or Fixed Term tenants (unless eviction action is being undertaken or the starter tenancy has been extended by up to a further six months).
- h) **Assured Periodic Tenancies:** allow a tenant to live in the home for the rest of their life, providing they do not break the conditions of the tenancy.
- i) **Fixed-Term Assured shorthold Tenancies:** The equivalent of a council's secure flexible tenancy, these are for a fixed period, usually for at least five years, but for a minimum of two years.

Other types of tenancies:

- j) **License agreements:** a licence agreement is a legal contract which is used for temporary and certain types of specialist and/or supported accommodation or shared housing, where there is no exclusive possession to any part of the dwelling. It is a permission to occupy the property. Licences can be ended at short notice and do not offer the same protections as other types of tenancies as they are not intended for permanent homes. Southend Council support the use of licence agreements in aiding the delivery of the council's homelessness duties and need to

provide emergency/temporary/interim accommodation, though we recognise that more settled forms of tenure are the goal for those who find themselves experiencing homelessness.

- k) **Demoted tenancies:** if a tenant has been involved in antisocial behaviour and they are a secure tenant, RPs can demote the tenancy for 12 months. This is achieved by obtaining a court order. A demoted tenancy reduces a tenant's rights and facilitates the eviction process if required. At the end of the 12-month period, if the tenant has complied with the court order their tenancy will automatically revert back to a secure or fixed term tenancy
- l) **Assured shorthold tenancies:** an assured shorthold tenancy (AST) usually lasts for 6-12 months and is the most common type of tenancy in the PRS for tenancies started on or after 15 January 1989. Local authorities cannot use ASTs directly. However, in limited cases, ASTs may be utilised by the council's ALMO South Essex Homes under a lease agreement. Where a property is not able to be used as a secure tenancy, the property can be brought back into short to medium term use under an AST agreement.
- m) **Family Intervention Tenancies (FITs):** these can be offered by local authorities and registered social landlords in circumstances of antisocial behaviour. FITs can only be used for the purpose of providing behaviour support services that have been outlined in a written behaviour support agreement. FITs do not provide any rights to succession nor offer tenants any long-term security. They can be terminated by the landlord following the correct procedure. Where a social landlord wishes to use FIT we would expect the details of this to be set out in their tenancy management policies.

6. Guidance for RPSH – Lifetime Tenancies

Southend-on-Sea City Council will not adopt flexible tenancies and supports the use of introductory/starter tenancies followed by lifetime tenancies.

In order to promote best use of housing stock, meet the needs of vulnerable people, ensure social mobility, and meet legal obligations, where fixed term/flexible tenancies are used by an R.P, Southend-on-Sea City Council consider that it is sensible to automatically award secure lifetime/periodic assured tenancies in the following circumstances:

- a) Where a household is transferring from an existing RP assured or Local Authority secure tenancy which was granted prior to 1st April 2012 - this includes mutual exchanges, transfers, or moves as a result of major works or regeneration.
- b) Where a secure/assured tenant had been moved into alternative accommodation during any redevelopment or other work i.e., they are being required to move, not seeking to do so.
- c) Where a secure/assured tenant or member of the person's household is or has been the victim of domestic abuse carried out by another person and the registered provider of social housing grants a new tenancy for reasons connected with that abuse.

- d) Where the tenant is someone over the prevailing state retirement age or where the tenant is residing in older persons accommodation, such as sheltered or “extra care” housing.
- e) There may also be other groups of people including those with enduring or lifetime health conditions who should be considered for lifetime tenancies.

Lifetime tenancies are the **preferred tenancy type for most tenants** and for delivering successful, sustainable communities.

7. Guidance for RPSH – Flexible Tenancies

The development of this strategy has considered the changing national attitude to flexible fixed term tenancies, as well as the experiences and views of RPs and tenants in Southend.

Although intended to support social housing landlords to make better use of their stock, flexible tenancies have not been widely adopted, and in 2021/22 flexible tenancies made up just 3% of new LA lets⁶. Many large RP’s and Councils have evaluated the benefits of fixed term tenancies and as a result, have expressed their intention to stop offering this type of tenancy due to the following issues/concerns:

- They are resource intensive to administer
- The risk of legal challenge to decisions to end a flexible/fixed term tenancy
- Not providing the expected flexibility of use of stock
- Tenant concerns over security and sense of belonging
- The sustainability of the community

Research shows that introducing fixed term tenancies can have high administrative costs, whilst also not providing the expected flexibility of use of stock. In addition, the growing financial pressures facing social housing tenants, including the cost-of-living crisis, has increased demand for tenancy sustainment and associated resourcing needs from social landlords. Meanwhile, social housing reform is requiring social landlords to do more to ensure that their tenants live safe and well in their homes.

Therefore, in considering whether to use/continue to use fixed term/flexible tenancies, we would encourage RP partners to consider if the administrative costs to operate them would hinder the resources available to prevent homelessness, keep the property in a good state of repair and/or ensure they can conform to the requirements of the Social Housing (Regulation) Act 2023 and new Consumer Standards. Given levels of homelessness in our city, and emerging lessons that have led to social housing reform, we expect tenancy sustainment and tenant wellbeing to be a key priority for local social landlords.

⁶ [Social housing lettings in England, tenancies: April 2021 to March 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/social-housing-lettings-in-england-tenancies-april-2021-to-march-2022)

If flexible/fixed term tenancies are utilised, the Council would want the following actions taken and factors considered:

- Registered Providers should conform to the requirements set out in the latest Regulatory Standards (specifically Tenancy Standard) when developing their Tenancy Policies and approach to Fixed term tenancies.
- Registered Providers should consider the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of housing stock when developing the terms of any fixed term tenancies.
- Flexible tenancies should not be used for domestic abuse survivors who have a lifetime tenancy/have had a lifetime tenancy and have fled the social home to escape domestic abuse – they should retain their lifetime security of tenure.
- Generally Flexible tenancies should begin with a 1 year introductory tenancy.
- If the tenant keeps to the terms of the tenancy, including rent payments and is still entitled to the tenancy at the end of the year then a new tenancy will be issued. This will usually be a fixed term tenancy unless the tenant is eligible for a lifetime tenancy.
- Although tenancies shorter than 5 years would generally not be considered appropriate it is considered that 2–5 year tenancies could be granted in exceptional circumstances (see section 8).
- All reasonable steps should be taken to prevent homelessness and where appropriate those at risk of homelessness within the next 56 days should be referred to the Council's Housing Solutions Team.

Landlords who issue fixed term tenancies must have a policy supported by an Equality Analysis, stating clearly under what circumstances they will be granted.

7.1 Exceptional circumstances for tenancies of under 5 years

If utilising flexible tenancies, tenancy policies should cover any exceptional circumstances in which RPs will grant fixed term tenancies for a term of less than five years in general needs housing, following any probationary period.

8. Flexible Tenancy Review and Renewal

If fixed term tenancies are utilised, when carrying out tenancy reviews, RPs should proceed on the basis of a presumption that a new fixed-term tenancy for a term at least equivalent to the current or previous fixed term should be granted to the tenant.

RPs should review tenancies 6-9 months before the end of the term of tenancy. RPs should seek to renew the tenancy unless there are specific grounds not to do so, these grounds must be clearly set out and published in a RP's policies and must include details of how to appeal against decisions.

The tenancy review shall assess the extent to which a household's circumstances have changed, whether the current property remains suitable and if it makes best use of local

housing stock. Where a fixed term tenancy is not renewed the RP must ensure that appropriate housing advice is provided at least 6 months before the end of the fixed term tenancy.

9. Rights of Secure Tenants

The statutory rights of secure tenants apply equally to tenants with flexible tenancies. Tenants with flexible tenancies have the same protection from eviction as tenants with a secure or assured tenancy. Landlords are still required to rely on one of the grounds for possession and also prove they acted reasonably when deciding to seek possession and therefore flexible tenancies are not an appropriate tool for dealing with, for example, anti-social behaviour or rent arrears.

The Localism Act 2011 states that tenants with flexible tenancies have the following rights:

- Right to exchange with limited exceptions (if a lifetime tenant mutually exchanges with a flexible tenant, they may not be given another lifetime tenancy)
- Right to buy / acquire
- Right to take in lodgers and to sub-let part of the property (with landlord's permission).
- Right to have repairs carried out – although a flexible tenant does not have any right to carry out improvements or to receive compensation for improvements made.
- Right to consultation and information.
- Right to one succession to spouse or partner of the deceased tenant. However, RPs can choose to grant additional (discretionary) succession rights to additional groups in tenancy agreements.

9.1 Succession

Succession rights are set out in the Housing Act 1985, Housing Act 1988, and Localism Act 2011, according to the type of tenancy and start date for that tenancy:

- Tenancy began before 1 April 2012** - the deceased tenant's spouse or civil partner can succeed if they were occupying the property as their only or principal home. A cohabitee or a member of the family (parents, grandparents, children (including adopted), grandchildren, brothers and sisters, uncles and aunts, nieces and nephews, step and half relations) can succeed if they:
 - Were occupying the property as their only or principal home
 - Had been residing with the tenant for at least 12 months prior to the death of the tenant
- Tenancy began on or after 1 April 2012** - only the deceased tenant's spouse, civil partner or cohabitee is entitled to succeed. Other family members cannot succeed unless there is a term in the tenancy agreement that expressly allows for this to happen.

If RPs operating in Southend-on-Sea choose to grant additional (discretionary) succession rights, we expect RPs to clearly state their position on granting them within their Tenancy Policies.

9.2 Right to assign

Assignment is the transfer of an interest in a property (for example, a tenancy) to another person. The general rule is that secure tenancies cannot be assigned except in three situations:

- assignment by way of exchange
- assignment following court orders in some relationship breakdown cases
- assignment to a member of the tenant's family who would be a successor

Assigning the tenancy counts as a 'succession' and only one succession is allowed unless specified in the tenancy agreement.

10. Domestic Abuse

As mentioned in section 3, the Domestic Abuse Act 2021⁷ requires local authorities and private registered providers of social housing to ensure that survivors of domestic abuse who have a lifetime tenancy, or who have had a lifetime tenancy and have fled the social home to escape domestic abuse, retain their lifetime security of tenure if the landlord grants them a new tenancy for reasons connected with the abuse. This is the case even if the RP normally operates a flexible tenancy policy.

Domestic abuse survivors in these circumstances do not have to be offered an introductory tenancy first. This is in line with the exceptions laid out in the Housing Act 1996 which states that a local authority or housing action trust must apply their introductory tenancy scheme to all new tenancies of its stock unless the tenant was a secure/assured tenant of a private registered provider of social housing immediately before..

Southend council wish for ourselves and our partners to go further; if a survivor of domestic abuse has had to flee to temporary accommodation or a refuge, and is subsequently offered another social housing tenancy, they should still be able to retain their security of tenure in the new permanent home and not be expected to take a fixed term/flexible tenancy even if this is the normal tenancy type used by the RP.

11. Downsizing

The Tenancy Standard states that "RPs must develop and deliver services to address under-occupation and overcrowding in their homes". The Council needs accommodation of all sizes, but family sized accommodation in particular, and expects all RPs in Southend support tenants who wish to move to a smaller property. Financial incentives are offered to council tenants seeking to downsize.

⁷ [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

In addition, the Council operates an incentive scheme where under occupying social tenants who wish to downsize and have applied to the council's Housing Register will be given band A priority for social housing, and priority for New build properties. Where social landlords operating in Southend agree to re-let the freed up family- size home through CBL, this incentive will apply to their Southend tenants too.

12. Supported Housing

As part of the new Supported Housing (Regulatory Oversight) Act 2023⁸, the council will be undertaking a review of supported exempt accommodation in the area and will then publish a separate supported housing strategy.

13. Regeneration

Where Southend-on-Sea City Council undertake regeneration, we will work with partners to ensure tenants retain, as far as is possible within tenancy law, equivalent tenancy rights.

In situations where RPs enter into regeneration schemes, we likewise would also expect RPs to ensure that existing tenants are not given lesser tenancy rights.

14. Tenancy Sustainment

The revised/emerging Tenancy Standard requires that "Registered Providers must provide services that support tenants to maintain their tenancy or licence" and "provide those required to move with timely advice and assistance about housing options before the tenancy or licence ends" and the council fully supports this requirement.

14.1 Affordable Rent

RPs set rents in accordance with the national Regulatory Framework for Social Housing as per the National Rent Standard Formula⁹, which gives registered providers some discretion over the rents that can be set. The Localism Act 2011 enabled local authorities to charge affordable rents of up to 80% of market rent for new housing developments (in some cases existing housing stock can be converted from social rent).

In setting rent levels, a crucial balance must be struck between ensuring that housing let by RPs is affordable to those in housing need, namely those on low incomes and/or in receipt of benefits, maximising income to enable the development of new affordable housing and ensuring good quality management and maintenance of existing stock.

In the interests of avoiding rent arrears, homelessness and/or financial hardship, it is the Council's position that **affordable rent (including service charges) in Southend-on-Sea should not exceed LHA rates**. However, where a RP provides affordable homes in excess

⁸ [Supported Housing \(Regulatory Oversight\) Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/12/section/1)

⁹ [2020 Rent Standard \(from April 2020\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/2020-rent-standard-from-april-2020)

of the units required by the Section 106 agreement, the Council will be open to discussion with regards to the rent on the additional units.

The LHA 'rate' is the maximum amount of housing benefit that a private renter can claim to help pay their rent. In the 2023 Autumn Statement, the Chancellor agreed to restore LHA to the 30th percentile of local rents in April 2024. This will be the first increase to the LHA in four years, however thousands more households will run up against the benefit cap, which will not be updated next year.

14.2 Additional Tenancy Sustainment and Prevention Measures

The Council is committed to helping tenants sustain their tenancies and consider eviction as a last resort. We expect all social landlords operating in Southend to:

- support tenants to maintain their tenancy and prevent unnecessary evictions. Particularly those who may be vulnerable due to domestic abuse, age, care experience, mental/physical health, learning disability or other protected characteristic and showing difficulty maintaining their tenancy and;
- explore homeless prevention initiatives, liaising with the council's Housing Solutions team and other local services, to ensure that clients do not become homeless.

Southend-on-Sea City Council's ALMO, South Essex Homes (SEH) have a number of Support Services Officers who provide assistance and advice to residents to help them remain safely in their homes. This can be through money and benefits advice, accessing grants to assist with cost of living, digital inclusion programmes, signposting to other statutory and voluntary services.

Careline and Sheltered Services assist residents to remain in their homes where possible and appropriate for that individual tenant. SEH also work in partnership with organisations from the charity sector e.g., Achieve. Thrive. Flourish (ATF) to provide wider opportunities for improving residents' skills and training, volunteering, and employment opportunities to improve economic situation for families in poverty or 'just about managing'.

The aim, whether delivered by the council or one of its RP partners, is to provide the right aid at the right time, and at times this may be bespoke to a household.

14.3 Referrals to SCC's Housing Solutions Team

Should a tenancy ultimately fail, even with the provision of sustainment, then early referral to the Council for housing options advice is essential. RPs do not have a statutory 'Duty to Refer'. However, in the interests of homelessness prevention, SCC ask all RPs operating in Southend to alert our Housing Solutions Team of any tenants who are at risk of homelessness within the next 56 days via the 'Alert' tool available at:

<https://live.housingjigsaw.co.uk/alert/duty-to-refer>

If possible, fully complete the referral. As a minimum, we'll need contact details of the household being referred along with their signed consent and the reason for the referral. Please note:

1. You must have consent from the client to make a referral.
2. You must allow the client to identify the council they would like the notification to be sent to
3. You must have consent from the client that their contact details can be shared

15. Damp, mould, and condensation

Awaab's law is an amendment to the Social Housing (Regulation) Act and will require landlords to fix reported health hazards within specified timeframes. The move comes in the wake of the tragic death of two-year-old Awaab Ishak, caused by unaddressed damp and mould in his home. All social landlords operating in Southend must ensure their tenant's homes are safe to live in, and this includes:

- a) Effective communication, identification and referral processes for damp and mould
- b) responding promptly to reports of damp and mould
- c) Seeking to swiftly diagnose and address the root cause of the issue
- d) Acknowledging that all tenants should be able to carry out everyday activities such as bathing, cooking, and washing their clothes without stigma or blame.

Best practice example: The Housing Ombudsman requires that damp and mould should not be primarily/initially treated as a lifestyle issue and has begun to highlight cases of good practice as part of a bid to drive a positive complaints learning culture.

Aspire Housing were highlighted for their good practice with regards to a damp and mould case. The Ombudsman reported that Aspire Housing, took a "methodical approach", by first arranging for a surveyor to inspect the home and windows, and subsequently carrying out relevant repairs highlighted that by inspection report. Aspire then did a mould wash and ended the process by advising how the resident could reduce levels of condensation. "This shows how landlords can fulfil repairs obligations and offer advice to residents respectfully without blame," the ombudsman concluded.

Southend-on-Sea city council are reviewing our own approach to damp, mould and condensation and developing a strategy, which will be published on our website. In addition, our ALMO, South Essex Homes, have created a new Damp, Mould, and Condensation Policy, which is compliant with the new legislative and regulatory requirements.

We expect all RPs operating in the city to also be reviewing and ensuring that their practices are compliant with legislative and regulatory requirements, including the emerging new Consumer Standards that the Regulator for Social Housing is currently consulting on, in particular the proposed new 'Safety and Quality' standard.

New damp and mould guidance¹⁰ was also published in September 2023, produced jointly by the Office for Health Improvement and Disparities, the Department for Levelling Up, Housing and Communities (DLUHC) and the UK Health Security Agency. SCC ask

¹⁰ [Understanding and addressing the health risks of damp and mould in the home - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home)

Registered Providers to refer to this guidance, or any replacements, in the development of their approach to damp, mould and condensation.

16. Anti-Social behaviour

We expect all RPs operating in Southend to be committed to preventing and tackling anti-social behaviour in its housing neighbourhoods and recognise the detrimental impact such behaviour can have on the community. If not properly addressed, anti-social behaviour can significantly impact on the quality of life for those affected.

Prevention is an important element of tackling anti-social behaviour in neighbourhoods. On behalf of the council, [South Essex Homes](#) officers will exercise their judgment in order to establish an appropriate response to the report of anti-social behaviour including what has happened, the harm caused or risk of harm, the frequency of incidents, the evidence available and any known vulnerabilities of the people involved. We will work closely with our internal and external partners to prevent anti-social behaviour from occurring. Our range of partnership based preventative work is aimed at reducing anti-social behaviour and its impact for residents, South Essex Homes and partner agencies.

Furthermore, Southend Community Safety Partnership (CSP) is a multi-agency strategic board, bringing together organisations and groups that share responsibility of tackling crime and disorder, anti-social behaviour plus drug and alcohol related offending. Southend CSP works together to ensure that the services they provide, and commission respond to the aim of 'Making Southend Safer'.

The Community Operational Group (COG) was created by the CSP to support a partnership platform, to promote shared learning and problem solve anti-social behaviour issues across the City. **Social housing providers are encouraged to have representation at this group and/or make referrals to the group by contacting southendCSU@southend.gov.uk.** You can also stay up to date with the latest community safety news by signing up to the CSP newsletter by going to southendcsp.org.uk.

Both landlord and tenant have obligations. Where appropriate, the use of relevant legal interventions including, but not restricted to, the Mandatory Ground for Possession, (which means the Court is asked to give possession of the tenants' home back to the Council) and Without Notice Injunctions will be considered.

17. Complaints

As set out in the introduction to this strategy, it is a regulatory requirement that registered providers of social housing must publish clear and accessible tenancy policies. Policies must set out the way in which a tenant or prospective tenant may appeal against or complain about:

- a) the type of tenancy offered;
- b) the length of tenancy offered; or
- c) a decision not to offer another tenancy at the end of an existing tenancy of any type.

A major focus of the reforms to social housing regulation has been on improving the quality of the landlord tenant relationship. The revised/emerging Transparency, Influence and Accountability Standard will support this shift in culture and will require landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account. Registered providers must:

- a) Ensure their approach to handling complaints is simple and accessible.
- b) Publicise their complaints process and what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled.
- c) Provide tenants with information about the type of complaints received and how they have learnt from complaints to continuously improve services.

18. Communication Plan

This tenancy strategy will be published as content on the council website and will also be shared with other RPs with housing in the city. RPs operating in Southend, tenants, and potential future tenants (Home-seekers' Register Applicants) were also consulted with during the development of this strategy.

We ask that all RP Tenancy Management Policies are published on the applicable provider's websites.

19. Equality and Diversity

This strategy supports the Council's commitment to championing equality and ensuring procedures are in place, so all residents are treated fairly and without unlawful discrimination in line with the Equality Act 2010.

An Equality Analysis has been conducted to help ensure the council's strategy does not have unintended consequences/disproportionately negative impacts for those with protected characteristics or care experience.

20. Evaluation and Review

This strategy will be reviewed in 5 years' time, or earlier if there is a legal or business need to do so.

21. Glossary of Terms

Affordable housing: Includes social rented housing, affordable rented housing, and low-cost home ownership such as shared ownership.

Affordable Rent: Rents offered by RPs of social housing at up to 80% of the rent that would be charged if the property were let in the open market.

Fixed Term Tenancy: A flexible tenancy with a fixed start and finish date, usually for 5 years. At the end of the fixed term the tenancy may end or it may be renewed, depending on the criteria for renewal specified in the RP's Tenancy Policy.

Homes England: The national housing and regeneration agency for England, responsible for allocating funding for new affordable housing.

Homelessness duty: A local authority owes the "main homelessness duty" when the authority is satisfied that a homeless household is eligible for assistance, unintentionally homeless and falls within a specified priority need group. Where this duty is owed, the authority must ensure that suitable accommodation is available to the household.

Local Housing Allowance: The current published maximum level of housing benefit payable for particular types of property, based on bedroom size and location.

Management move: Where a tenant, who does not fall within a statutory reasonable preference group is offered a transfer by their landlord for housing management purposes, for example temporary decants to allow repairs to be carried out.

Market rent: The rental income level that a property would most probably command on the open market if rented privately.

Registered Providers of Social Housing (RPs): Registered providers include local authority landlords and private registered providers (such as not-for-profit housing associations and for-profit organisations).

Regulator of Social Housing: The central Regulator for all Social Housing Providers, including Housing Associations and Local Authorities.

Social rent: Rent levels for Social Housing for which guideline target rents are determined through a National Rent Regime aimed at helping ensure that all Social Rent levels are brought into line and are comparable. Social Rents are usually significantly lower than market rent levels.

Supported accommodation: provides residents with care, supervision or support. It is usually managed by a local authority, housing association, charity, or voluntary organisation. It also includes refuges and local authority hostels. Some supported accommodation is known as 'exempt' because it is exempt from the usual caps on housing benefit levels, meaning residents can receive a higher amount of housing benefit than usual.

Tenancy policy: An RP's policy that defines how the provider will make decisions about the types of tenancy they will provide to tenants.

22. Appendix 1: list of PRPs operating in Southend-on-Sea

Registered Providers of Social Housing with stock in Southend on Sea	Contact details
Anchor Hanover Group	0800 731 2020
CWL Housing	01702510523
CHP Limited	enquiries@chp.org.uk
Chrysalis Supported Association Limited	info@chrysalishousing.co.uk
Empower Housing Association Limited	admin@empowerhousing.org.uk
Encircle Housing	contactus@encircleha.co.uk
Estuary Housing Association Limited	info@estuary.co.uk
Golden Lane Housing Limited	enquiries@glh.org.uk
Habinteg Housing Association Limited	direct@habinteg.org.uk
Hastoe Housing Association Limited	0300 123 2250
Heylo Housing Registered Provider Limited	Portfolio@heylohousing.com
Home Group Limited	Contactus@homegroup.org.uk
Homeless Action Resource Project	https://www.harpsouthend.org.uk/message-central-office
Inclusion Housing Community Interest Company	hello@inclusionhousing.org.uk
Legal & General Affordable Homes Limited	cala.group@cala.co.uk
Local Space	info@localspace.co.uk
Metropolitan Housing Trust Limited	CorporateAffairs@mtvh.co.uk
Moat Homes Limited	customer@moat.co.uk
Notting Hill Genesis	policy@nhg.org.uk & info@nhg.org.uk
Orbit Group Limited	https://www.orbitcustomerhub.org.uk/contact-us/email/
Peabody Trust	0300 1233456
Places for People Homes Limited	CSC.General@placesforpeople.co.uk
Sage Housing Limited	020 8168 0500
Salvation Army Housing Association	info@saha.org.uk
Sanctuary Housing Association	contactus@sanctuary.co.uk
Shepherds Bush Housing Association Limited	communications.team@sbhg.co.uk
Southend-on-Sea Young Men's Christian Association	info@southendymca.org.uk
Southern Housing	comms@southernhousing.org.uk & service.centre@southernhousing.org.uk
The Abbeyfield Southend Society Limited	mail@abbeyfieldsouthend.co.uk
The Field Lane Foundation	info@fieldlane.org.uk
The Guinness Partnership Limited	0303 123 1890
The Richmond Fellowship	southendsupportedhosingservices@richmondfellowship.org.uk
The Riverside Group Limited	info@riverside.org.uk