



Agenda

Notice of a public meeting of:

Housing and Leisure Overview and Scrutiny Committee

To:

Councillors Malcolm Taylor (Chair), John Ritchie (Vice-Chair), Karl Arthur, Caroline Dickinson, Foster, Richard Foster, Nigel Knapton, John Mann, Bob Packham, Stuart Parsons, Yvonne Peacock, Clive Pearson, Kirsty Poskitt, Dan Sladden, Phil Trumper and Matt Walker.

Date:

Monday, 25 November 2024

Time:

10.00 am

Venue:

County Hall, Northallerton, DL7 8AD

This meeting is being held as an in-person meeting. Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

You may also be interested in [subscribing to updates](#) about this or any other North Yorkshire Council committee.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Democratic Services Officer whose contact details are below. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

1. Apologies for Absence

2. Minutes of the Meeting held on 2 September 2024

(Pages 3 - 8)

3. Declarations of Interest

All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

4. Public Participation

Members of the public may ask questions or make statements at this meeting if they have given notice to Melanie Carr of Democratic and Scrutiny Services and supplied the text (contact details below) by midday on Wednesday 20 November 2024, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes

on any item. Members of the public who have given notice will be invited to speak:

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

5. **Attendance of Executive Member for Culture, Arts and Housing**
6. **Housing Growth Update** (Pages 9 - 22)
7. **Strategic Leisure Review - Progress Update** (Pages 23 - 44)
8. **Draft Tenancy Policy - Consultation** (Pages 45 - 80)
9. **Draft Tenant Involvement Strategy - Verbal Update On Ongoing Consultation**
10. **Housing Complaints Handling Update** (Pages 81 - 142)
11. **Housing Improvement Board - Verbal Update**
12. **Housing Regulatory - Verbal Update**
13. **Proposals For Scrutiny Review Task Group Work** (Pages 143 - 146)
14. **Work Programme 2024/25** (Pages 147 - 148)
15. **Date of Next Meeting - 10 March 2025**
16. **Any Other Items**
Any other items which the Chair agrees should be considered as a matter of urgency because of special circumstances.

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details

Enquiries relating to this agenda please contact Melanie Carr Tel: 01609 533849 or e-mail:

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Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

15 November 2024

North Yorkshire Council

Housing and Leisure Overview and Scrutiny Committee

Minutes of the meeting held on Monday, 2nd September 2024 commencing at 10.00 am at County Hall, Northallerton.

Committee Members present: Councillor Malcolm Taylor in the Chair; plus Councillors John Ritchie, Caroline Dickinson, Kevin Foster, Richard Foster, Nigel Knaption, John Mann, Steve Mason, Bob Packham, Stuart Parsons, Yvonne Peacock, Kirsty Poskitt, Dan Sladden and Phil Trumper, Alyson Baker (sub) and George Jabbour (sub).

Officers present: Andrew Rowe, Jo Ireland, Carl Doolan, Hazel Smith and Melanie Carr

Apologies: Councillor Karl Arthur and Clive Pearson

Copies of all documents considered are in the Minute Book

13 Apologies for Absence

Councillors Karl Arthur and Clive Pearson gave apologies and were substituted by Councillors George Jabbour and Alyson Baker respectively.

14 Minutes of the Meeting held on 10 June 2024

Resolved – That the Minutes of the last meeting held on 10 June 2024, having been printed and circulated, to taken as read and confirmed as a correct record.

15 Declarations of Interest

Councillors Yvonne Peacock and Bob Packham both declared a personal non-prejudicial interest in agenda item 5 as both were community library managers.

Councillor Dan Sladden declared a personal non-prejudicial interest in agenda item 9 as a private landlord.

16 Public Participation

There were no public questions or statements.

17 Libraries Annual Review 2023-24

Members received a presentation from Hazel Smith, General Manager of NYC Libraries, providing an overview of their work since the last annual update, previously given to the Corporate and Partnerships Overview and Scrutiny Committee.

Members noted the breakdown of library provision provided in Hazel Smith's presentation and the following:

- The increases in books issued - both hard copies and digitally;

- The increases in face to face enquiries and the number of events held;
- The four themes within the Library strategy, and the work undertaken throughout 2023-24 to progress them;
- The refurbishment works undertaken at a number of community libraries;
- The support offered to refugees and asylum seekers;
- The contribution of volunteers;
- The library service contribution to the new council plan;
- The new IT system due to go live in April 2025

Hazel Smith went on to give an overview of the priorities for 2024-25, as detailed in her presentation.

Members welcomed the Arts Council funding to purchase a replacement Mobile Library, noting the current vehicle was reaching the end of its life. They were pleased to note the intention to visit more communities and offer more services following the launch of the new vehicle in 2025.

Members raised concern about the condition of some library buildings, and it was confirmed the intention was to be less reactive and more pro-active in the future, with the introduction of a planned maintenance programme. They also highlighted the need to ensure volunteers were trained on the new IT system.

Finally, the impact of the renovation of Scarborough library on usage was raised, and it was confirmed that there had been a light decrease in actual book issues but a significant rise in digital issues.

Members recorded their appreciation for the work of library staff and volunteers, and it was

Resolved - That the Library Services annual update be noted.

18 Cultural Strategy for North Yorkshire Council - Development Update

Considered – A presentation updating on the development of a cultural strategy for North Yorkshire, provided by the Head of Culture and Archives.

Danielle Daglan, the Head of Culture and Archives provided background to the creation of the new Strategy following the formation of the new North Yorkshire Council and confirmed the key partners involved. Her update included an overview of the information gathered in support including the public consultation and examples of the feedback received.

It was noted that schools across the county would be consulted on the draft Strategy from September onwards. Members acknowledged the symbolic relationship between arts and health, and the benefits of cultural engagement on mental health and health outcomes.

Members were pleased to note that accessibility would be an inherent theme throughout the new Strategy to ensure engagement in cultural activities would be delivered in a range of ways to all. Officers confirmed that once in place, there would be an annual review of the strategy to enable the Council to react to the changing agenda. They also confirmed they were working with City of York Council on their cultural strategy.

Members agreed they would like to hold an additional informal online meeting to consider the finalised draft Cultural Strategy at the appropriate time ahead of its consideration by the Executive so that the committee's views could be taken into consideration.

The Chair thanked officers for their ongoing work to develop the Strategy and it was

Resolved – That:

- i. The presentation be noted.
- ii. An additional informal meeting be arranged to consider the finalised draft Strategy prior to its consideration by the Executive.

19 Strategic Leisure Review - Progress Update

Considered – A presentation on the ongoing strategic leisure review delivered by the Assistant Director for Leisure and Culture.

The presentation provided a progress update on the work underway on the review which included transitioning and transforming services in to a single new in house model and identifying any property related issues.

Jo Ireland, Assistant Director for Leisure and Culture provided examples of the new branding reflecting the range of those who are using the services and confirmed there would be a phased approach to the role of new signage and uniforms.

The presentation provided a timetable for the transfer of venues to the new branding and detailed the ongoing work to engage with staff and move to one IT system. It was recognised there would be some minimal disruption during the IT transition.

The presentation also highlighted the key priorities within the move to a single service which included introducing a consistent approach to pricing and concessions, and contracts and suppliers, and phase II staffing restructures once Richmondshire came back in house in March 2025.

Members considered the risks and issues outlined in the presentation. They also noted the planned two phase approach to the development of a leisure investment strategy, and the public engagement to be undertaken in support of that work. Members were pleased to note it would include engagement with non-users.

Jo Ireland went on to outline:

- planned service developments;
- outreach proposals;
- opportunities to expand the offer;
- an improved active ageing offer;
- work with national parks to develop their health and wellbeing offer;

Overall members were pleased to note the intention to involve those currently providing/ participating in activities outside of council owned facilities, recognising that those venues were all part of the ongoing property services rationalisation review. They also noted the intention to look at supply and demand in order to develop a playing pitch strategy for the shole of North Yorkshire, and to carry out a gap analysis with the aim of addressing the lack of sites/facilities in some parts of the county.

Specifically in regard to the 16 swimming pools across the county, members agreed it would be beneficial to address staffing issues/training in order to build in some resilience and enable staff to provide cover where needed. Jo Ireland confirmed that almost all pools were delivered by the authority, that energy costs were a major issue and that de-carbonisation plans were in place for all pools. Members noted that removing carbon would not necessarily reduce running costs.

The issue of introducing a county wide membership scheme enabling users to use any facility was discussed and it was considered it would require some modelling work to

understand what if any benefits/disadvantages such a scheme would bring. Funding and subsidisation was also raised as an ongoing issue.

Resolved – That the presentation be noted.

20 Housing Policy Framework

Considered – A report of the Corporate Director for Community Development presenting the policy framework for Landlord Services and Housing Standards and a proposed timetable for the development of the necessary policies, procedures and standards required in order to deliver a harmonised service to tenants.

Andrew Rowe, Assistant Director for Housing introduced the report and drew members attention to Appendix C where the required policies, procedures and standards were listed. He noted that in most cases it was about consolidating the existing documents of the legacy stockholding authorities. He suggested that members may wish to focus more on the key standards and policies in the list and asked members to identify those they would like to contribute to the development of.

Having considered the list, the Committee agreed that where possible they would like to be involved both at the policy formation stage and at post public consultation/pre-decision stage. They recognised this would not be possible in all cases given the tight timeframe for developing some of the key standards and policies and that in those instance it would be better to be involved at post public consultation/pre-decision stage.

They recognised that in order to sign up to participate in a particular Task Group, Members would need an understanding of the commitment it would require i.e. the optimum number of task group meetings each review would require and the possible meeting dates when they would need to be available. Given the scale of the task ahead, officers were asked to identify five or so key standards and policies where member contribution via a task group review could add the most value, and to consider what the work of each Task Group might include. Outside of that, members agreed other draft policies should come to the committee prior to their consideration by the Executive Member for Culture, Arts & Housing so that the views of scrutiny members could inform the decision making process.

Officers agreed to draw up a list and potential timetable of Task Group meetings for circulation to committee members via the scrutiny officer.

Resolved – That:

- i. The report be noted.
- ii. Officers draw up a list of key standards and policies with a potential timetable of Task Group meetings for each, for circulation to committee members.

21 Draft Anti-Social Behaviour Policy (Landlord Services)

Considered – A report of the Corporate Director for Community Development presenting a draft landlord policy for anti-social behaviour (ASB) for members consideration.

Carl Doolan, Head of Housing Management and Landlord Services introduced the report confirming the draft policy provided at ppendix A of the report harmonised the three existing policies of the legacy stock-holding authorities and met the expectations within the relevant standard.

Attention was drawn to the draft Good Neighbourhood Management Policy and the draft

ASB procedure at Appendices B & C of the report, and Members suggested:

- More promotional work was required for the public to raise awareness of the ASB Policy and procedure, including where to complain to, and the need to create a diary of events to support a complaint of ASB;
- Improved written communications with the public were required, in particular written feedback on actions taken in response to a complaint;

Carl Doolan confirmed specialist ASB officers had been employed to support tenants in dealing with neighbour disputes and instances of ASB.

Resolved – That the report be noted.

22 Housing Improvement Board Update

Considered – A presentation from the Assistant Director for Housing providing an update on the work of the Housing Improvement Board.

Andrew Rowe, Assistant Director for Housing, provided an overview of the role of the Board and drew attention to the scale of the improvement plan and the four ongoing work streams underway to deliver those improvements.

It was confirmed that in regard to Housing Improvements and Housing – Regulatory (agenda item 11) the Council had self-referred to the Regulator and was awaiting a judgement confirmation of the current position. It was noted that the Council was not expecting any enforcement at this stage and that relations were good with the Regulator.

Overall, Members agreed that completing the stock condition survey work was paramount and were therefore keen to see that work being progressed.

Having considered all the key issues and risks associated with the four work streams as detailed in the presentation, together with the planned next steps, it was

Resolved – That:

- i. The update be noted.
- ii. An update on the work of the Board be provided at each future meeting of the Committee.

23 Housing - Regulatory Update

Members received a brief verbal update on the ongoing Housing – Regulatory work from Andrew Rowe, Assistant Director for Housing.

Members recognised the scale of the work required to comply with the new RSH standards. In particular, they were pleased to note the work to revise and put in place a new Allocation Policy for the Council had already been completed, and welcomed the opportunity to contribute in the future.

Resolved – That:

- i. The verbal update be noted.
- ii. Further updates be provided at future meetings.

24 Work Programme 2024/25

Members considered their work programme and agreed that would like to invite the Executive Member for Culture, Arts and Housing to their next meeting in November 2024 to discuss among other things, the timeframe for delivering the proposed 500 new social housing properties across the county.

Resolved – That the work programme be noted and updated to reflect the discussions at the meeting.

25 Date of Next Meeting - 25 November 2024

The meeting concluded at 12.30 pm.

Housing Delivery

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Overview and Scrutiny – 25th November 2024

Agenda Item 6

Delivery of 500 (HRA) homes over 5 years – Indicative and overprofiled

	No homes
S106 purchases	70
Open market acquisition	100
Brierley Homes delivery	100
Joint Venture Delivery	300
Direct Delivery	80
Total	650

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Current HRA Projects

- Legacy sites in Harrogate locality – 16 affordable homes
- Purchase of 14 shared ownership homes in Craven locality (s106)
- Looking at the redevelopment of Neville house site, Skipton – delivery of 16 homes including supported housing
- 13 homes to be purchased through Local Authority Housing Fund (2 of which for temporary accommodation)
- Various leads at feasibility stage

Temporary Accommodation Delivery

- Target 90 homes
- Business Case: 60 direct delivery and 30 homes by working with Registered Providers
- Homes purchased to provide accommodation for 19 households - at various stages of becoming available for occupation
- Reviewing potential sites for a Place of Change
- Various leads at feasibility stage

Housing Delivery Routes for NYC land

Site Disposal	Direct Delivery	Brierley Homes	Joint Venture
<p>• Immediate Capital Receipts</p> <p>• Potential to include requirements such as % of affordable homes, standards, long stop dates etc.</p> <p>• De-risking and planning prior to disposal</p> <p>• Potential for requirement for first right of refusal on s106 affordable homes</p>	<p>• Ability to deliver housing priorities including HRA homes</p> <p>• Delivery of supported housing</p> <p>• Development risk sits with the Council</p> <p>• Greater control over quality, standards and design</p>	<p>• Focus on and experience in market housing</p> <p>• On Council owned land – first right of refusal for HRA</p> <p>• Potential to include delivery of Council priorities</p> <p>• Pipeline needs to reflect capacity</p>	<p>• 50/50 profit</p> <p>• Delayed payment for land asset but potential additional profit</p> <p>• Shared development risk</p> <p>• Accelerated delivery and ability to deliver at scale</p> <p>• Experience of Supported Housing and added social value</p> <p>• Ability to more readily secure grant opportunities – instils confidence in funding bodies</p>

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Considerations for NYC land disposal route

- Capital receipts vs delayed dividend/capital receipt (increased value subject to development risk)
- Scale of delivery (number of homes)
- Ability to secure external funding
- Control over standards and quality (NSSD, carbon neutral, accessibility etc)
- Ability to deliver supported housing
- Balance of exposure to development risk and potential higher returns
- Balance of pipeline and capacity
- Avoid flooding the market

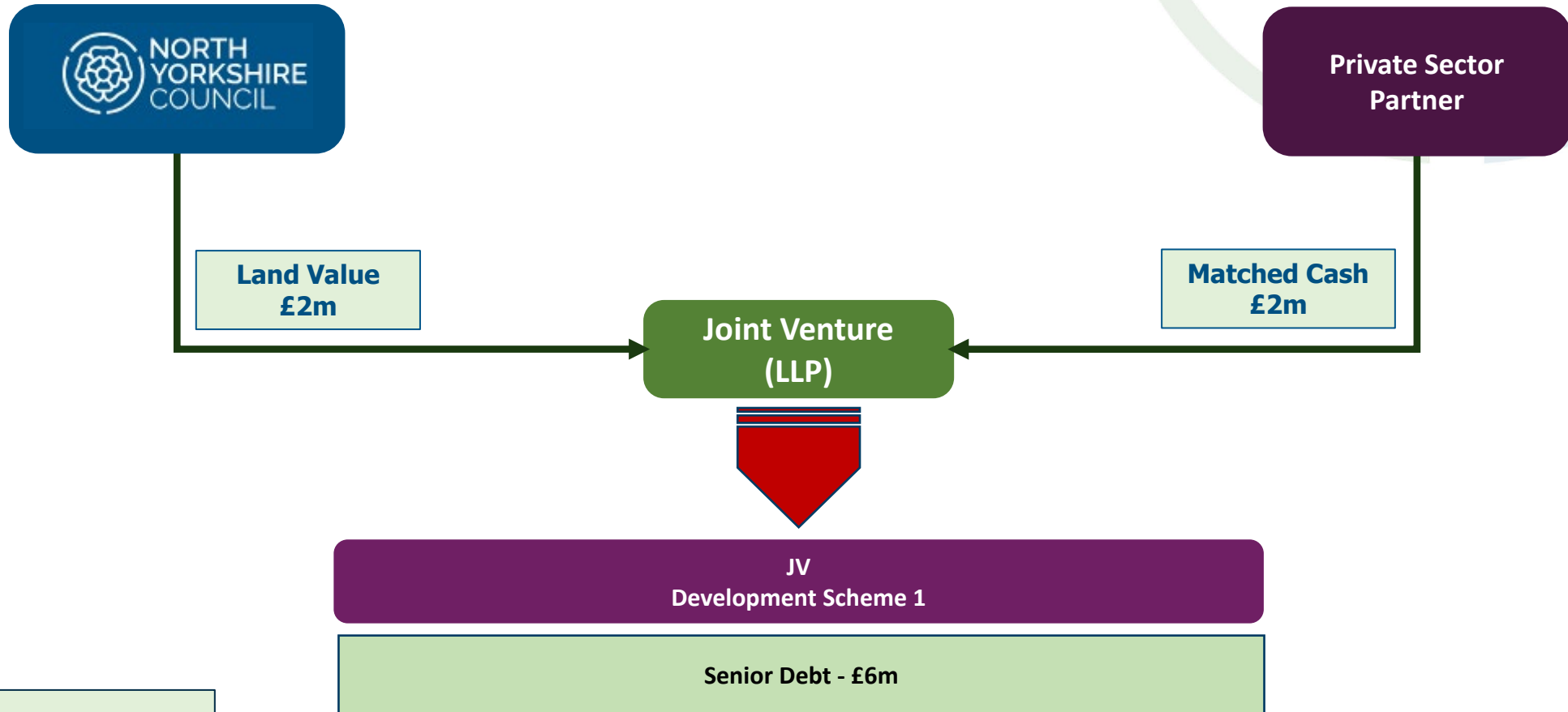
New Delivery Vehicle – Joint Venture

- To be used alongside other methods such as land disposal, Brierley Homes, direct delivery
- 50/50 share with private sector partner
- Original procurement by Scarborough Council – 95% of work done
- Ability to deliver large scale developments
- Share funding, risk and rewards
- Opportunity to deliver increased affordable housing
- Delivery of high quality housing

Adapting Joint Venture – fit for North Yorkshire

- Consider sites across North Yorkshire (not just Scarborough)
- Ability for the HRA to purchase both s106 affordable homes and grant funded affordable homes

Example – £10m scheme cost

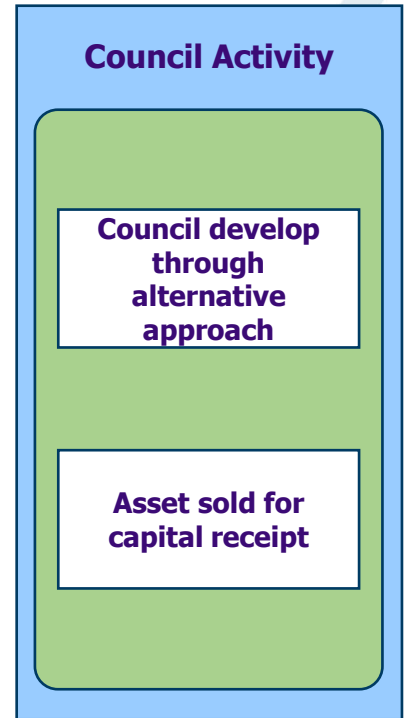
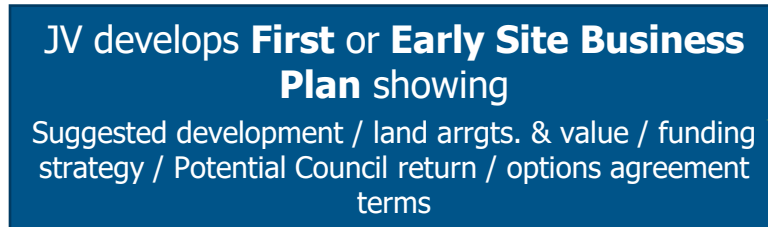
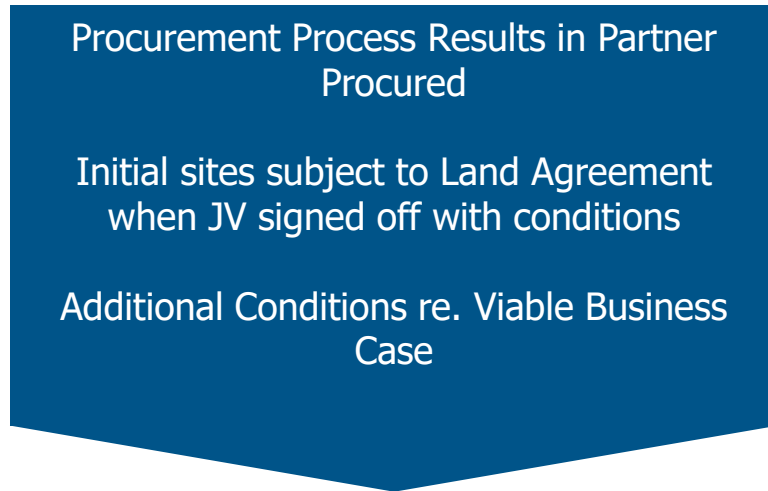
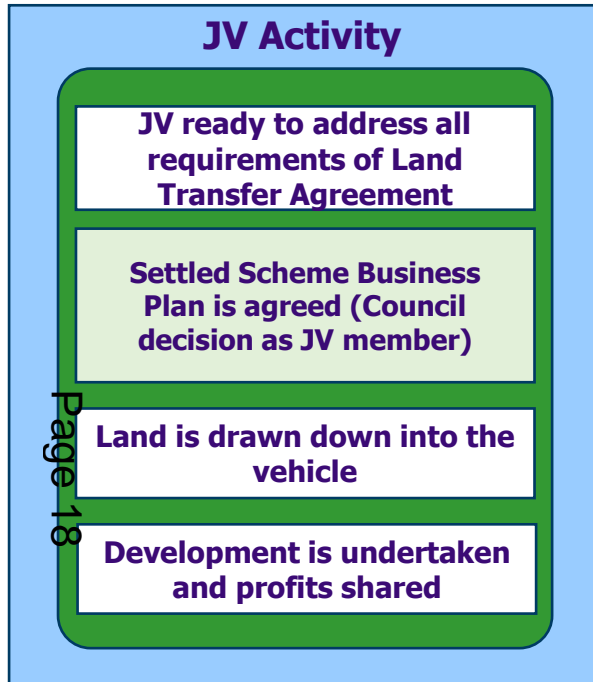


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Example Scheme

- Scheme Cost - £10m
- Land Value - £2m

Business plan process



Managing risk (1)

Risk	Mitigation
Only most profitable sites are developed and non-viable sites are left	Control the release of sites/phases, Packaging of sites, structure business plan so land is only released once outputs delivered, secure external funding, include long stop dates and milestones in land transfer agreements
JV partner acts as main contractor and loads costs onto contracts	Agree open book principles with contractor, Overheads and Profits fixed
JV running costs (management accountancy, legal, company secretarial etc) are front funded prior to profits materialising, risk of abortive costs	Minimise JV running costs prior to any profits materialising, undertake benchmarking
Profits are not covering costs and putting the Council's investment at risk	Manage the transfer of land carefully and phase appropriately, land only to be transferred once planning permission in place and detailed business plan developed, Monitor risk exposure closely at board level

Managing risk (2)

Risk	Mitigation
Build cost increases once in contract	Transfer risk where appropriate to contractor balanced with potential of increased costs, manage and limit contract value
Market downturn	Slow down build rate, increase affordable homes to provide certainty of sales, phase appropriately
Underperformance by JV partner putting the Council's investment at risk	Manage the transfer of land carefully and stagger appropriately, Monitor closely at board level, ensure trigger points that allow land to only be transferred when specific milestones/outputs are met
Investment at risk (Land and funding)	Potential to establish separate vehicles for individual sites or a selection of sites.

Governance

- Partnership Board - 3 representatives for each Member of the Joint Venture (3 NYC representatives, 3 Private Sector Partner representatives)
- Partnership Board meets quarterly and as required to monitor risk, progress, finance and outputs
- Option to appoint one Independent Representative
- Council oversight via Shareholder Committee and Executive (where appropriate)
- Delegation Policy drafted
 - Approval of the respective Members (the Council and Private Sector Partner)
 - Approval Partnership Board

Questions?

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Strategic Leisure Review: Update for Overview and Scrutiny

25th November 2024

Part of

Transition to a single service



Part of





Transfer Timetable

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- **Selby** (IHL) – successful and smooth transfer completed on 1st September 2024. Positive feedback from customers and staff. Lessons learnt applied to future transfers.
- **Harrogate** (Brimham's) – 1 December 2024
- **Richmondshire** (RLT) – 1 March 2024

- **Scarborough and Ryedale** (EA) – June 2027



Part of



Transfer Updates

- Project management teams in place and work is progressing well
 - TUPE – staff engagement
 - ICT – systems/website/app
 - Finance – integrations/direct debits/bank
 - Contracts/suppliers
 - Internal and External communications
-
- **Key Issues** – freelance (Selby) and casual staff (Brimhams)
 - Short term solutions in place
 - Longer term solutions being developed
 - Phase 2 restructure following RLT transfer

New You (Adult Weight Management)

New service – Launching Jan 2025

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- Weight loss
- Change in body shape
- Feeling healthy
- Increased confidence
- Type 2 diabetes remission
- Increased mobility
- Ability to be active with the family
- Enjoying life



Part of



Risks and Issues

Overall the transfer programme is showing Amber.

No red risks and mitigations in place.

Key risks include:

- **Complex size and scale** of the programme
Pace and volume of activity increases demands on stretched and competing resources both within and outside the service.
- **Loss of staff (Casual and freelance)** – unhappiness with new terms and conditions
- Disjointed processes and no single leisure management system - No single set of performance and management data. (preliminary work on new LMS has commenced)
- **Loss of income** due to disjointed customer journeys, sub optimal marketing and communications, poor service transfers. (programmes in place aim to mitigate this)
- **Increased costs** – e.g. unknown or incomplete information, sub optimal workarounds, extension to contracts etc.

Lets Talk Active



Part of



Lets Talk - Active

- 3281 respondents
- Most people say they are very happy (16%) or happy (40%) with their current level of activity, although more than a quarter are unhappy (20%) or very unhappy (7%).
- Around half the people are very happy (14%) or happy (36%) with their opportunities to be active, while more than a quarter are unhappy (20%) or very unhappy (7%).

Nearly three-quarters (74%) say they do 30 minutes or more of physical activity at least 3/4 days a week (majority of people from all age groups say they do this level of activity).

- The activity levels of those taking part in the survey are broadly in line with the activity levels of the wider population.
- The most popular outdoor activities are walking, cycling, running, and swimming.
- Fitness classes, swim sessions and gym sessions are the most popular indoor activities.

Factors affecting Activity

- The factors most commonly found to affect the ability to be active a lot or quite a bit are time (42%), price (33%), health conditions (30%), travel (28%) and suitability (27%).
- Younger age groups are much more likely to rate price and time as affecting their ability to be active.
- Childcare is much more likely to be rated as a main factor by those in the 30 to 39 and 40 to 49-year age groups.
- Health conditions are more likely to be rated as a main factor by older age groups and those who consider themselves disabled or as having a health condition.

Leisure Centres

- Slightly more than half (51%) of people say they never do physical activity at a leisure centre, while nearly 40% do physical activity at least 1 or 2 times a week.
- Nearly four-out-of-ten people say their most often used leisure centre meets their needs very well (15%) or well (24%), but around one-third say their leisure centre does not meet their needs very well (17%) or at all (16%).

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Reasons people gave for leisure centres meeting their needs include welcoming and supportive staff, the quality and variety of classes and activities, good facilities and equipment, opportunities to meet new people and socialise, and community-focused programmes and events that encourage participation, convenient locations, and flexible timings of sessions.

- Reasons why people say leisure centres do not meet people's needs include limited class availability, cost, facility issues, accessibility challenges, inadequate timetables, lack of specific programmes, booking and membership issues, and preferences for outdoor activities.



Part of



Encouraging More Activity

- Healthy weight, beginners' and health conditions sessions and informal activities are most likely to encourage people to be more active in using leisure services.
- Lower costs and more activities are the improvements most likely to make people use leisure services more. Many people also want to see improvements in health and wellbeing services and community services.

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Priorities (asked to rank top 3 for the Council)

- Community Sports Facilities (73%)
- Health and wellbeing programmes (61%)
- Disability and inclusive facilities (49%)



Part of



Memorable Experiences

Positive

- Supportive staff and instructors
- Social Interaction
- Personal achievements
- Fun and enjoyable activities
- Special events and programmes

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Areas for Improvement

- Facility cleanliness and maintenance
- Booking and availability (difficulty in booking popular classes)
- Accessibility and Inclusivity



Part of



Leisure Investment Strategy



Part of



Leisure Investment Strategy

- Consultant appointed (SLC)
- Assessment of sites undertaken
- Analysis of performance, financial and participation data
- Discussions with key stakeholders undertaken/planned (NHS, ICB, HAS, NY Sport, CYPS)
- Exploration of co-location opportunities (Ripon)
- Initial findings and recommendations in the new year

Transformation and development of Services



Part of



Healthy Communities



Activities without barriers

- I.SWIM/I.ACTIVE inclusive activities Project aimed at establishing both non-aquatic and aquatic activities for disabled people.
- PRIME TIME inclusive, low impact, tactical, intergenerational.
- HALO social club open to disabled people aged 14 and over.
- Inclusive teen sports coaching session for children who have special educational needs or disabilities.
- Springboard youth club for young people who have Aspergers syndrome or high functioning Autism.

Activities Include:

- | | |
|---|--|
| <ul style="list-style-type: none">• Under 5's SEND sensory swim session• 5-8's SEND sensory swim session• Under 5's SEND soft play session• 5-8's SEND soft play session• Sensory den sessions• Boccia | <ul style="list-style-type: none">• Inclusive dance class for adults• Neurodiverse circuit class for adults• Inclusive Supported gym session• Inclusive supported gym session physical disabilities• Curling• Waterskiing |
|---|--|



Part of



Healthy Communities Water Wellbeing



Having a comprehensive Exercise Referral programme, we were keen to maximise the potential of our pools to offer aquatic activity for health.



The Water Wellbeing programme offers exercise referral instructors and swim teachers the opportunity to train to deliver water-based solutions to manage long term health conditions, help clients rehabilitate following injury and provide exercise for pre/post-natal ladies.



To supplement the Water Wellbeing programme, we offer Good Boost and Bump Boost – AI technology providing bespoke activity plans for our participant's.

I find that Good boost classes in the pool are perfect for helping me exercise to avoid undue strain on the issues I have with my shoulder and back. The support I get from being in the water allows me to move with more confidence



Part of



Aging Well

The power of partnerships

Active North Yorkshire have teamed up with NHS colleagues to deliver services that meet the needs of the community and address NHS waiting lists....to include

- **Multifactorial falls risk assessment days** – with 450 patients on the waiting list (Harrogate), the first community MFRA saw 59 people complete an assessment with the NHS frailty team and the Active North Yorkshire delivery team and left with the required medical aids and signed up for a local fall's prevention class.
- **Health fairs** – Delivered in partnership with the NHS frailty team and Selby town PCN patients gained increased knowledge of support services, 59% were scored on the Rockwood frailty scale and 549 clinical codes were updated on patient records.

We deliver Falls prevention classes county wide with referrals coming from GP's, hospitals, social care and self-referral.

Sessions increase strength, balance, confidence, independence and socialisation.



NORTH YORKSHIRE
COUNCIL

Aging Well

As the population are living longer, we are focused on helping people to live **well**, for longer. In response to local health profiles and NHS demand

Sessions are delivered by qualified, experienced coaches with a minimum of L3 Exercise on referral and at least 1 L4 specialism (LTHC)

We deliver

- **Cancer pre/rehab**
- **Exercise with stroke**
- **Exercise with Neurological conditions**
- **Cardiac Rehab P3&4**
- **Bowls for Therapy**
- **Osteoarthritis**
- **Pulmonary rehab**
- **Yoga Therapy**
- **Community walks**
- **Falls Prevention**
- **Weight Management**

My husband has suffered two strokes and has now been diagnosed with vascular dementia, because of all this he finds it difficult to get motivated to move. As a consequence, he quickly loses strength in his core and legs, it's therefore extremely important for him to attend Strong and Steady to maintain this strength. My husband enjoys them, and I can see a big difference after each session.



Part of



Questions and Feedback



Part of



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North Yorkshire Council

Housing & Leisure Overview & Scrutiny Committee

25 November 2024

Draft Tenancy Policy

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

1.1 To consider the Council's draft Tenancy Policy.

2.0 SUMMARY

- 2.1 This report highlights the need for the Council to adopt a Tenancy policy and to undertake consultation on a proposed draft version of that policy which was developed as part of the preparations for Local Government Re-Organisation (Appendix A).
- 2.2 Subject to further legal opinion as well as both tenant and member consultation, the draft policy in its current form sets out what the Councils' approach to the management of its homes could look like in the future. In addition, it covers a broad range of other issues including what type of tenancies the Council could issue.
- 2.3 The draft policy seeks to harmonise the three existing policies which remain in operation in the former Harrogate, Richmondshire and Selby council areas. The purpose of this report is to gain the view of Members to help inform the final recommendation to Executive.

3.0 BACKGROUND

- 3.1 Registered Providers (and which includes North Yorkshire Council) are required by law to meet the expectations set out in the Regulator of Social Housing's consumer standards (Tenancy Standard). The draft Tenancy policy has been updated to ensure that we can fulfil the expectations set out in this particular standard.

4.0 TENANCY POLICY

- 4.1 This proposed policy is a revised policy which was initially developed as part of the preparations for Local Government Re-Organisation. It has been refined further still to ensure that it is up to date, reflects current best practice and to provide assurance that we remain compliant with the Regulator of Social Housing's consumer standards.
- 4.2 It is also currently subject to detailed examination by external Counsel who specialise in this area of housing law.
- 4.3 There are four areas in particular which require specific consideration, and which are set out in the accompanying points for consultation document (Appendix B) as unlike other housing management policies, there was a degree of variation as to how the former legacy Councils approached this area with regards to the types of tenancies they would issue and the rights they would grant to their tenants.

- 4.4 For example, both Selby and Harrogate chose to use the discretion afforded to them through the Localism Act 2011, to offer secure flexible tenancies for new social housing tenants rather than secure lifetime tenancies. This was because they each viewed this as an opportunity to meet their housing needs in a more flexible way.
- 4.5 Richmondshire on the other hand, and in keeping with other registered providers operating across North Yorkshire, took the opposite view. They, together with their tenants, determined that the use of flexible tenancies was inconsistent with their aspirations to develop and support sustainable communities.
- 4.6 Within the consultation document we are proposing that NYC consider adopting the approach taken by Richmondshire and other registered providers (Broadacres, Beyond Housing and Yorkshire Housing in particular) and look to offer the most secure form of tenure to its tenants. This would mean that we would cease to offer flexible tenancies save potentially for very limited circumstances and that all current flexible tenants would convert to fully secure tenants through the operation of time.
- 4.7 The Localism Act 2011 also reduced the statutory rights of succession to spouses and civil partners and which in effect removed the ability for the tenants grown up children or long-term carers who may have lived in the property as their principal home to succeed to the tenancy. Local authorities could however choose to grant such rights contractually through the tenancy agreement if they so wished.
- 4.8 Again, as was the case with the use of flexible tenancies, both Selby and Harrogate opted not to grant such rights meaning that all new tenants from 1st April 2012 onwards had less statutory rights than those who were already tenants at this point. Richmondshire however chose not to limit the rights of succession in this way on the basis that the numbers were not that high and that successions often took place at a difficult time emotionally for those families affected.
- 4.9 However, such an approach can have unintended legal consequences and therefore we have sought the opinion of specialist Counsel generally and on this particular aspect of the policy specifically.
- 4.10 There are no other key changes proposed within the draft tenancy policy.

5.0 CONSULTATION

- 5.1 It is in accordance with North Yorkshire Councils consultation principles that a public consultation be carried out before either this strategy or policy are adopted. The consultation began in October and will run for 8 weeks and end on 20 December 2024.
- 5.2 The draft policy has been published on the consultation area of the NYC website and is being promoted to tenants and stakeholders through targeted communications. The results of our consultation activity will be analysed and taken into consideration in the review of the policy and the outcomes will accompany the subsequent decision report.

6.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 6.1 The Tenancy policy contributes principally to the following Council priorities:
- Place and Environment: Communities are supported and work together to improve their local area.
 - People: People are free from harm and feel safe and protected.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 As a local authority, it is a legal requirement to comply with all relevant legislation and which in this case means the requirements set out within the Localism Act 2011.
- 7.2 As a registered provider of social housing, it is a legal requirement to comply with the Regulator of Social Housing's consumer standards (Tenancy Standard).
- 7.3 Specifically, this particular standard states that, 'Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud.'
- 7.4 North Yorkshire Council has already self-referred to the Regulator indicating that it is non-compliant with a number of requirements across the consumer standards. Failing to harmonise this policy could create a risk of additional non-compliance and further undermine the organisations' credibility.

8.0 FINANCIAL IMPLICATIONS

- 8.1 The main financial implications arising from this report relate to changes in working practices as the proposal to adopt fewer tenancies and make the policy clearer to understand and to implement will reduce the associated bureaucracy. It is however difficult at this stage to pinpoint the exact cost savings that would be achieved as a result.

9.0 LEGAL IMPLICATIONS

- 9.1 As stated above, it is a legal requirement for the Council to have an up-to-date Tenancy policy. Due to the significant complexity of bringing together three quite distinct and highly prescriptive policies, specialist Counsel opinion has had to be sought. This opinion will help us to understand how we can achieve our aims and minimise the risk of any subsequent legal challenge.
- 9.2 It is a requirement of the Regulator of Social Housing Transparency, Influence and Accountability standard for a Registered provider, 'to take tenant's views into account in their decision making about how landlord services are delivered and communicate how tenant's views have been considered.'
- 9.3 It is also good practice and in line with North Yorkshire Councils own consultation principles to consult on a policy which concerns a significant number of its residents (tenants).

10.0 EQUALITIES IMPLICATIONS

- 10.1 An Equalities Impact Assessment form has been completed and reviewed internally. This was a combined approach alongside the revised Tenancy Strategy. (Appendix C)

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A climate change impact assessment form has been completed acknowledging that there are no significant impacts. (Appendix D)

12.0 POLICY IMPLICATIONS

- 12.1 The draft Tenancy policy, or a revised version of it, would replace the three existing Tenancy policies if approved.

12.2 The landlord service would adopt a new, combined policy, following approval, no later than from 1 April 2025 onwards.

13.0 RISK MANAGEMENT IMPLICATIONS

13.1 The Council (in its role as Social Housing Landlord) risks a further breach of the Regulator of Social Housings' consumer standards and which in turn would undermine their confidence in the improvement plan we have already submitted following the issuing of their regulatory judgement earlier this year.

14.0 REASONS FOR RECOMMENDATIONS

14.1 It is a requirement of the Regulator of Social Housing Transparency, Influence and Accountability standard for a Registered provider, 'to take tenant's views into account in their decision making about how landlord services are delivered and communicate how tenant's views have been considered.'

14.2 It is in accordance with North Yorkshire Councils consultation principles that a public consultation be carried out before this strategy and policy are adopted.

15.0 RECOMMENDATIONS

15.1 The Committee are asked to note the report and provide:

- i) Feedback on the content of the draft Tenancy policy.
- ii) Questions as required for discussion with the Executive Member for Housing.

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton

13 November 2024

Report Authors – Carl Doolan, Head of Housing Management & Landlord Services

Presenter of Report – Andrew Rowe, Assistant Director for Housing

APPENDICES:

Appendix A – Draft NYC Tenancy policy
Appendix B – Points for consultation
Appendix C – Equalities Impact Assessment form
Appendix D – Climate Change Impact Assessment form

BACKGROUND DOCUMENTS: none

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

North Yorkshire Tenancy Policy

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1. Introduction

- 1.1 The Regulatory Framework for Social Housing in England from April 2012, published by the Homes and Communities Agency (now Homes England) in March 2012, requires the Council to publish clear and accessible policies, which outline their approach to tenancy management in social housing, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud. The Regulatory Framework specifies what should be included in a tenancy policy.
- 1.2 The Tenancy Policy is written in line with the council's Tenancy Strategy, the objectives of which are:
 - Affordability
 - Sustainability and;
 - Accessibility
- 1.3 The policy sets out our approach to tenancy management, tenancy support and tenancy types offered for council housing tenants and future tenants.
- 1.4 In implementing the policy we comply with the relevant legislation, including, but not exclusively: the Housing Act 1996, the Homelessness Act 2002, the Data Protection Act 2018, the Human Rights Act 1998, the Equality Act 2010 and the Localism Act 2011. We also take due account of Case Law, best practice and government Regulations and Guidelines such as The Charter for Social Housing Residents.

2. Scope of the Policy

- 2.1 This Tenancy Policy applies to North Yorkshire Council's own housing stock under Part VI Housing Act 1996 in accordance with the Council's published Allocation Policy. Those people to whom the Council may owe a duty to secure accommodation under the homelessness provisions of Part VII Housing Act 1996 or Homelessness Reduction Act 2017 will be granted non-secure tenancies or licences where they are accommodated in a Council Hostel and are not covered by this policy.

Any reference to the 'Council' means North Yorkshire Council.

- 2.2 The Policy covers the following matters:
 - [The Granting Of Council Tenancies;](#)
 - [The Monitoring And Review Of Introductory Tenancies;](#)
 - [Variations To Tenancies And Termination](#)
 - [Mutual Exchanges](#)
 - [Legal Assignment And Succession Rights](#)
 - [Tenancy Sustainment](#)
 - [Rents](#)
 - [Anti-Social Behaviour](#)
 - [Tenancy Fraud](#)
 - [Complaints](#)
 - [Equality And Diversity](#)

3. Granting of Council Tenancies

- 3.1 This policy relates to the allocation of social (Council) housing under Part VI Housing Act 1996 in accordance with the Council's published Allocation Policy.
- 3.2 Those people to whom the Council may owe a duty to secure accommodation under the homelessness provisions of Part VII Housing Act 1996 or Homelessness Reduction Act 2017 will be granted non-secure tenancies or licences where they are accommodated in Council owned dwellings including hostels and any which may be designated specifically for rough sleepers. Offers of non-secure accommodation are not allocations under Part VI Housing Act 1996.

Joint Tenancies

- 3.3 An applicant can make an application for a joint tenancy with their spouse or civil partner (this includes cohabiting partners in a long-term committed relationship who have resided together for at least 12 months) provided that they are eligible and meet the qualification criteria set out in the Council's Allocation Policy.
- 3.4 The Council may also permit joint applications or grant joint tenancies with other persons. Any request for such a tenancy will be considered depending on the individual circumstances of the case.

Tenancy Types Offered

- 3.5 A summary of the types of tenancy offered by the council is included at [Appendix A](#)

3.6 **Introductory tenancies will be offered to all New Council Tenants**

North Yorkshire Council operates an Introductory Tenancy Scheme, under the Housing Act 1996. Under s.124 Housing Act 1996, in general, all new tenancies granted by the Council will automatically be introductory tenancies.

- 3.7 All new council tenants will be offered an introductory tenancy for the trial period of 1 year, with the potential to extend the trial period by a further six months. The tenancy will continue to be an introductory tenancy during the trial period.
- 3.8 New council tenants are those people who will have received an offer of an allocation of housing under Part VI Housing 1996 under the council's Allocation Policy but are not already secure tenants of a Council or assured tenants of a Registered Provider.
- 3.9 At the end of the Introductory Tenancy, subject to review, a secure lifetime tenancy will be offered.

4. Review of Introductory Tenancies

- 4.1 All new Council tenancies are automatically introductory tenancies for the first 12 months of the tenancy (the introductory trial period). During this period, the tenancy does not have the same protection as a secure tenancy. The tenancy can be terminated, by order of the court, on the mandatory ground under s.127 Housing Act 1996, subject to service of notice, and the tenant's right to review.
- 4.2 The Council will use the introductory tenancy trial period to carefully assess the suitability of introductory tenants. If successful, the tenant will be offered a lifetime secure tenancy.

- 4.3 If this introductory trial period is not satisfactorily completed, the Council:
- can extend the introductory trial period by up to 6 months (in extending the introductory period, the Council is not providing any security of tenure);
 - or seek possession upon the mandatory basis at any time before the end of the introductory trial period or extended introductory trial period.
- 4.4 If no action is taken to terminate the tenancy within the introductory trial period or extended introductory trial period, then the tenancy will automatically become a secure tenancy in accordance with the agreement.

Monitoring Introductory Tenancies

- 4.5 The Council requires introductory tenants to positively demonstrate, by their conduct during the introductory trial period, that they are suitable recipients of a secure tenancy. This means the Council expects Introductory Tenants to wholly comply with all the tenancy terms during the introductory trial period.
- 4.6 Any problems or potential problems with compliance with the tenancy terms and conditions will be investigated by the council and brought to the Tenant(s) attention at the earliest opportunity, recorded on the housing management file and the Tenant will be reminded of their obligation to comply with their tenancy agreement and the potential consequences of not doing so.
- 4.7 At least 3 months prior to the end of the introductory trial period, a formal introductory tenancy review should be completed.
- 4.8 If, because of monitoring at any point during the introductory trial period, the Tenant(s) has failed to wholly or substantially comply with all the tenancy terms, then the Council should either:
- Extend the trial period by 6 months; or
 - Serve a Notice of Proceedings of Possession
- 4.9 Whatever the decision, the tenant will be informed of their right to a review and of the appeals process.

Monitoring and Review of Extended Introductory Period

- 4.10 Where the introductory trial period has been extended, the council will continue to monitor the Introductory Tenant(s) compliance with their tenancy agreement for the remainder of the extended introductory trial period.
- 4.11 At least 3 months prior to the end of the extended introductory trial period, a further review will be undertaken as to whether to allow the tenant to progress to a secure tenancy or whether a Notice of Proceedings of Possession should be considered to terminate the tenancy. The decision to take action to terminate the tenancy must be proportionate to the circumstances of the case.

Notification of Review Decision and Right to Review

- 4.12 The Tenant(s) will be notified in writing of the outcome of the decision on the review, and whether:
- (a) the tenancy will be terminated; or
 - (b) the tenancy will be extended for 6 months and reviewed again (a tenancy may only be extended once); or
 - (c) the tenancy will become a secure tenancy at the end of the introductory trial period.

Successful Completion of Introductory Tenancy Period

- 4.13 On the successful completion of the initial or extended trial period (that is, without a Notice of Proceedings for Possession having been served), the tenant will automatically become a secure tenant according to the original offer of tenancy.

5. Variations to Tenancies and Termination

Termination by the tenant

- 5.1 A tenant may end their tenancy at any time by giving the Council at least four weeks written notice. There is no particular form of notice required and notice may be given by letter, but it must be clear that the tenant's intention is to end the tenancy.
- Whatever form of notice is used it must state the date the tenancy will end and give 4 weeks clear notice from the date of receipt by the Council.
- 5.2 Failure to give proper notice will leave the tenant responsible for rent and other charges.
- 5.3 In the case of a joint periodic tenancy, either tenant can end the whole tenancy, without the consent of the other. The Council may, in its absolute discretion grant a replacement tenancy to the remaining sole tenant, taking into account all the circumstances of the case.
- 5.4 In respect of any residual flexible tenancies, then 4 weeks' notice must be given in writing by both tenants and in accordance with any tenancy terms.
- 5.5 The Council may, at its discretion, accept a shorter period of notice than 4 weeks. In this case, to ensure certainty, the Council should write to the tenant accepting the short notice. This would be treated as a surrender of the tenancy.
- 5.6 Tenants will be required to make good any damage and must allow the Council to inspect the property before they leave. In default, the Council will carry out any repairs and may re-charge these to the former tenant. In these circumstances a surrender of the tenancy would not be accepted.
- 5.7 At the end of the four weeks' notice period, tenants must vacate their home and hand all keys back in accordance with the tenancy agreement and handbook. All rent due must be paid. All family members, occupants and pets must also leave the property at this time. Where unauthorised occupants are left in occupation legal proceedings will commence for vacant possession of the property.

Termination by the Council

- 5.8 The Council may commence termination of secure tenancies at any time by seeking possession upon any of the statutory grounds set out in the Housing Act 1985 from time to time. This includes the mandatory ground for possession on the grounds of ASB in s.84A Housing Act 1985.
- 5.9 The Council may also terminate a tenancy by Notice to Quit upon the death of the tenant where there is no statutory or contractual successor. In some situations, this may require the Council to apply to the Office of The Public Trustee.
- 5.10 The Council may also terminate a tenancy which ceases to be secure, for example by reason of the tenant condition not being satisfied (e.g. where the tenant has ceased to occupy the property as his only or principal home or has sub-let or parted with occupation of the property).
- 5.11 The Council may also commence the termination of tenancies for the purpose of demolition, redevelopment, repair or improvement or in accordance with the Council's policies and procedures.

6. Mutual exchange

- 6.1 This section sets out the policy relating to mutual exchanges under Section 92 of the Housing Act 1985 (dealing with assignments), and requests for transfer under s.158 Localism Act 1996. Introductory tenants are not able to request mutual exchange.
- 6.2 Homeswapper and similar sites enable existing social housing tenants (this means tenants of councils and housing associations) the opportunity to swap their home with another, often called 'mutual exchanges', once they have the permission of all landlords involved.

Responding to Requests for Mutual Exchange

- 6.3 The Council will respond to mutual exchange applications within 42 days of the application, or the Council cannot rely on the grounds for refusal set out in Schedule 3 of the Act.
- 6.4 The Council will only refuse a request for a mutual exchange for a limited number of reasons, which are defined by law (The Housing Act 1985 and the Housing Act 2004) (included at Appendix C).

Additionally, further conditions could be appended to exchange agreements where the following are true:

- the exchange will result in under-occupation
- where there are rent arrears or other breaches of tenancy (e.g. ASB) until the arrears are cleared or the ASB issues resolved
- where the property to be vacated has not been kept in a good condition

- 6.5 If the Council refuse consent for a mutual exchange, the Council will give the full reasons for this. There is a right of review against this decision.

Grant of Tenancy by Mutual Exchange

- 6.6 A mutual exchange operates by assignment of the tenancy under s.92 Housing Act 1985. It is the tenancy to which secure status under Pt. 4 Housing Act 1985 attaches, although that status as a successor travels with the individual under s.88(3) Housing Act 1985.
- 6.7 Accordingly, in most cases, new tenants by way of mutual exchange do not need to sign a new tenancy agreement as they will automatically become tenants under the original tenancy (see Assignment below). The new tenant's full details should however be obtained for the Council's records.

7. Legal Assignment and Succession

Assignment

- 7.1 An assignment is where a tenancy is transferred to another person. The incoming tenant (assignee) 'steps into the shoes' of the outgoing tenant (assignor) and occupies under the same terms, taking on the rights and responsibilities of the tenancy.
- 7.2 Section 91 of the Housing Act 1985 allows assignment under the following three grounds:
- Assignment by way of exchange (mutual exchange)
 - Assignment to someone who would be qualified to succeed the tenant on the tenant's death
 - Where a court makes a Property Transfer Order in connection with matrimonial proceedings or civil partnership proceedings, or proceedings under the Children Act 1989.

7.3 Introductory and secure tenants have the right to assign the tenancy to a person who has a statutory right of succession to the tenancy.

7.4 The Council must be satisfied that the assignee would be entitled to succeed to the tenancy upon the tenant's death. An assignment of a tenancy will count as succession to the tenancy and so no further succession rights will arise after the assignment of a tenancy.

Joint tenants cannot assign to one another.

Succession

7.5 There can only ever be one statutory succession to a council tenancy.

The Localism Act 2011 allows for local authorities to limit the rights of succession (and assignment) to spouse / civil partner. In particular, it limits the ability for the tenant's grown-up children or long-term carers who have lived in the property as their principal home, to succeed to the tenancy should the tenant die or go into long term care.

7.6 The surviving tenant of a joint tenancy will automatically take over that tenancy, but no-one else will be able to succeed when that person dies. If the person who died was a sole tenant, the husband, wife or civil partner, can succeed provided they can evidence that they were living in the home at the time of death.

7.7 For lifetime (secure) tenancies which started before 1 April 2012, if there is no surviving spouse or civil partner, a family member may be able to succeed if they can demonstrate that they have been living at the home for at least a year before their death.

7.8 The Council may, in certain circumstances, allow a succession of a tenancy to a person who is not a spouse or civil partner of the deceased tenant, provided that that person resided with the deceased tenant at the deceased tenant's home for at 12 months prior to the deceased tenant's death, and subject to a move to alternative accommodation should the succession result in an under occupation of the premises.

8. Tenancy Sustainment

8.1 The Council has over 8300 social rented properties and is committed to ensuring that tenants are well informed about their rights, responsibilities and how to access services. A wide range of information will be available to them.

8.2 The Council will, through its Tenant Involvement Strategy, keep tenants informed of the issues which affect them and their homes and communities, and the Council will work to ensure residents have a proper say in decision making.

8.3 The Council will support tenants to sustain their tenancies; this includes working closely with support workers where appropriate and assisting tenants to manage their finances.

8.4 The Council recognises that tenants can become vulnerable at any point in their tenancy for a number of reasons such as illness, age or financial difficulties and where we are made aware of difficulties we will, as a responsible landlord, provide appropriate support.

- 8.5 Ending a social housing tenancy and seeking possession for a breach of tenancy conditions is always a last resort and is only ever considered after all available support has been offered but has been declined or failed. Even once possession is being pursued, support will continue to be offered and throughout any possession proceedings, tenants will be clearly advised of the seriousness of the situation and of their legal rights

9. Rents

Social Rents

- 9.1 Most of our properties will be rented at ordinary social rent levels. This is calculated using the value of the property and the average earnings in the area. The Council agrees rent increases each year that usually follow the Government's rental policy statement. Some homes also attract service charges in relation to various services that occupiers would usually have to provide or pay for themselves, e.g. heating, caretaking, communal area cleaning and window cleaning. These service charges will be set annually, based on actual costs.

Affordable Rents

- 9.2 The Council intends to develop new homes either to replace homes that are no longer sustainable, or to increase opportunities to help more people in housing need. In line with the national "Affordable Rent" model, these homes may be charged at rents (including any service charges) that are up to 80% of the open market rent in the area but will not be above the maximum level applicable for housing benefit. In practice, affordable rents will be set at a level affordable to local people, where 'affordable' means that no more than 40% of income should be spent on housing costs.

10. Anti-Social Behaviour

- 10.1 'Anti-social behaviour' is a broad term for describing different types of behaviour but for the purposes of this policy we mean behaviour that:
- is capable of causing a nuisance or annoyance to any person; and
 - which directly or indirectly relates to or affects the landlord's housing management functions; or
 - conduct which consists of, or involves using or threatening to use, housing accommodation owned or managed by the landlord for an unlawful purpose.
- 10.2 We expect our tenants to behave responsibly and with consideration and not to commit or allow their family, household members, visitors or pets to commit acts of ASB. This includes harassment, noise nuisance, annoyance or disturbance, whether to other residents, their visitors or other people in the area including council employees and contractors working on our behalf. These expectations are clearly set out in the tenancy agreement and are fully explained to all new tenants at sign-up.

North Yorkshire Council will take action against tenants in cases of anti-social behaviour.

11. Tenancy Fraud

- 11.1 We will not tolerate fraud which allows applicants for social housing to prioritise themselves unfairly over other applicants and we will stipulate this within our revised tenancy agreement.
- 11.2 Tenancy fraud includes, but is not restricted to, incorrect or false information being provided on an application for housing, or where a succession has been requested. Action may include loss of the home, in which case an application as homeless may be turned down following assessment as the loss may be deemed to be intentional.

12. Miscellaneous

12.1 **Management Transfer of properties** The Council may need to undertake major works to a property, in which case may require the tenant to move to an alternative property. If this does happen this may affect the tenants' right of succession and assignment.

12.2 **Property Condition** The Council will ensure that its properties are maintained to good state of repair and are fit for human habitation.

13. Complaints

13.1 The Council will deal with all tenancy related complaints in accordance with the Housing Ombudsman's Code for Complaint Handling.

13.2 The Council will regularly report on its complaints performance and publish any outcomes and lessons learnt in correspondence with tenants and its annual report.

13.3 Tenants will regularly be reminded of the complaints procedure and signposted to the various means of complaining, as well as being provided with details of the Housing Ombudsman's Code for Complaint Handling and the Ombudsman's contact details.

14. Equality and Diversity

14.1 Accessibility – we are committed to ensuring that our services, policies and properties are accessible to all. Our reasonable adjustments policy means that we will take any reasonable steps to ensure that those who require additional support to contact us can do so easily. We will regularly collect and monitor equalities information, to ensure that no one will be treated any less favourably than anyone else because of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

14.2 Adaptations – we are committed to ensuring that tenants are allocated homes which meet their needs but that, thereafter, should their needs change, the Council will provide assistance in terms of housing adaptations and/or transfers to suitable properties.

15. Policy Review

15.1 This Tenancy Policy will be subject to regular review and any changes will be agreed with the relevant Executive Member. Any significant changes will be consulted on, and an impact assessment completed.

Glossary

Assignment	This is passing on a tenancy to someone else. This can only be done with our written permission and usually only to someone with a right of succession. The only exceptions are if a court orders an assignment because of a relationship breakdown or if tenants, or if tenants are exchanging their homes (mutual exchange).
North Yorkshire Allocation Policy	A single allocation policy, which determines who is eligible for housing and the priority they are given, operates across North Yorkshire.
Succession	If the tenant dies then in certain circumstances anyone living with the tenant as a wife, husband or civil partner can take over the tenancy.
Rents	
<i>Affordable rent</i>	An affordable rent is a rent up to 80% of the market rent. This term is only used for those properties built with grant funding from Homes England which we have agreed to let at this level of rent.
<i>Intermediate/sub-market rent</i>	Intermediate and sub-market rents are below a market rent
<i>Market rent</i>	A market rent is the rent of a similar properties let on the open market
<i>Social rent</i>	A rent that is calculated by a formula set by the Government that takes into account value, size and local earnings
Tenancies	
<i>Introductory Tenancy</i>	This is a probationary tenancy granted to new tenants for a period of 12 months. If the tenant conducts the tenancy satisfactory then they will be granted a Secure Tenancy. If they do not comply with the tenancy conditions the probationary tenancy can be extended up to a total of 18 months or the tenancy can be terminated through a possession order from the courts.
<i>Secure Tenancy</i>	This is a tenancy which gives the tenant long-term security. We can only evict the tenant if we get a possession order from the courts.
Tenancy Strategy	Under the localism Act 2011, all local authorities must have a tenancy strategy setting the type of tenancies it will offer, the length of any fixed term and what happens at the end of the fixed term.

Appendix A – Tenancy Types

Type of Tenancy	Relevant legislation	Brief description
Non-secure tenancies	Common law Protection from Eviction Act 1977 Schedule 1 Housing Act 1985 s.89 Housing Act 1980	Certain types of tenancy cannot be secure tenancies. These are specified in Schedule 1 of the Housing Act 1985 and include tenancies granted to homeless persons and asylum seekers, and properties let to the Council for use as temporary housing accommodation under Sch.1, paragraph 6 of the Housing Act 1985. These will also be used in accommodation owned by the Council to support rough sleepers or those at risk of rough sleeping.
Service licences	Common Law Protection from Eviction Act 1977 Schedule 1 Housing Act 1985 Ground 7 Sch 2 Housing Act 1985	Service licences or non-secure tenancies may be granted to persons in consideration of their employment (such as residential caretakers). Such persons will usually be service licensees or service tenants and will not have security of tenure. Service licences may also occasionally be used for very short-term arrangements. Legal Advice should be sought when considering such a licence.
Introductory tenancies	Housing Act 1996 Housing Act 1985	Introductory tenancies are subject to a 12 month ‘probationary’ or trial period during which the tenancy may be terminated on a mandatory ground in accordance with this policy. The trial period may also be extended by 6 months. All new Council tenancies are introductory tenancies.
Weekly periodic (lifetime) secure tenancies	Housing Act 1985	These are traditional Council tenancies, often known as lifetime tenancies, which last from week to week until terminated in accordance with specified Grounds for Possession (Schedule 2 Housing Act 1985) or where terminated following receipt of the required Notice to Quit from the tenant.

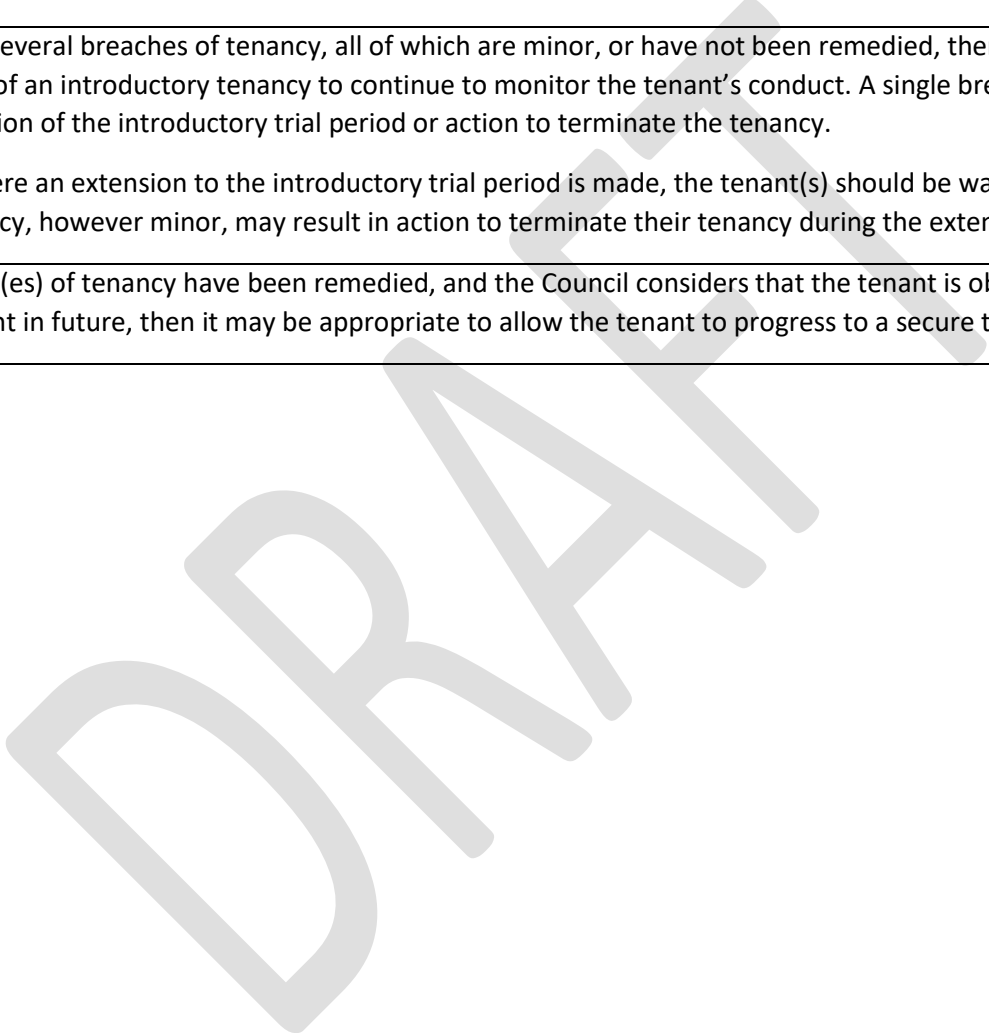
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Appendix B – Introductory Tenancy Review Criteria

Event	Action
<p>Rent Arrears</p>	<p>In most, but not all cases where a tenant has accrued more than 2 months’ rent arrears, this will usually justify the service of a NOPP.</p> <p>In other cases, the Officer should consider:</p> <ul style="list-style-type: none"> (a) Whether the default has been remedied and any arrears cleared; (b) If not, whether the default will be remedied and the arrears cleared before the end of the trial period; (c) Whether the failure to pay rent has occurred once, or on several occasions; (d) The reasons for non-payment; (e) Whether the tenant(s) have kept to past promises of payment; (f) Whether the Tenant(s) are realistically likely or to be able to pay the rent promptly in advance in the future. <p>Where the tenant(s) has agreed to a repayment plan and has kept to that plan for at least 3 months, then they should be allowed to proceed to a secure tenancy.</p>
<p>Anti-social Behaviour</p>	<p>If the breaches of tenancy relate to ASB, then the Officer should take into account the ASB Policy generally.</p> <p>Serious breaches of tenancy will normally justify the service of a NOPP. (see below).</p>
<p>Other serious breach of tenancy</p>	<p>If the breach(es) of tenancy are serious or on-going, then the Council will usually seek to serve a NOPP and terminate the introductory tenancy following an order of the court prior to the formal review process.</p> <p>The Council will also usually seek to terminate the introductory tenancy where it considers that the tenant is objectively unlikely to be able or willing to comply substantially or fully with all of the terms of the tenancy agreement in future.</p> <p>In cases where the Council takes action to terminate an Introductory Tenancy then the tenant may be considered intentionally homeless in respect of any subsequent application for housing.</p>

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Deterioration in condition of property	Officers will carry out an inspection of the property prior to concluding the review to assess the condition of the property and the tenant's compliance with the terms as to keeping the interior of the property in a reasonable condition .
Minor breaches of tenancy	<p>Where there are several breaches of tenancy, all of which are minor, or have not been remedied, then the Council considers that this may justify a 6-month extension of an introductory tenancy to continue to monitor the tenant's conduct. A single breach of tenancy which is more than minor may also justify extension of the introductory trial period or action to terminate the tenancy.</p> <p>In such cases, where an extension to the introductory trial period is made, the tenant(s) should be warned at the earliest opportunity that further breaches of tenancy, however minor, may result in action to terminate their tenancy during the extended trial period, before it becomes secure.</p>
Breaches of tenancy remedied	Where the breach(es) of tenancy have been remedied, and the Council considers that the tenant is objectively able and willing to comply with the tenancy agreement in future, then it may be appropriate to allow the tenant to progress to a secure tenancy.



Appendix C – Grounds for Refusal of a Mutual Exchange Application

Ground 1

The tenant or the proposed assignee is subject to an order of the court for the possession of the dwelling-house of which he is the secure tenant.

Ground 2

Proceedings have been begun for possession of the dwelling-house of which the tenant or the proposed assignee is the secure tenant on one or more of grounds 1 to 6 in Part I of Schedule 2 (grounds on which possession may be ordered despite absence of suitable alternative accommodation), or there has been served on the tenant or the proposed assignee a notice under section 83 or 83ZA (notice of proceedings for possession) which specifies one or more of those grounds and is still in force.

Ground 2A

Either—

(a) a relevant order, a suspended anti-social behavior possession order or a suspended riot-related possession order is in force, or

(b) an application is pending before any court for a relevant order, a demotion order, an anti-social behaviour possession order or a riot-related possession order to be made, in respect of the tenant or the proposed assignee or a person who is residing with either of them.

A “relevant order” means—

an injunction under section 152 of the Housing Act 1996 (injunctions against anti-social behaviour);

- an injunction to which a power of arrest is attached by virtue of section 153 of that Act (other injunctions against anti-social behaviour);
- an injunction under section 153A, 153B or 153D of that Act (injunctions against anti-social behaviour on application of certain social landlords);
- an anti-social behaviour order under section 1 of the Crime and Disorder Act 1998;
- an injunction to which a power of arrest is attached by virtue of section 91 of the Anti-social Behaviour Act 2003 or section 27 of the Police and Justice Act 2006.
- an injunction under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014;
- an order under section 22 of that Act.
- an “anti-social behaviour possession order” means an order for possession under Ground 2 in Schedule 2 to this Act or Ground 14 in Schedule 2 to the Housing Act 1988.
- a “demotion order” means a demotion order under section 82A of this Act or section 6A of the Housing Act 1988.
- a “riot-related possession order” means an order for possession under Ground 22A in Schedule 2 to this Act or Ground 14ZA in Schedule 2 to the Housing Act 1988.

Where the tenancy of the tenant or the proposed assignee is a joint tenancy, any reference to that person includes (where the context permits) a reference to any of the joint tenants.

Ground 2B

The dwelling-house is subject to a closure notice or closure order under Chapter 3 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.

Ground 3

The accommodation afforded by the dwelling-house is substantially more extensive than is reasonably required by the proposed assignee.

Ground 4

The extent of the accommodation afforded by the dwelling-house is not reasonably suitable to the needs of the proposed assignee and his family.

Ground 5

The dwelling-house:

(a) forms part of or is within the curtilage of a building which, or so much of it as is held by the landlord, is held mainly for purposes other than housing purposes and consists mainly of accommodation other than housing accommodation, or is situated in a cemetery, and

(b) was let to the tenant or a predecessor in title of his in consequence of the tenant or predecessor being in the employment of:

- the landlord,
- a local authority,
- a development corporation,
- a housing action trust
- a Mayoral development corporation,
- an urban development corporation, or
- the governors of an aided school.

Ground 6

The landlord is a charity and the proposed assignee's occupation of the dwelling-house would conflict with the objects of the charity.

Ground 7

The dwelling-house has features which are substantially different from those of ordinary dwelling-houses and which are designed to make it suitable for occupation by a physically disabled person who requires accommodation of the kind provided by the dwelling-house and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground 8

The landlord is a housing association or housing trust which lets dwelling-houses only for occupation (alone or with others) by persons whose circumstances (other than merely financial circumstances) make it especially difficult for them to satisfy their need for housing and if the assignment were made there would no longer be such a person residing in the dwelling-house.

Ground 9

The dwelling-house is one of a group of dwelling-houses which it is the practice of the landlord to let for occupation by persons with special needs and a social service or special facility is provided in close proximity to the group of dwelling-houses in order to assist persons with those special needs and if the assignment were made there would no longer be a person with those special needs residing in the dwelling-house.

Ground 10

The dwelling-house is the subject of a management agreement under which the manager is a housing association of which at least half the members are tenants of dwelling-houses subject to the agreement, at least half the tenants of the dwelling-houses are members of the association and the proposed assignee is not, and is not willing to become, a member of the association.

Reference to a management agreement includes a section 247 or 249 arrangement, as defined by section 250A (6) of the Housing and Regeneration Act 2008.

Points for Consultation

Aspect	Current position	Preferred option and reasons why	Alternatives to consider
Flexible Tenancies (5-year fixed term)	Flexible tenancies were operated by both Selby and Harrogate but were never adopted by Richmondshire.	<p>Cease to offer Flexible Tenancies and convert existing ones to fully secure tenancies over time.</p> <p>This will reduce the administration for the housing team and more importantly, provide additional security for all tenants. This is the approach now being adopted by most Local Authorities.</p>	<ul style="list-style-type: none"> Retain flexible tenancies and extend to all new tenants including Richmondshire. Retain flexible tenancies for some tenants in certain situations such as those who have been offered larger homes or homes which have been significantly adapted for example.
Succession rights	Both Selby and Harrogate opted to restrict succession rights to tenancies which started after 1 April 2012. Richmondshire opted to grant discretionary rights of succession.	<p>Adopt the approach taken by Selby and Harrogate and limit the rights of succession to those set out in statute for all new tenants.</p> <p>This is legally the more straightforward option and easier to understand to implement.</p> <p>Discretion can also still be given to grant a new tenancy where appropriate.</p>	<ul style="list-style-type: none"> To adopt the approach taken by Richmondshire and offer all tenants equal rights of succession.
Joint tenants	Harrogate was fairly strict in limiting who could be offered a joint tenancy and only to persons in a relationship with anything else by exception only (there was no clarity as to what actually amounted to such an exception however). Richmondshire took a similar approach, but Selby was silent on the subject.	<p>To allow a wider group of persons to be offered a joint tenancy including siblings.</p> <p>This option recognises the cost-of-living challenge faced by many single person households combined with the lack of single person accommodation within our stock for those age under 60.</p>	<ul style="list-style-type: none"> Retain the current approach and limit the offer of a joint tenancy to those in a relationship. Widen the group of persons who can be offered a joint tenancy but only to those who have an existing history of living together such as siblings.
Introductory tenancies	Both Harrogate and Richmondshire offered introductory tenancies to all new tenants.	To offer introductory tenancies to all new tenants.	<ul style="list-style-type: none"> Adopt the Selby approach and offer secure tenancies to certain groups of tenants immediately

	Selby opted to offer secure tenants to those moving into Sheltered Housing, those over pensionable state age or those deemed “vulnerable” without the requirement to complete a probationary period.	This option recognises that we do experience issues with both older tenants and those moving into Sheltered Housing, and which are impactful on other residents in those schemes.	with no requirement to offer an introductory tenancy first.
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Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(form updated June 2023)

Draft Tenancy Strategy and Tenancy Policy

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people find completed EIAs, we also publish them in our website's Equality and Diversity section. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Community Development - Housing
Lead Officer and contact details	Hannah Heinemann – Head of Housing Delivery and Partnerships
Names and roles of other people involved in carrying out the EIA	Carl Doolan – Head of Housing Management and Landlord Service Matthew Brown – Housing Policy and Strategy Officer
How will you pay due regard? for example, working group, individual officer	This overarching EIA has been carried out by the Housing Strategy and Policy Officer with support from Head of Housing Management and Landlord Service. Full public consultation was undertaken. Individual EIAs will be carried out on each of specific projects and decisions required to achieve our strategy goals and the methods used will vary appropriately.
When did the due regard process start?	July 2024

Section 1. Please describe briefly what this EIA is about. (for example, are you starting a new service, changing how you do something, stopping doing something?)

Approval to consult on the Tenancy Strategy and Tenancy Policy for North Yorkshire.

To adopt a tenancy strategy is good practice, providing an agreed strategic approach to tenancy management within housing services and for our external partners such as Registered Providers.

The Tenancy Strategy is a high-level overview of the strategic vision for across North Yorkshire, which will underpin the Tenancy Policy for across North Yorkshire Council to deliver its housing management function.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (for example, to save money, meet increased demand, do things in a better way.)

The purpose of the strategy and policy is to inform stakeholders including registered providers, officers, residents, and council tenants about the Council's vision for housing management relating to tenancies across North Yorkshire.

Our key objectives are to have a single approach across North Yorkshire for both council tenants and registered providers.

The strategy and policy have been drafted following LGR where we need to have one approach to ensure we our legally compliant.

Section 3. What will change? What will be different for customers and/or staff?

The Tenancy Strategy and Policy provides the framework for the housing management service. Adoption of the strategy will signify the council's commitment to providing long term housing security for our customers across North Yorkshire.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

We will be looking to consult a range of groups in relation to the strategy and policy.

In terms of the strategy, we will be looking to consult our partners such as registered providers who are members the York North Yorkshire Housing Partnership (YNYHP) and other registered providers who are not part of the NNYHP but work within North Yorkshire.

For the policy, we will consult our tenants by conducting focus groups and giving tenants the opportunity to input their thoughts. We will also consult housing management employees.

Once we get feedback from all the relevant consultees, we will analysis the responses and amend the draft documents.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Approval to consult of the strategy and policy will have limited budged implications due to requirement to consult tenants. However, after the consultation stage there will be no budget implications.

Section 6. How will this proposal affect people with	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
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protected characteristics?				
Age	X			<p>North Yorkshire has a lower proportion of young people than the national average- 24.5% under 25 compared to 29.2% nationally.</p> <p>In 2021, 25% of the county's adult population was over the age of 65. This is higher than the national percentage of 18.4%.</p> <p>By 2035, 32.60% of North Yorkshire's total population will be aged 65+ and 5.97% will be aged 85+.</p> <p>Nationally 23.26% will be 65+ and 4.05% will be 85+ by 2035.</p> <p>By recognising the needs of our residents at different life stages we will be able to identify opportunities to tailor our services to specific age groups. Detailed EIAs will be undertaken on specific projects implemented to realise these ambitions.</p> <p>The strategy recognises differing demographic needs across North Yorkshire including both the ageing population and also the needs of younger persons and families.</p>
Disability		X		<p>North Yorkshire has a lower proportion (19.3%) of people with a disability or long-term limiting illness whose day-to-day activities are limited a lot-against the national average of 23.69%.</p> <p>However, this will rise to 20.89% of the 65+ population in North Yorkshire, against a national average of 24.86%.</p> <p>By recognising the needs of our residents who may be more vulnerable or have specific accessibility and adaptability requirements we will improve access to housing for these groups. Detailed EIAs will be undertaken on specific projects implemented to realise these ambitions.</p> <p>By having a strategy and policy, which provides secure tenancies, it provides additional housing security for those with a disability.</p>
Sex	X			<p>The proportion of females is slightly higher (51%) than that of males (49%).</p> <p>This pattern is reflected across all localities, with the exception of Richmondshire where the large number of predominantly male military personnel have the effect of reversing the proportions.</p>

				Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.
Race	X			<p>North Yorkshire has a much lower proportion (4.77%) of people who identify with a non-UK identity than the national average (12%).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
Gender reassignment	X			<p>In the 2021 census 1478 (0.28%) of residents across North Yorkshire identified themselves as transsexual or with a gender identity different to that registered at birth.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
Sexual orientation	X			<p>In the 2021 census 11,291 (2.2%) of residents across North Yorkshire identified themselves as Lesbian, Gay, Bisexual, or Other (LGB+).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
Religion or belief	X			<p>North Yorkshire has higher levels of Christians (55.6%) than the national average (46.2%), and lower levels of all other religions than the national average. Percentages of those with no religion or not stating their religion are broadly similar to the national average.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
Pregnancy or maternity	X			<p>In 2021 there were 5133 live births in North Yorkshire.</p> <p>In 2020 the conception rate per 1000 for under 18's was 10.9. This is below the rate for England (13).</p> <p>In 2020/21 4.2% of deliveries in North Yorkshire were to mothers from ethnic minorities, compared to the England value of 21.6%.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
Marriage or civil partnership	X			<p>A higher percentage of North Yorkshire's population is married or in a civil partnership (53.7%) than the national average (46.8%)</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?	X			<p>The population in North Yorkshire is generally sparser than the national average (77 people per square kilometre as opposed to 434 nationally). In some parts of the county this is lower still (Ryedale 36, Richmondshire 38, Craven 48, Hambleton 69).</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
...have a low income?	X			<p>The proportion of households in deprivation in North Yorkshire reduced between 2011 and 2021. In 2011 52.1% of households in North Yorkshire were deprived in at least one of the four dimensions (employment, education, health and disability, housing).</p> <p>By 2021 this had fallen to 46.7%. This 5.4 percentage point reduction in North Yorkshire compared with a 5.9 percentage point reduction across England as a whole, with the proportion of households in deprivation in North Yorkshire remaining below the national average.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
...are carers (unpaid family or friend)?	X			<p>Carers' allowance claimants make up 0.98% of North Yorkshire's population.</p> <p>This is lower than the average for England (1.42%) but there are variations across the county. It is likely, however, that these figures do not reflect the true number of people carrying out caring roles in the county as many do not claim allowances.</p> <p>Our ambitions will not have any anticipated impacts on people specifically due to them sharing this particular protected characteristic.</p>
..... are from the Armed Forces Community	X			<p>North Yorkshire has 29,831 Armed Forces Veterans. Richmondshire has the highest proportion of Armed Forces Veterans in North Yorkshire at 9.5% (3,962), which is the third highest nationally.</p> <p>The proportion of veterans in Richmondshire is more than double the national average rate, which is 3.8%.</p>

				<p>Harrogate has the highest number of Armed Forces Veterans in North Yorkshire with 7,076 (5.2%).</p> <p>Our ambitions will not have any specific impact on those from the armed forces community and we will deliver services in line with the Armed Forces Covenant.</p>
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Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)

North Yorkshire wide	✓
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	

If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.

The Tenancy Strategy and Policy is the Council's overall high-level strategic plan. The Policy will have specific impact to customers within the Harrogate, Richmondshire and Selby areas where North Yorkshire Council have housing stock.

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (for example, older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

The proposal will not affect anyone more because of a combination of protected characteristics.

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change is needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why the option has been chosen (include any advice given by Legal Services.)	

Our ambitions and high level outcomes as detailed in the Tenancy Strategy and Policy aspire to improve housing service delivery for everyone in North Yorkshire both tenants and customers for RP's.

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

We will use service data; customer contact, complaints to ensure that services are not negatively impacting on any protected characteristic.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Our ambitions in the Tenancy Strategy and Policy will result in a North Yorkshire wide approach to tenancy management which will lead to a better outcomes for all North Yorkshire Council tenants and customers of our registered providers within North Yorkshire of secure tenures.

The anticipated impacts of our ambitions are therefore positive ones.

Due regard to equalities will be paid when making decisions on actions to realise these ambitions and, where appropriate, these will be subject to full EIAs.

Section 14. Sign off Section

This full EIA was completed by:

Name: Matthew Brown
 Job title: Housing Policy and Strategy Officer
 Directorate: Community Development
 Signature:

Completion date: 26 July 2024

Authorised by Assistant Director: Andrew Rowe

Date: 3 September 2024

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Climate Change Impact Assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

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Title of proposal	Tenancy Strategy and Tenancy Policy
Brief description of proposal	Approval to consult on the Tenancy Strategy and Tenancy Policy for North Yorkshire
Directorate	Community Development
Service area	Housing
Lead officer	Andrew Rowe
Names and roles of other people involved in carrying out the impact assessment	Matthew Brown & Carl Doolan
Date impact assessment started	July 2024

Options appraisal

The Tenancy Strategy and Tenancy Policy IS AN legal requirement in line with Section 150 of the Localism Act 2011, which states:

(1) A local housing authority in England must prepare and publish a strategy (a “tenancy strategy”) setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to -

- (a) The kinds of tenancies they grant
 - (b) The circumstances in which they will grant a tenancy of a particular kind
 - (c) Where they grant tenancies for a certain term, the lengths of the terms, and
 - (d) The circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy
- (2) The tenancy strategy must summarise those policies or explain where they may be found.

The Tenancy Strategy is a high-level overview of the strategic vision for across North Yorkshire, which will underpin the Tenancy Policy for North Yorkshire Council to deliver its housing management function.

Climate change and the potential environmental impacts of our strategy are key considerations for the Housing Service and the detailed analysis of specific projects will be carried out as they come forward for political decision.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The strategy and policy will be delivered within existing service budgets and will be cost neutral.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> Changes over and above business as usual Evidence or measurement of effect Figures for CO₂e Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
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Enhance conservation and wildlife		X			
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How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		X				
	Emissions from construction		X				
	Emissions from running of buildings		X				
	Emissions from data storage		X				
	Other		X				
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			X				
Reduce water consumption			X				
Minimise pollution (including air, land, water, light and noise)			X				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</p>	<p>Explain why will it have this effect and over what timescale? Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>X</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>X</p>				
<p>Other (please state below)</p>		<p>X</p>				

Are there any recognised good practice environmental standards in relation to this proposal? N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The Tenancy Strategy and Tenancy Policy shows that there will be no environmental impact in itself, its vision, or strategic themes.

Sign off Section

This climate change impact assessment was completed by:

Name Matthew Brown
Job title Housing Policy and Strategy Officer

Service area	Housing
Directorate	Community Development
Completion date	26 th July 2024
Authorised by Assistant Director:	Andrew Rowe
	Date: 3 September 2024

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North Yorkshire Council

Housing and Leisure Overview and Scrutiny Committee

25 November 2024

Housing Complaints Handling Update

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to present an update on complaints handling performance within the Housing Service. The Committee are asked to consider the information provided, to note progress made on the collation and reporting of performance data and to consider the frequency and format of future reports.

2.0 SUMMARY

- 2.1 Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code. The approach to complaints handling is also an integral part of North Yorkshire Council's journey towards service excellence and the council's ambitions to improve overall tenant satisfaction levels.
- 2.2 Our complaints performance gives us an indication of not only our residents' satisfaction with services provided but also the extent to which they are engaged with the service. Low volume of complaints does not mean high satisfaction and similarly, high volumes of complaints does not indicate poor service if the majority of complaints are not upheld.
- 2.3 Effective complaints handling involves a clear, accessible complaints policy, transparent complaints data and a culture which fosters learning from when things do go wrong and using complaints data to inform service improvement.
- 2.4 North Yorkshire Council's Housing Service is committed to improving its complaints handling culture and integral to that is the role that Elected Members play in checking and challenging complaints data.

3.0 BACKGROUND

- 3.1 The Social Housing (Regulation) Act 2023 placed the Housing Ombudsman's Complaint Handling Code (Appendix A) on a statutory footing and therefore there is a legal duty on the Council, as a social landlord, to full comply with the Code. The Act also increases the powers of, and places a statutory duty on, the Ombudsman to monitor compliance with the Code from 1 April 2024.

- 3.2 All social housing landlords are required to carry out an annual self-assessment against the Code and publicise this to customers. The first self-assessment was completed in May 2024 and can be found here: [Housing Review.pdf](#) . As a result of the self-assessment changes were made to the Housing Complaints Policy and complaints handling procedures. The Policy can be found at: [Housing complaints policy | North Yorkshire Council](#)
- 3.3 Effective complaints handling is included within the Transparency, Influence and Accountability Consumer Standard which states ‘...that as a landlord we must have a clear approach to complaints so that tenants can raise their concerns and when they do, we listen to what we are being told and have effective processes for handling the complaint and act promptly to put things right’. The Transparency, Influence and Accountability Standard operates alongside the work of the Housing Ombudsman Service by setting expectations for social housing landlords in relation to how organisations handle complaints and incorporating requirements around transparency to tenants.
- 3.4 The Regulator will test the effectiveness of landlords’ complaints handling procedures, primarily through published information that all landlords will be required to produce on an annual basis about overall performance in relation to the regulatory standards. These are known as the Tenant Satisfaction Measures (TSMs) and are a core set of performance measures against which all providers must report on. Complaints form part of the ‘Tenant Perception’ measures which will be based on tenants’ view of how the Council is performing.
- 3.5 North Yorkshire Council undertook its first Tenant Satisfaction survey in 2023/24 the results of which are available here: [Tenant satisfaction survey 2023-2024](#) . Analysis of the complaints handling question highlights that 71% of tenants were not satisfied with the Council’s approach to complaints handling. However, a peculiarity of the TSM process for local authority landlords, as opposed to stand alone housing providers such as Housing Associations is that a tenant’s experience of complaint handling may be as a result of dealing with different council departments and their judgement may be a reflection of the wider council customer experience, rather than a reflection purely on the housing service.

4.0 COMPLAINTS PERFORMANCE

- 4.1 A complaint is defined as ‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident/service user or group of residents/service users’.
- 4.2 Stage 1 complaints must be acknowledged and logged within five working days of receipt and a response must be issued within 10 working days of the complaint being logged. Landlords must accept a request by the resident to escalate the complaint to Stage 2 unless an exclusion applies. Stage 2 responses must be issued within 20 working days of the complaint being escalated. Although the code does outline where extensions to the response time may be applied these are the target dates we aim for.

4.3 A dashboard on complaints handling is available at Appendix B. The following provides a summary of complaints handling performance in the year to date (8th November 2024):

- 233 Housing complaints logged. 215 Stage One, 19 Stage Two, 4 cases raised with the Housing Ombudsman, 4 Cases raised with the Local Government and Social Care Ombudsman.
- 44% of complaints upheld (31%) or partly upheld (13%)
- 70% (163) of complaints were regarding tenant services (Housing Management and Housing Standards) 30% other housing services. A further breakdown is provided below.

Count of Type	Column Labels			
Row Labels	Q1 24/25	Q2 24/25	Q3 24/25	Grand Total
Housing Delivery	1	1	1	3
Stage 1	1	1	1	3
Housing Management	18	19	8	45
Stage 1	17	18	8	43
Stage 2	1	1		2
Housing Needs	17	17	2	36
Stage 1	16	15	1	32
Stage 2	1	2	1	4
Housing Renewal	19	12		31
Stage 1	16	10		26
Stage 2	3	2		5
Housing Standards	44	54	20	118
Stage 1	40	52	19	111
Stage 2	4	2	1	7
Grand Total	99	103	31	233

4.4 The top 3 reasons for complaints received to date are:

- 38% (88) - Building Fabric Concern
- 18% (42) - Housing Allocations Policy/Decision
- 10% (22) – Damp and Mould Concern

4.5 Of those complaints received the following are the most common root causes:

- 76% (196) – Service and Care
- 4.2% (11)- Disagrees with decision.
- 3.5% (9) - Communication

4.6 In comparison to Stage 1 complaints received by the service in 2023/24 (101) there has been an increase so far of 113% This increase must also be looked at in the context of the large volume of customer interactions overall, 53568 customer enquiries have been handled by Customer Services for Housing. It is also indicative of the improved coordination of complaints and signifies that the service has better oversight, ownership and handling of its complaints.

4.7 At March 2024, 56.25% of complaints were handled within target timescales. At September 2024, of those complaints which have closed (185) 67% (124) were handled within target timescales which is marked improvement in performance, especially given the increase in volume.

- 4.8 However, it remains clear the high volumes of complaints are an indicator of the quality a service residents believe they have received and the key lesson for the Council is to improve the approach to customer service so that it is right first time more often. It should be noted that more recently the service has publicised its complaints process, twice writing to all tenants with details of how to make a complaint. Low complaint volumes are potentially a sign that individuals are unable to complain and so dissatisfaction may previously have gone unreported and unresolved.
- 4.9 It is also recognised that a number of proactive national campaigns led by the Housing Ombudsman which included the publishing of Spotlight and Insight Reports e.g. 'Damp and Mould – It's not lifestyle' has contributed to the rise in the number of complaints received across the social housing sector
- 4.10 The vast majority of complaints are received electronically (via the council's website or by email). Other options to report complaints include face to face, in writing or, through a 3rd party e.g. Ward Member.
- 4.11 Whilst the reasons outlined in paragraphs 4.7 and 4.8 above may have contributed to the increase in the number of complaints received, the percentage of complaints upheld has fallen slightly (50% in 23/24, 44% in 24/25) which indicates that although there is some dissatisfaction with services we are not finding fault as often and it is a positive sign that residents are engaging with us to express their dissatisfaction.

5.0 OMBUDSMAN DETERMINATIONS AND CASE MANAGEMENT

- 5.1 During 2024/25, the **Housing Ombudsman** has requested detailed information or evidence in relation to a further 4 cases to determine whether a formal investigation was warranted. These 4 cases which are all currently open related to complaints regarding:
- **202346811**: Reports about leaseholder's concerns over not being able to sell a shared ownership property due to restrictive criteria.
 - **202343463**: Complaint regarding landlord's handling of: boundary and fencing issues, anti-social behaviour concerns, and landlord staff conduct.
 - **202320310**: Landlord's handling of reports of: tree roots under wet room floor and sewage works being blocked, resulting in sewage entering the wet room.
 - **202421420**: Resident complaint regarding: overgrown tree in rear gardens not being maintained/cut back, security side gate not repaired despite being reported, and access ramp for next door causing issues over communal access area.
- 5.2 During 2024/25, the **Local Government and Social Care Ombudsman** has requested detailed information or evidence in relation to 4 cases to determine whether a formal investigation was warranted. These related to complaints regarding:
- **24003884**: Refusal to grant 'Gold band' status for a property. Closed after initial enquiries - no further action.
 - **24006154**: Complaint about problems with a boiler replacement after the Council grant aided the works to a private home in 2020. Closed after initial enquiries - out of jurisdiction.

- **24007615:** Complaint regarding the process of applying for social housing.
- **24012483:** Delays in arranging works to extend the property.

6.0 CONTINUOUS LEARNING AND IMPROVEMENT

- 6.1 On 5 November 2024 the Housing Ombudsman released the fifth annual landlord performance report for the complaints investigated involving members of their Scheme. North Yorkshire Council's Performance Report is attached as Appendix C. The report outlines North Yorkshire Council's performance during 2023/2024; maladministration was found in 80% of the 5 cases investigated, this is above the national average (73%) but only slightly above the national average for Local Authorities (79%).
- 6.2 The Housing Ombudsman encourages landlords to use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery. Effective and positive complaint handling also provides a valuable insight into the services provided by the council as a landlord and how we are perceived and received by tenants. The lessons learned from a complaint or complaints can improve the quality and focus of services provided to tenants.
- 6.3 In order to ensure that we don't lose any learning from complaints we have revised the complaint handling process to include a log of lessons learnt and outcomes from complaints. This log will be regularly reviewed and, alongside learning from other organisations, a regular staff briefing will be produced outlining key learning points and examples of good practice.

7.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1 Effective complaints handling is a key contributor to our 'People' and 'Organisation' priorities, ensuring that the following ambitions are reached:
- People are free from harm and feel safe and protected
 - Good quality, value for money services that are customer focused and accessible to all

8.0 FINANCIAL IMPLICATIONS

- 8.1 Effective complaint handling and early resolution of customer complaints will have a positive financial impact in value for money terms, of time spent dealing with complaints and in addressing dissatisfaction before it might become more costly to repair/ rectify.
- 8.2 In 2023/24 findings of maladministration by the Housing Ombudsman led to compensation payments of £1,800.

9.0 LEGAL IMPLICATIONS

- 9.1 Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code.

9.2 The Council is also bound by the Local Government Ombudsman Scheme in respect of other Housing services.

9.3 Failure to comply with these codes can lead to findings of maladministration.

10.0 EQUALITIES IMPLICATIONS

10.1 One of the critical improvements required to our complaints procedures is the collection and reporting of equalities information. At present this information is not collected during the complaints process and is also not reliably available within housing systems and so we are not able to provide equalities analysis on our complaints data.

11.0 PERFORMANCE IMPLICATIONS

11.1 It is clear from the complaints data that performance on complaints handling is improving (para 4.5, 4.6) however it could be further improved.

11.2 When considering HRA related complaints we are able to benchmark against others in Housemark, a national benchmarking group for housing providers. Analysis shows that North Yorkshire Council are consistently within the lowest performing quartiles for number of complaints received per 1000 properties and for the percentage of Stage 1 and Stage 2 Complaints resolved within timescales.

11.3 In terms of complaints received, the data from April to August 2024 shows that the number of complaints received per 1000 council properties is consistently above the median for Housemark members and in May and June was also above the Quartile 1 figure. The increase in complaints in May and June could be attributed to increased customer communication in May when a press release was issued, and a letter was sent to all tenants regarding the self-referral to the Regulator encouraging customers to report concerns. Performance has since settled back down to between 6 and 7 complaints per 1000 properties per month which is still above the median average for Housemark members.

Year	Month	NYC result	Quartile 3	Median	Quartile 1
2024	April	6.33	3.13	5.01	7.8775
2024	May	9.4	2.92	5.12	7.5675
2024	June	7.15	2.825	4.67	6.8
2024	July	6.91	3.15	4.98	7.9355
2024	August	6.55	2.9	4.61	6.84

Table 1 - North Yorkshire Council Formal Stage 1 and Stage 2 complaints received per 1,000 properties April - August 2024

11.4 In terms of complaints resolved within timescale, the data from April to August shows that the percentage of complaints resolved within timescale is consistently below the median for Housemark members and in April, July and August was below the Quartile 3 figure. This dip in performance does replicate the national trend and could be a seasonal fluctuation or a reflection of the complexity of complaints being handled. Un-benchmarked data shows that performance in September had risen to 67%.

Year	Month	NYC result	Quartile 3	Median	Quartile 1
2024	April	61.67	75	90.69	100
2024	May	77.27	71.43	90.12	100
2024	June	75.93	70.87	92	100
2024	July	57.78	75	90.5	100
2024	August	47.46	69.8075	91.62	100

Table 2- North Yorkshire Council Stage 1 and Stage 2 complaints resolved within timescale (%) April - August 2024

12.0 CONCLUSIONS

- 12.1 Effective complaints handling is a critical component of our ambition to provide excellent customer services. Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code.
- 12.2 In 2024/25 much improvement has been made to the complaints process, resulting in more reliable data and the ability to report on complaints handling. Complaints numbers have increased demonstrating resident engagement with the process, we are able to identify trends in complaints received and the percentage of complaints being handled within target timescales has also improved, indicating that the new processes are working.
- 12.3 There are still areas for improvement in our complaints handling approach, areas such as, collecting and reporting equalities information, percentage of complaints resolved within timescales, learning from complaints and the number of complaints being upheld by the Ombudsman.
- 12.4 The priority will remain trying to prevent avoidable issues from becoming complaints in the first place and ensuring that the best possible service and resolution is provided to customers at the first point of contact. Through analysis of complaint causes we can begin to see where complaints are originating and their root cause.
- 12.5 Transparency in our improvement journey is critical and we are committed to reporting both complaints performance and the progress on our improvement work to both Elected Members, residents and the Ombudsmen.

13.0 REASONS FOR RECOMMENDATIONS

- 13.1 It is a requirement of that the council produce an annual report of its complaint handling however, further to that, it is good practice that the Overview and Scrutiny Committee responsible for Housing have regular updates and oversight of the complaints handling process and culture.

14.0 RECOMMENDATION(S)

- 14.1 The Committee are asked to consider the content of the report and:
- i) comment on progress made and issues raised within the report.

ii) consider the frequency and format of future updates on complaints handling performance.

Nic Harne
Corporate Director – Community Development
County Hall
Northallerton

13 November 2024

Report Author – Vicky Young, Service Improvement Manager
Presenter of Report – Andrew Rowe, Assistant Director (Housing)

BACKGROUND DOCUMENTS: None

APPENDICES:

Appendix A – Housing Ombudsman’s Complaints Handling Code

Appendix B – Housing Complaints Dashboard

Appendix C - North Yorkshire Council’s Performance Report 2023/24

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Housing

Ombudsman Service



Complaint Handling Code

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Foreword

The heartbeat of this Code is enabling a positive complaints culture across the social housing sector.

This positive culture matters regardless of size or type of landlord. It supports strong resident-landlord relationships. It means things can be put right for residents when they have gone wrong. It helps organisations to develop and improve services. And, perhaps above all, it supports the values of justice and fairness that embodies so much of the sector's social purpose.

This Code considers complaints to be more than transactions. Nonetheless, good complaint handling requires effective procedures and well-trained staff alongside a positive complaints culture that enables those procedures to achieve maximum impact. This Code sets out what landlords must do procedurally to handle complaints. Compliance with the Code is most effective within landlords that operate within established dispute resolution principles: to be fair, put things right, and learn from outcomes.

Landlords must embrace complaints through increased transparency, accessibility, and complaint handling governance, demonstrating that residents are core to its service delivery and good complaint handling is central to that.

This Code aims to support the earliest resolution of complaints while the matters are still within the landlord's own procedure. This can avoid issues escalating with potentially prolonged detriment to the resident, as well as requiring significantly more time and resource by the landlord to remedy.

This Code provides a guide to residents of what to expect if they make a complaint, as well as improving access and awareness to the procedure when they need it. The adoption of this statutory Code and associated duties ensures residents do not experience a postcode lottery in complaint handling.

Embracing the Code can also empower staff. Involvement in complaint resolution develops staff ownership, decision-making and engagement, and should ensure appropriate resources and tools are deployed to handle complaints. It provides senior staff with essential insight into day-to-day operations, allowing them to assess effectiveness and identify any organisational risks or issues. Lastly, data collected about complaints can be analysed and used to inform key business decisions to drive improvement in service provision.

Landlords are expected to annually self-assess against the Code, to engage its governance in that exercise and to publish the outcome. We also encourage landlords to see this exercise as an opportunity to engage residents in setting their approach to complaints to drive a positive complaints and learning culture. This approach must be captured by the landlord in a single policy for handling complaints.

The positive engagement of landlords in the Code and its principles has brought focus on the importance of complaints and the advent of this statutory Code will drive further change to the benefit of both residents and landlords.

Introduction

Statutory powers



The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints.

It also placed a duty on the Ombudsman to monitor compliance with a code of practice that it has issued.

The Ombudsman consulted on the Complaint Handling Code (the Code) and our intended approach to the duty to monitor in late 2023. The statutory Code will take effect from 1 April 2024 and our duty to monitor compliance will commence at the same time.

Compliance with the Code



The Ombudsman believes all members must comply with all provisions in the Code as this represents best practice in complaint handling.

Where the Housing Ombudsman finds an organisation has deviated from the Code in policy or practice, it may use its powers to put matters right and ensure compliance with the Code. Where a landlord's policy does not comply with the Code, it must provide a detailed explanation for non-compliance in its self-assessment and the date by which it intends to comply.

Where there are exceptional circumstances which mean a landlord cannot meet specific requirements of Code, for example a small provider does not have a website, the

Ombudsman will take a proportionate approach. In these circumstances, landlords must undertake all reasonable endeavours to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

Where a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, it must inform the Ombudsman of its reasons, provide information to residents who may be affected and publish this on their website. The landlord must provide all parties with a timescale for returning to compliance with the Code and the reasonableness of exemptions to the Code during this period may be assessed by the Ombudsman.



Monitoring compliance with the Code



The Ombudsman would like all landlords to have strong local complaint handling and a positive complaint handling culture – resolving complaints earlier and potentially without referral to the Ombudsman extends fairness to the benefit of all residents. This also leads to better services and strengthens relationships with residents.

We will use the duty to monitor compliance to further these aims by supporting better practice and providing opportunities for landlords to demonstrate complaint handling improvements.

Support for improvement will be provided through the Centre for Learning, accessible via our website, which hosts an ever-growing range of tools targeted at complaints handlers, senior managers and governing bodies.

We will monitor compliance in 3 ways. This will involve ensuring that the landlord:

- has scrutinised and challenged its compliance with the Code at its governing body through review of its self-assessment against the Code, its complaints handling performance and its learning from complaints, and published the outcome on its website annually
- complies with the Code in policy
- complies with the Code in practice

Where a landlord does not meet the requirements in any of the areas and does not move into compliance within a reasonable timescale, the Ombudsman may issue a Complaint Handling Failure Order (CHFO). The Ombudsman provides separate guidance on CHFOs on its website.

The Complaint Handling Code

1. Definition of a complaint

1.1. Effective complaint handling enables residents to be heard and understood. The starting point for this is a shared understanding of what constitutes a complaint.

1.2. A complaint must be defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'

1.3. A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.

1.4. Landlords must recognise the difference between a **service request** and a **complaint**. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.

1.5. A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request

remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.

1.6. An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.

2. Exclusions

2.1. Landlords must accept a complaint unless there is a valid reason not to do so. If a landlord decides not to accept a complaint it must be able to evidence its reasoning. Each complaint must be considered on its own merits.

2.2. A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:

- the issue giving rise to the complaint occurred over 12 months ago
- legal proceedings have started - this is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court
- matters that have previously been considered under the complaints policy



- 2.3. A landlord must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue unless it is excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.
- 2.4. If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.
- 2.5. A landlord must not take a blanket approach to excluding complaints; it must consider the individual circumstances of each complaint.
- 3. Accessibility and awareness**
- 3.1. Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. A landlord must consider its duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.
- 3.2. Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.
- 3.3. High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.
- 3.4. A landlord must make its complaints policy available in a clear and accessible format for all residents. This will detail the 2-stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.
- 3.5. The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.
- 3.6. Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.
- 3.7. Landlords must provide residents with information on their right to access the Ombudsman Service and how the individual can engage with the Ombudsman about their complaint.



4. Complaint handling staff

- 4.1. Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the ‘complaints officer’. This role may be in addition to other duties.
- 4.2. The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.
- 4.3. Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively.

5. The complaint handling process

- 5.1. Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.
- 5.2. The early and local resolution of issues between landlords and residents is key to effective

complaint handling. It is not appropriate to have extra named stages (such as ‘stage 0’ or ‘informal complaint’) as this causes unnecessary confusion.

- 5.3. A process with more than 2 stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.
- 5.4. Where a landlord’s complaint response is handled by a third party (such as a contractor or independent adjudicator) at any stage, it must form part of the 2-stage complaints process set out in this Code. Residents must not be expected to go through 2 complaints processes.
- 5.5. Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.
- 5.6. When a complaint is logged at stage 1 or escalated to stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.
- 5.7. When a complaint is acknowledged at either stage, landlords must be clear which aspects of the



complaint they are, and are not, responsible for and clarify any areas where this is not clear.

- 5.8.** At each stage of the complaints process, complaint handlers must:
- a) deal with complaints on their merits, act independently, and have an open mind
 - b) give the resident a fair chance to set out their position
 - c) take measures to address any actual or perceived conflict of interest
 - d) consider all relevant information and evidence carefully
- 5.9.** Where a response to a complaint will fall outside the timescales set out in this Code the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.
- 5.10.** Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.
- 5.11.** Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do

so. A landlord must clearly set out these reasons, and it must comply with the provisions set out in section 2 of this Code.

- 5.12.** A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.
- 5.13.** Landlords must have processes in place to ensure that a complaint can be remedied at any stage of its complaints process. Landlords must ensure that appropriate remedies can be provided at any stage of the complaints process without the need for escalation.
- 5.14.** Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.
- 5.15.** Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.



6. Complaints stages

Stage 1

- 6.1. Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.
- 6.2. Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure **within 5 working days of the complaint being received.**
- 6.3. Landlords must issue a full response to stage 1 complaints **within 10 working days** of the complaint being acknowledged.
- 6.4. Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.
- 6.5. When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.
- 6.6. A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.
- 6.7. Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.
- 6.8. Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.
- 6.9. Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:
- a) the complaint stage
 - b) the complaint definition
 - c) the decision on the complaint
 - d) the reasons for any decisions made
 - e) the details of any remedy offered to put things right
 - f) details of any outstanding actions
 - g) details of how to escalate the matter to stage 2 if the individual is not satisfied with the response



Stage 2

- 6.10.** If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.
- 6.11.** Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure **within 5 working days of the escalation request being received.**
- 6.12.** Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.
- 6.13.** The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.
- 6.14.** Landlords must issue a final response to the stage 2 **within 20 working days** of the complaint being acknowledged.
- 6.15.** Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.
- 6.16.** When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.
- 6.17.** A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.
- 6.18.** Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.
- 6.19.** Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language:
- a) the complaint stage
 - b) the complaint definition
 - c) the decision on the complaint
 - d) the reasons for any decisions made
 - e) the details of any remedy offered to put things right
 - f) details of any outstanding actions
 - g) details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied
- 6.20.** Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.



7. Putting things right

7.1. Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:

- apologising
- acknowledging where things have gone wrong
- providing an explanation, assistance, or reasons
- taking action if there has been delay
- reconsidering or changing a decision
- amending a record, adding a correction, or addendum
- providing a financial remedy
- changing policies, procedures, or practices

7.2. Any remedy offered must reflect the impact on the resident as a result of any fault identified.

7.3. The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.

7.4. Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.

8. Self-assessment, reporting, and compliance

8.1. Landlords must produce an Annual Complaints Performance and Service Improvement report for scrutiny and challenge, which must include:

- a) the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements
- b) a qualitative and quantitative analysis of the landlord's complaint handling performance - this must also include a summary of the types of complaints the landlord has refused to accept
- c) any findings of non-compliance with this Code by the Ombudsman;
- d) the service improvements made as a result of the learning from complaints;
- e) any annual report about the landlord's performance from the Ombudsman; and
- f) any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

8.2. The Annual Complaints Performance and Service Improvement report must be reported to the landlord's governing body (or equivalent) and published on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.

8.3. Landlords must also carry out a self-assessment following a significant restructure, merger, and/or change in procedures.

8.4. Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.

8.5. If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, it must inform the Ombudsman, provide information to residents who may be affected, and

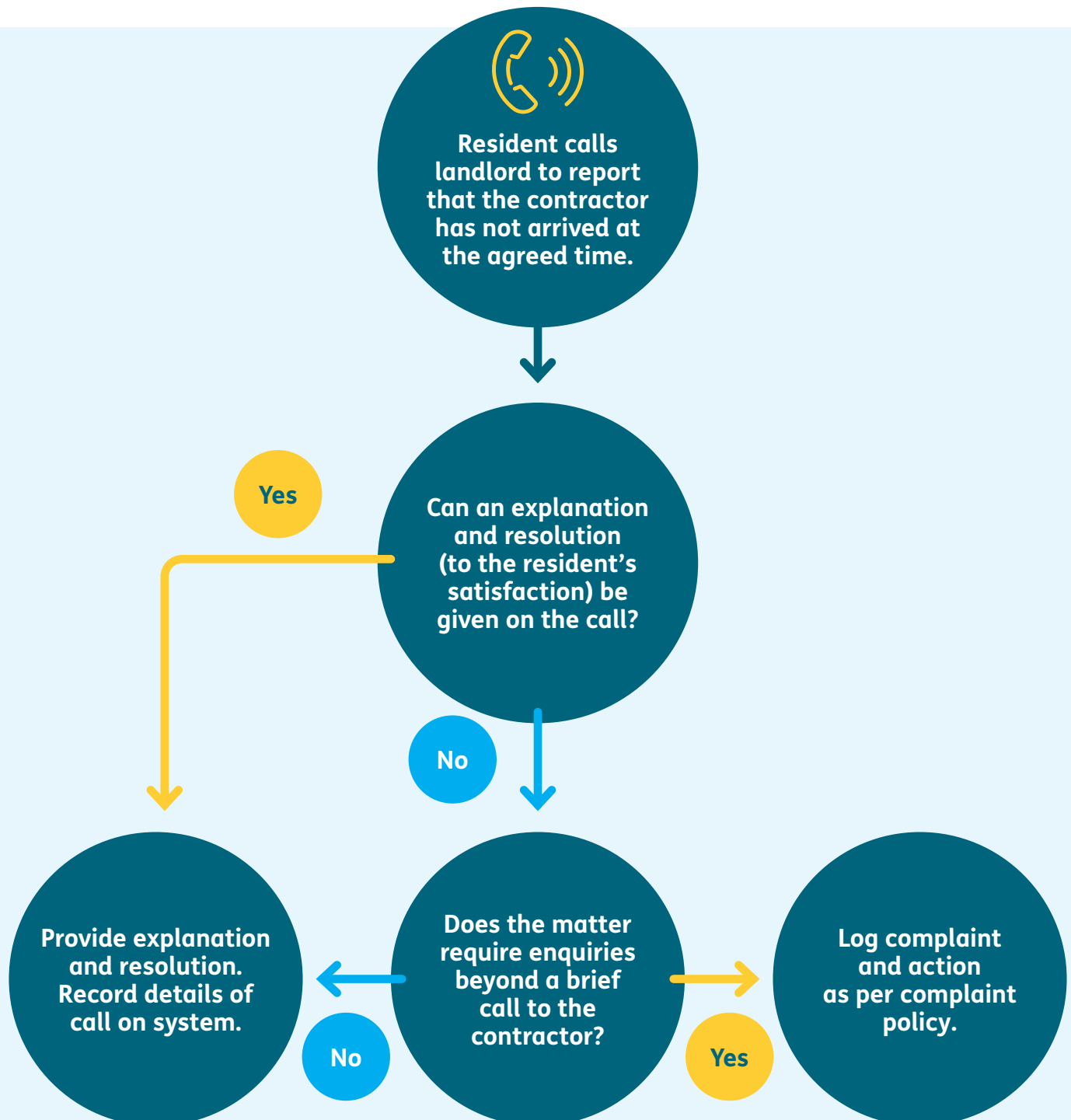


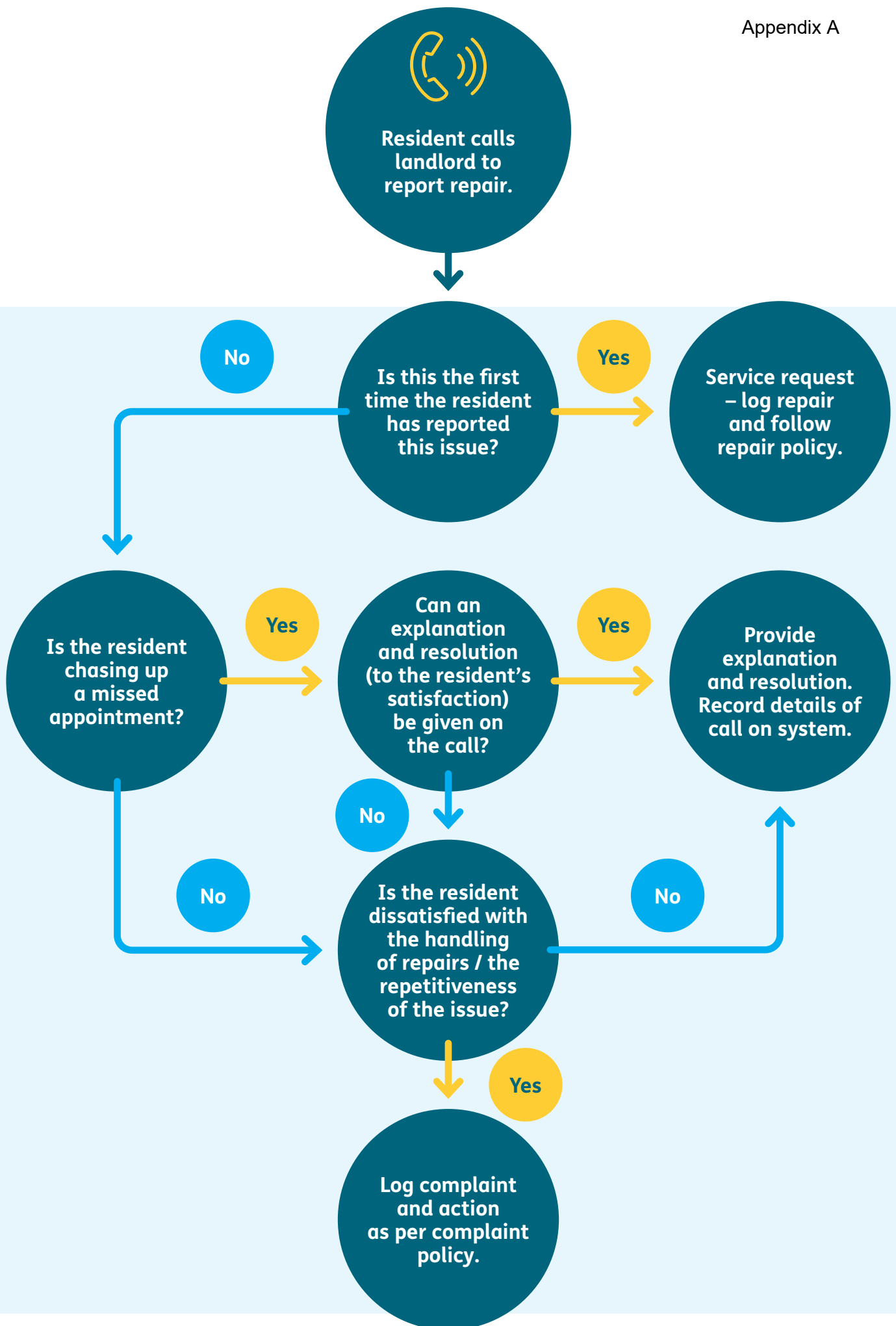
publish this on its website. Landlords must provide a timescale for returning to compliance with the Code.

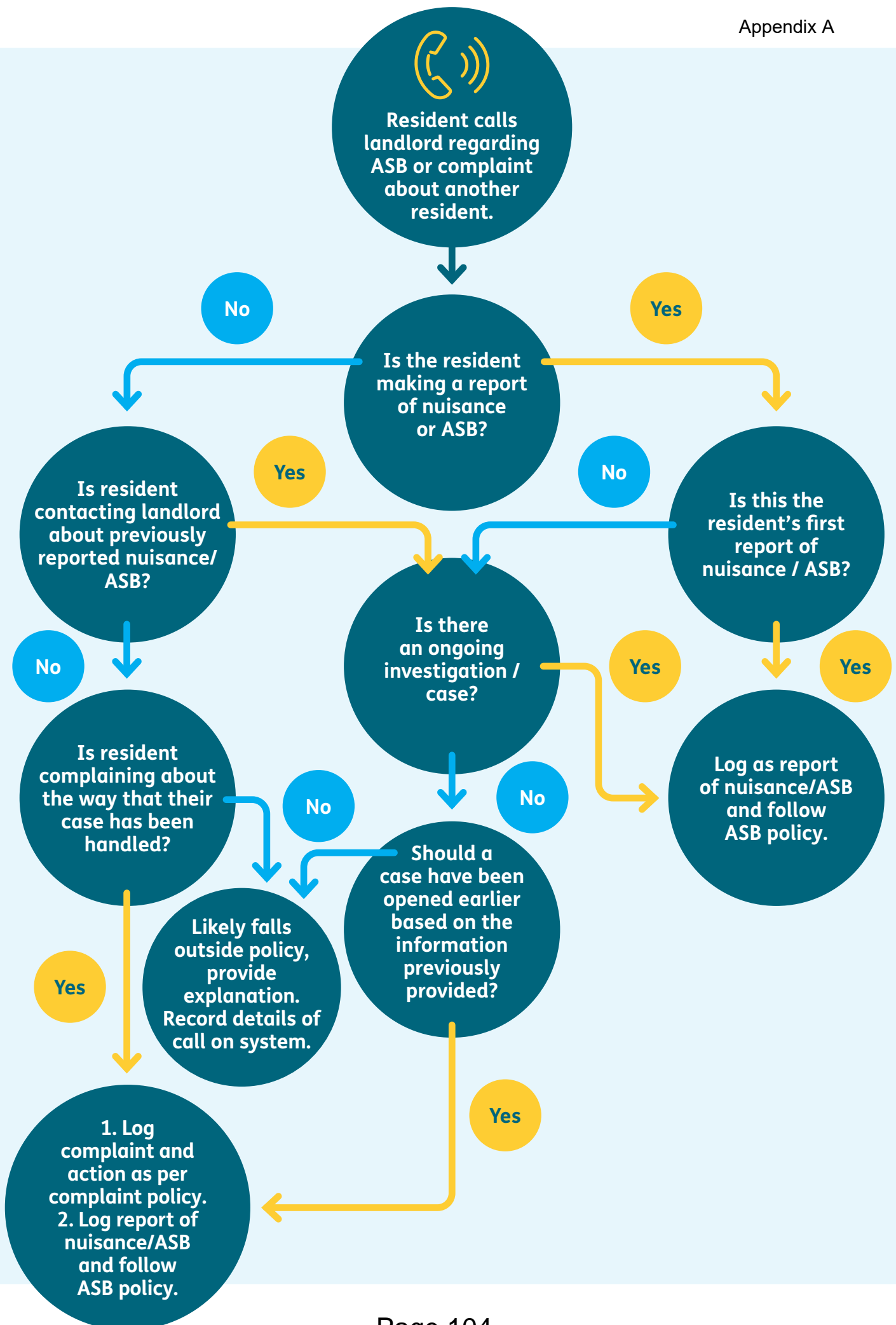
9. Scrutiny and oversight: continuous learning and improvement

- 9.1. Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.
- 9.2. A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.
- 9.3. Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.
- 9.4. Landlords must appoint a suitably senior lead person as accountable for its complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
- 9.5. In addition to this, a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints (MRC).
- 9.6. The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.
- 9.7. As a minimum, the MRC and the governing body (or equivalent) must receive:
- a) regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance
 - b) regular reviews of issues and trends arising from complaint handling
 - c) regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings
 - d) the Annual Complaints Performance and Service Improvement report
- 9.8. Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:
- a) have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments
 - b) take collective responsibility for any shortfalls identified through complaints, rather than blaming others
 - c) act within the professional standards for engaging with complaints as set by any relevant professional body

Appendix A: Service request or complaint flow charts







Appendix B: Self-assessment form

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the Annual Complaints Performance and Service Improvement report on their website. The governing body's response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.



**Scan here to view the
annual submissions form**



Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
1.2	<p>A complaint must be defined as: <i>‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.’</i></p>			
1.3	<p>A resident does not have to use the word ‘complaint’ for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord’s complaints policy.</p>			
1.4	<p>Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.</p>			

Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.			
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.			

Section 2: Exclusions

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
2.1	<p>Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits</p>			
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> • the issue giving rise to the complaint occurred over 12 months ago • legal proceedings have started - this is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court • matters that have previously been considered under the complaints policy 			

Section 2: Exclusions

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.			
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.			
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.			

Section 3: Accessibility and awareness

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.			
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.			
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.			

Section 3: Accessibility and awareness

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the 2-stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.			
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.			
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.			
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.			

Section 4: Complaint handling staff

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.			
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.			
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively.			

Section 5: The complaint handling process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.			
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.			
5.3	A process with more than 2 stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.			
5.4	Where a landlord's complaint response is handled by a third party (such as a contractor or independent adjudicator) at any stage, it must form part of the 2-stage complaints process set out in this Code. Residents must not be expected to go through 2 complaints processes.			

Section 5: The complaint handling process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.			
5.6	When a complaint is logged at stage 1 or escalated to stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.			
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.			

Section 5: The complaint handling process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
5.8	<p>At each stage of the complaints process, complaint handlers must:</p> <ul style="list-style-type: none"> a. deal with complaints on their merits, act independently, and have an open mind b. give the resident a fair chance to set out their position c. take measures to address any actual or perceived conflict of interest d. consider all relevant information and evidence carefully 			
5.9	<p>Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.</p>			

Section 5: The complaint handling process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.			
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.			
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.			

Section 5: The complaint handling process

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.			
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.			
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.			

Section 6: Complaints stages

Stage 1

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.			
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure within 5 working days of the complaint being received.			
6.3	Landlords must issue a full response to stage 1 complaints within 10 working days of the complaint being acknowledged.			

Section 6: Complaints stages

Stage 1

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.			
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.			
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.			
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.			

Section 6: Complaints stages

Stage 1

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.8	<p>Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.</p>			
6.9	<p>Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:</p> <ul style="list-style-type: none"> a. the complaint stage b. the complaint definition c. the decision on the complaint d. the reasons for any decisions made e. the details of any remedy offered to put things right f. details of any outstanding actions g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response 			

Section 6: Complaints stages

Stage 2

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.			
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within 5 working days of the escalation request being received.			
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.			
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.			

Section 6: Complaints stages

Stage 2

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.14	Landlords must issue a final response to the stage 2 within 20 working days of the complaint being acknowledged.			
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.			
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.			
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.			

Section 6: Complaints stages

Stage 2

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law, and good practice where appropriate.			
6.19	<p>Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language:</p> <ul style="list-style-type: none"> a. the complaint stage b. the complaint definition c. the decision on the complaint d. the reasons for any decisions made e. the details of any remedy offered to put things right f. details of any outstanding actions g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied 			
6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.			

Section 7: Putting things right

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:</p> <ul style="list-style-type: none"> • apologising • acknowledging where things have gone wrong • providing an explanation, assistance, or reasons • taking action if there has been delay • reconsidering or changing a decision • amending a record or adding a correction or addendum • providing a financial remedy • changing policies, procedures, or practices 			

Section 7: Putting things right

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.			
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.			
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.			

Section 8: Self-assessment, reporting, and compliance

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
8.1	<p>Landlords must produce an Annual Complaints Performance and Service Improvement report for scrutiny and challenge, which must include:</p> <ul style="list-style-type: none"> a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements b. a qualitative and quantitative analysis of the landlord's complaint handling performance - this must also include a summary of the types of complaints the landlord has refused to accept c. any findings of non-compliance with this Code by the Ombudsman d. the service improvements made as a result of the learning from complaints e. any annual report about the landlord's performance from the Ombudsman f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord 			

Section 8: Self-assessment, reporting, and compliance

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
8.2	The Annual Complaints Performance and Service Improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.			
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.			
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.			
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.			

Section 9: Scrutiny and oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.			
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.			
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.			

Section 9: Scrutiny and oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.			
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints (MRC).			
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.			

Section 9: Scrutiny and oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
9.7	<p>As a minimum, the MRC and the governing body (or equivalent) must receive:</p> <ul style="list-style-type: none"> a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance b. regular reviews of issues and trends arising from complaint handling c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration finding d. Annual Complaints Performance and Service Improvement report. 			

Section 9: Scrutiny and oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes/No	Evidence	Commentary/ explanation
9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <ul style="list-style-type: none"> a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others c. act within the professional standards for engaging with complaints as set by any relevant professional body 			

Housing Ombudsman Service

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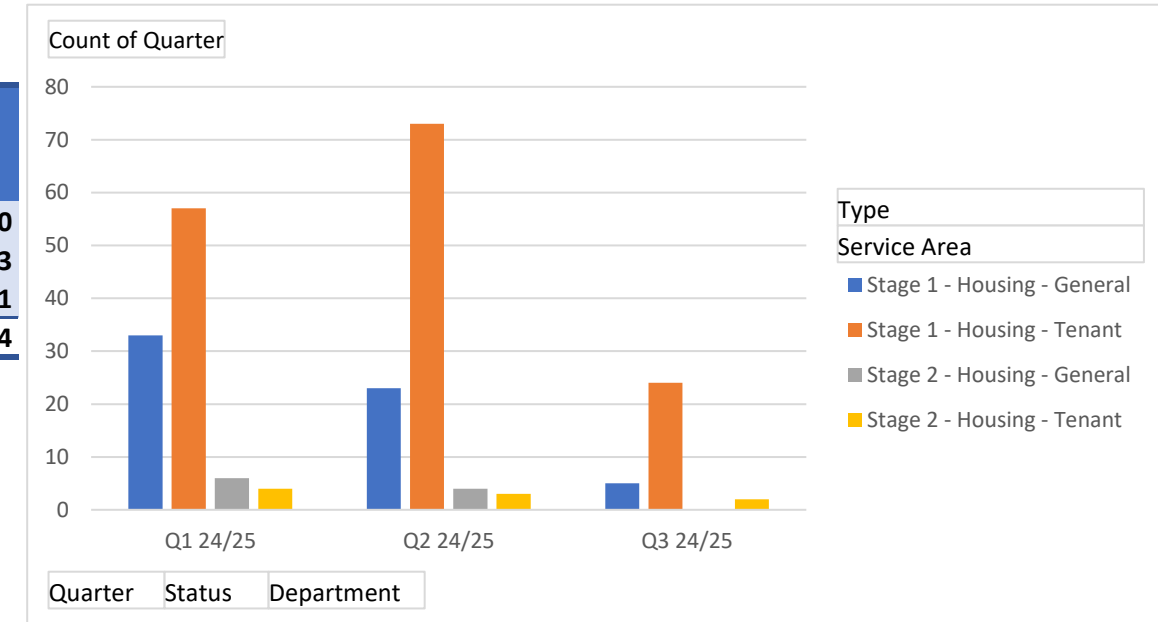
@housing-ombudsman



Housing Complaints Dashboard

Complaints Tracker

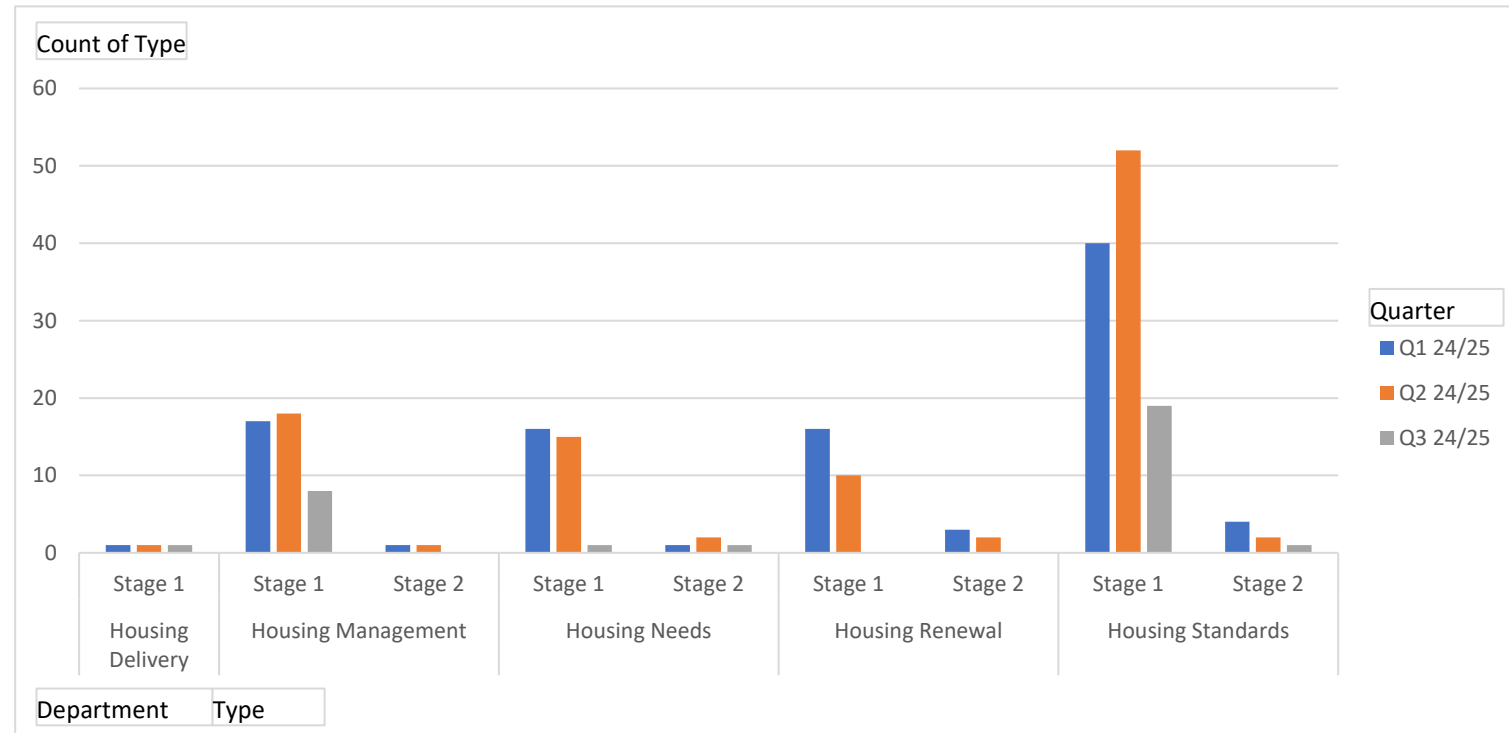
Count of Quarter	Column Labels						Grand Total
	Stage 1		Stage 1 To	Stage 2		Stage 2 T	
Row Labels	Housing - General	Housing - Tenant		Housing - Ger	Housing - Tenant		
Q1 24/25	33	57	90	6	4	10	100
Q2 24/25	23	73	96	4	3	7	103
Q3 24/25	5	24	29		2	2	31
Grand Total	61	154	215	10	9	19	234



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By Service Area

Count of Type	Column Labels			
	Q1 24/25	Q2 24/25	Q3 24/25	Grand Total
Housing Delivery	1	1	1	3
Stage 1	1	1	1	3
Housing Management	18	19	8	45
Stage 1	17	18	8	43
Stage 2	1	1		2
Housing Needs	17	17	2	36
Stage 1	16	15	1	32
Stage 2	1	2	1	4
Housing Renewal	19	12		31
Stage 1	16	10		26
Stage 2	3	2		5
Housing Standards	44	54	20	118
Stage 1	40	52	19	111
Stage 2	4	2	1	7
Grand Total	99	103	31	233

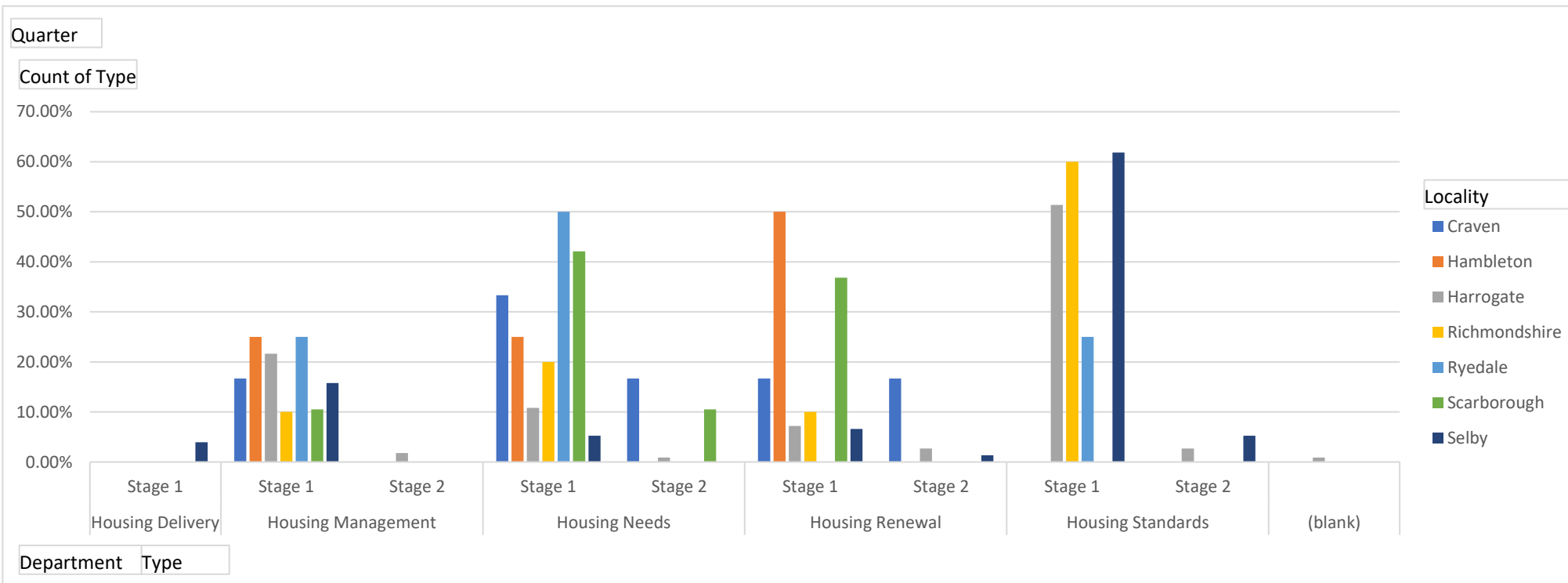


By Locality

Quarter (All)

Count of Type	Column Labels								
Row Labels	Craven	Hambleton	Harrogate	Richmondshire	Ryedale	Scarborough	Selby	Grand Total	
Housing Delivery	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	3.95%	1.28%
Stage 1	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	3.95%	1.28%
Housing Management	16.67%	25.00%	23.42%	10.00%	25.00%	10.53%	15.79%	19.23%	
Stage 1	16.67%	25.00%	21.62%	10.00%	25.00%	10.53%	15.79%	18.38%	
Stage 2	0.00%	0.00%	1.80%	0.00%	0.00%	0.00%	0.00%	0.85%	
Housing Needs	50.00%	25.00%	11.71%	20.00%	50.00%	52.63%	5.26%	15.38%	
Stage 1	33.33%	25.00%	10.81%	20.00%	50.00%	42.11%	5.26%	13.68%	
Stage 2	16.67%	0.00%	0.90%	0.00%	0.00%	10.53%	0.00%	1.71%	
Housing Renewal	33.33%	50.00%	9.91%	10.00%	0.00%	36.84%	7.89%	13.25%	
Stage 1	16.67%	50.00%	7.21%	10.00%	0.00%	36.84%	6.58%	11.11%	
Stage 2	16.67%	0.00%	2.70%	0.00%	0.00%	0.00%	1.32%	2.14%	
Housing Standards	0.00%	0.00%	54.05%	60.00%	25.00%	0.00%	67.11%	50.43%	
Stage 1	0.00%	0.00%	51.35%	60.00%	25.00%	0.00%	61.84%	47.44%	
Stage 2	0.00%	0.00%	2.70%	0.00%	0.00%	0.00%	5.26%	2.99%	
(blank)	0.00%	0.00%	0.90%	0.00%	0.00%	0.00%	0.00%	0.43%	
Grand Total	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

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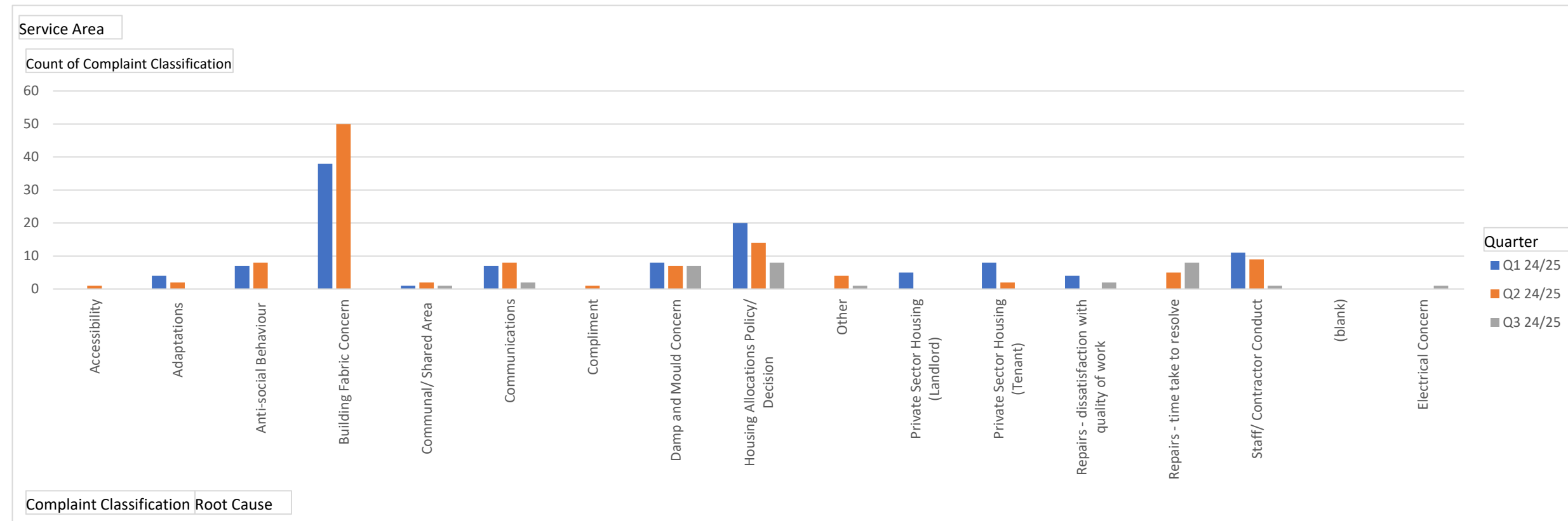


By Classification

Service Area (All)

Count of Complaint Classification	Column Labels	Q1 24/25	Q2 24/25	Q3 24/25	Grand Total
Accessibility			1		1
Adaptations		4	2		6
Anti-social Behaviour		7	8		15
Building Fabric Concern		38	50		88
Communal/ Shared Area		1	2	1	4
Communications		7	8	2	17
Compliment			1		1
Damp and Mould Concern		8	7	7	22
Housing Allocations Policy/ Decision		20	14	8	42
Other			4	1	5
Private Sector Housing (Landlord)		5			5
Private Sector Housing (Tenant)		8	2		10
Repairs - dissatisfaction with quality of work		4		2	6
Repairs - time take to resolve			5	8	13
Staff/ Contractor Conduct		11	9	1	21
(blank)					
Electrical Concern				1	1
Grand Total		113	113	31	257

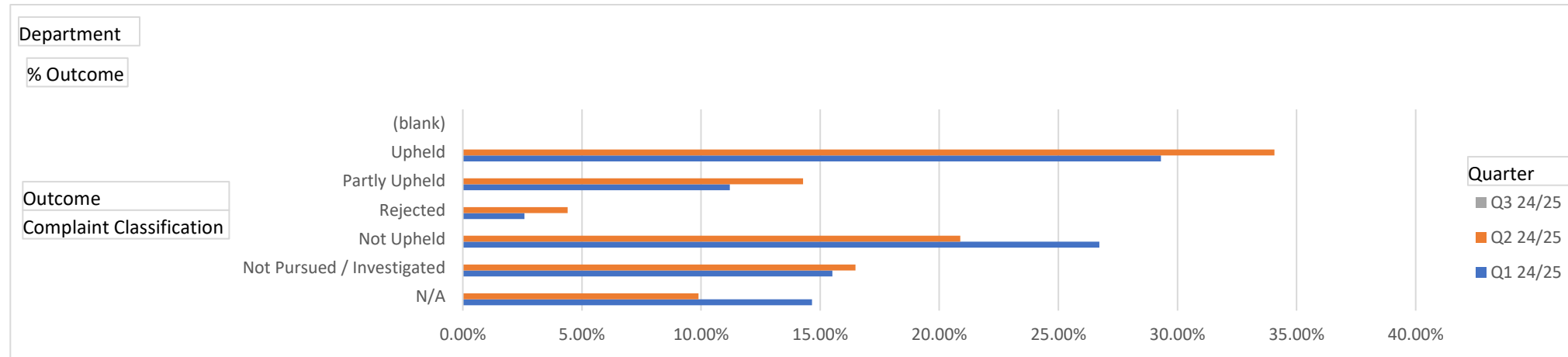
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By Outcome

Department (All)

% Outcome	Column Labels			
Row Labels	Q1 24/25	Q2 24/25	Q3 24/25	Grand Total
N/A	14.66%	9.89%		12.56%
Not Pursued / Investigated	15.52%	16.48%		15.94%
Not Upheld	26.72%	20.88%		24.15%
Rejected	2.59%	4.40%		3.38%
Partly Upheld	11.21%	14.29%		12.56%
Upheld	29.31%	34.07%		31.40%
(blank)	0.00%	0.00%		0.00%
Grand Total	100.00%	100.00%		100.00%



Housing

Ombudsman Service

LANDLORD PERFORMANCE REPORT

2023/2024

North Yorkshire Council

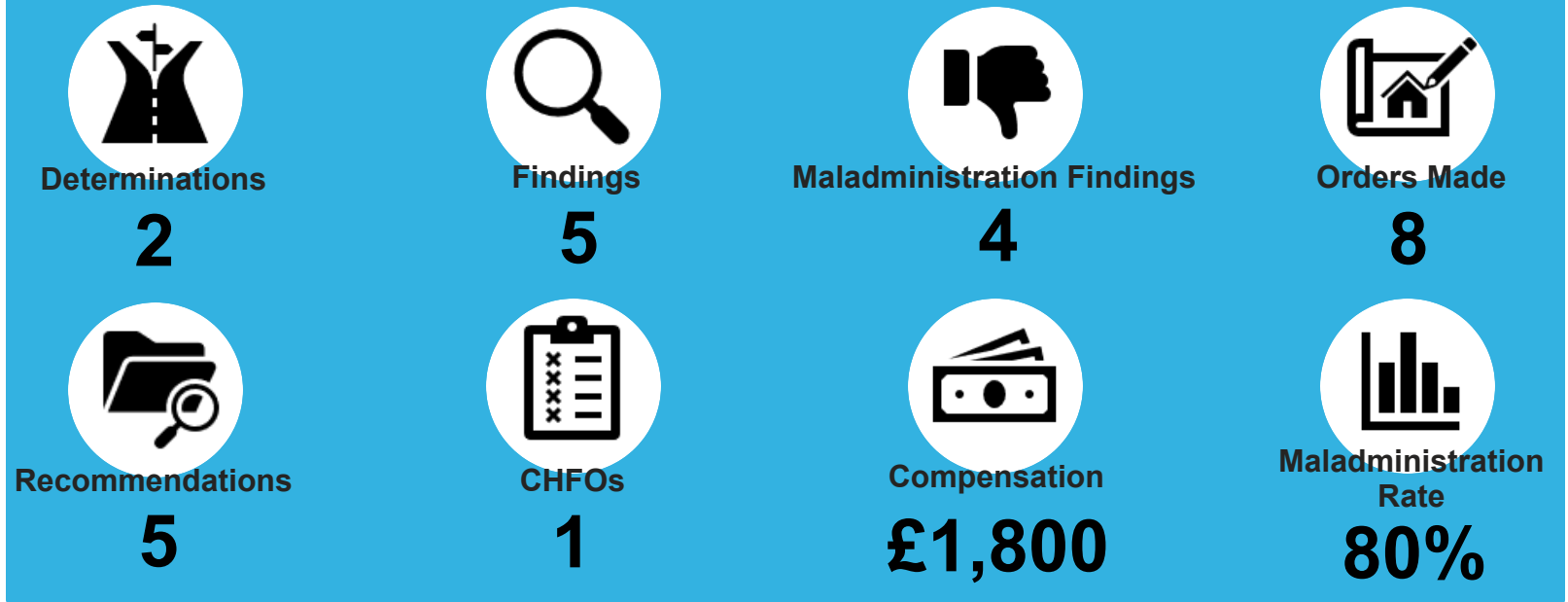
North Yorkshire Council

Landlord: North Yorkshire Council

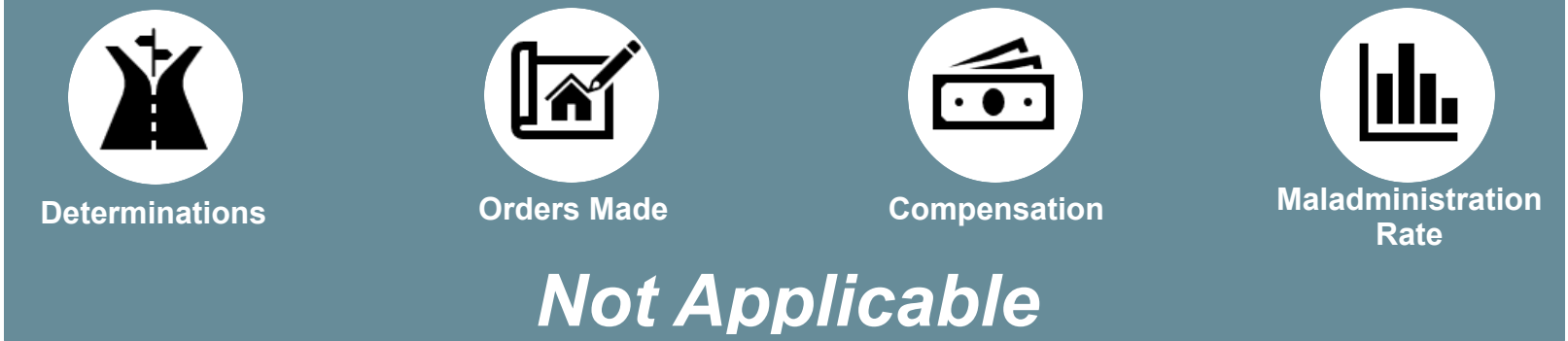
Landlord Homes: 8,850

Landlord Type: Local Authority / ALMO or TMO

PERFORMANCE AT A GLANCE



PERFORMANCE 2022-2023



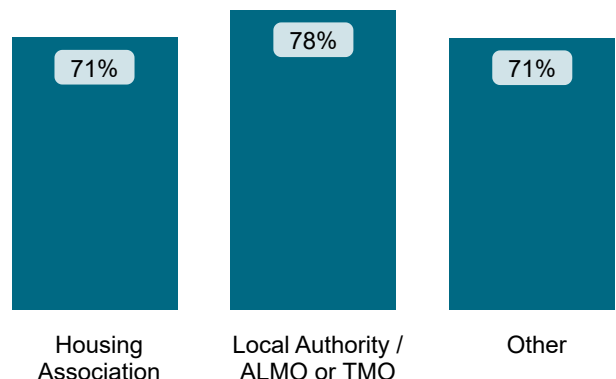
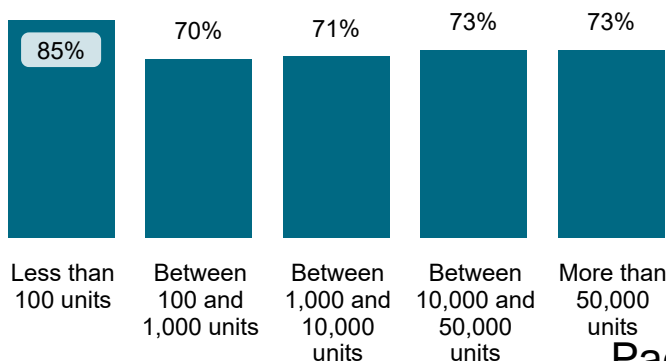
Maladministration Rate Comparison | Cases determined between April 2023 - March 2024

NATIONAL MALADMINISTRATION RATE: 73%

The landlord performed *similarly* when compared to similar landlords by size and type.

National Mal Rate by Landlord Size: Table 1.1

by Landlord Type: Table 1.2



Findings Comparison | Cases determined between April 2023 - March 2024

National Performance by Landlord Size: Table 2.1

Outcome	Less than 100 units	Between 100 and 1,000 units	Between 1,000 and 10,000 units	Between 10,000 and 50,000 units	More than 50,000 units	Total
Severe Maladministration	14%	6%	4%	8%	7%	7%
Maladministration	35%	37%	41%	42%	43%	42%
Service failure	18%	19%	20%	18%	19%	19%
Mediation	0%	0%	1%	1%	1%	1%
Redress	0%	5%	7%	8%	12%	9%
No maladministration	12%	21%	20%	15%	12%	15%
Outside Jurisdiction	22%	11%	8%	7%	5%	7%
Withdrawn	0%	0%	0%	0%	0%	0%

North Yorkshire Council	
Outcome	% Findings
Severe Maladministration	20%
Maladministration	40%
Service failure	20%
Mediation	0%
Redress	20%
No maladministration	0%
Outside Jurisdiction	0%
Withdrawn	0%

National Performance by Landlord Type: Table 2.2

Outcome	Housing Association	Local Authority / ALMO or TMO	Other	Total
Severe Maladministration	6%	9%	6%	7%
Maladministration	41%	45%	36%	42%
Service failure	19%	18%	21%	19%
Mediation	1%	1%	0%	1%
Redress	12%	4%	5%	9%
No maladministration	15%	15%	21%	15%
Outside Jurisdiction	6%	9%	11%	7%
Withdrawn	0%	0%	0%	0%

Outcome	% Findings
Severe Maladministration	20%
Maladministration	40%
Service failure	20%
Mediation	0%
Redress	20%
No maladministration	0%
Outside Jurisdiction	0%
Withdrawn	0%

Landlord Findings by Category | Cases determined between April 2023 - March 2024

Table 2.3

Category	Severe Maladministration	Maladministration	Service failure	Mediation	Redress	No maladministration	Outside Jurisdiction	Withdrawn	Total
Anti-Social Behaviour	0	1	0	0	1	0	0	0	2
Complaints Handling	0	1	1	0	0	0	0	0	2
Property Condition	1	0	0	0	0	0	0	0	1
Total	1	2	1	0	1	0	0	0	5

Findings by Category Comparison | Cases determined between April 2023 - March 2024

Top Categories for North Yorkshire Council

Table 3.1

Category	# Landlord Findings	% Landlord Maladministration	% National Maladministration
Anti-Social Behaviour	2	50%	68%
Complaints Handling	2	100%	84%
Property Condition	1	100%	73%

National Maladministration Rate by Landlord Size:

Table 3.2

Category	Less than 100 units	Between 100 and 1,000 units	Between 1,000 and 10,000 units	Between 10,000 and 50,000 units	More than 50,000 units	% Landlord Maladministration
Anti-Social Behaviour	71%	61%	60%	67%	75%	50%
Complaints Handling	100%	87%	87%	86%	81%	100%
Property Condition	75%	63%	72%	74%	74%	100%

National Maladministration Rate by Landlord Type:

Table 3.3

Category	Housing Association	Local Authority / ALMO or TMO	Other	% Landlord Maladministration
Anti-Social Behaviour	68%	69%	67%	50%
Complaints Handling	81%	91%	91%	100%
Property Condition	72%	77%	59%	100%

Findings by Sub-Category | Cases Determined between April 2023 - March 2024

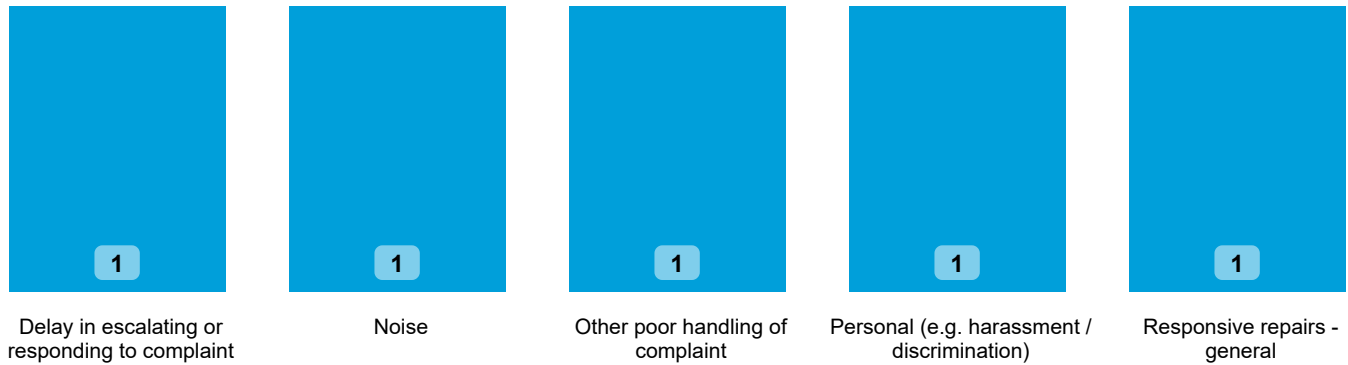
Table 3.4

Highlighted Service Delivery Sub-Categories only:

Sub-Category	Severe Maladministration	Maladministration	Service failure	Mediation	Redress	No maladministration	Outside Jurisdiction	Withdrawn	Total
Noise	0	0	0	0	1	0	0	0	1
Responsive repairs - general	1	0	0	0	0	0	0	0	1
Total	1	0	0	0	1	0	0	0	2

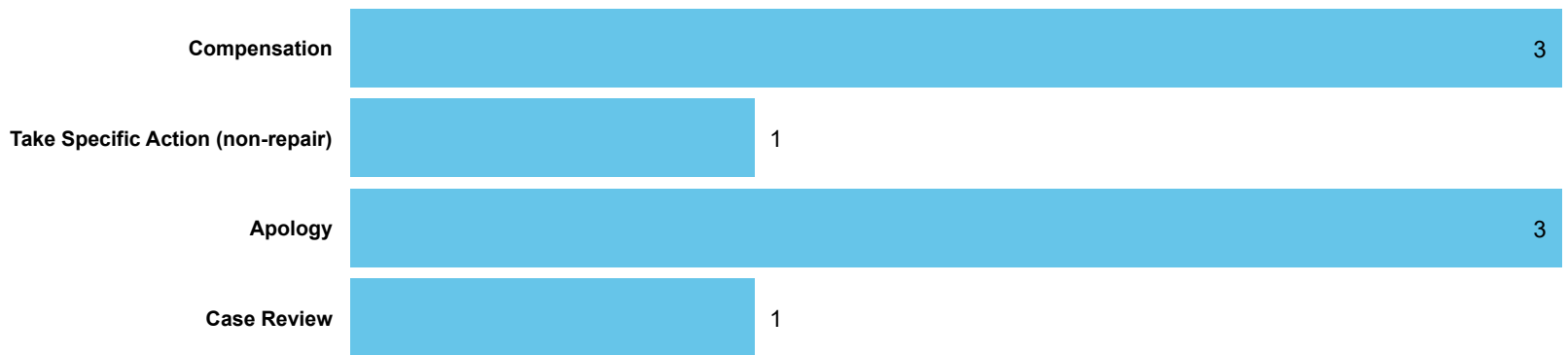
Top Sub-Categories | Cases determined between April 2023 - March 2024

Table 3.5



Orders Made by Type | Orders on cases determined between April 2023 - March 2024

Table 4.1



Order Compliance | Order target dates between April 2023 - March 2024

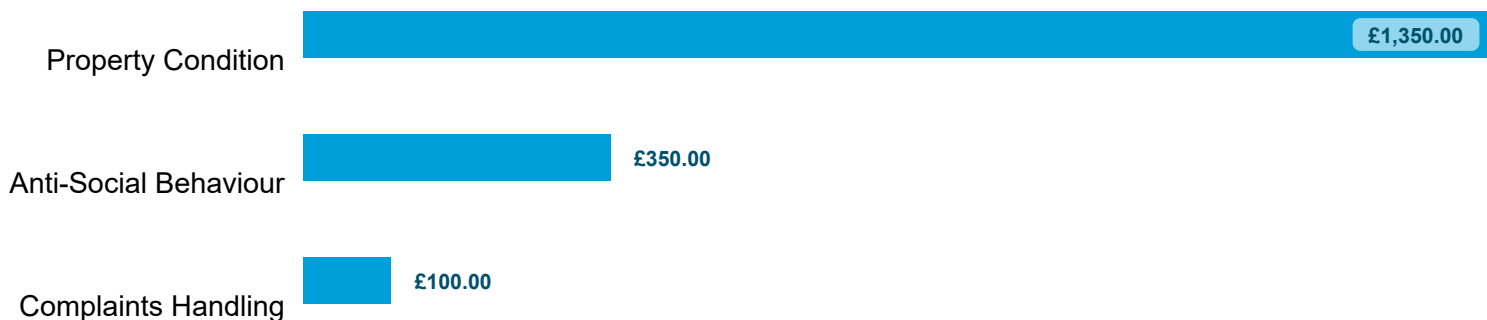
Table 4.2

Order Complete?	Within 3 Months	
	Count	%
Complied	8	100%
Total	8	100%

Compensation Ordered | Cases Determined between April 2023 - March 2024

Table 5.1

● Ordered ● Recommended



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Housing & Leisure Overview & Scrutiny Committee

25 November 2024

Proposals For Scrutiny Review Task Group Work

1.0 Purpose of the Report

- 1.1 To consider and agree a way forward for the proposed HRA Policy Framework scrutiny review topics and nominate individual committee members to participate in those Task Group Reviews.

2.0 Background

- 2.1 At the Committee's last meeting held on 2 September 2024 the Committee considered a report on the Policy Framework for Landlord Services and Housing Standards, a key component in our Housing Improvement Programme to meet the requirements of the Social Housing (Regulations) Act 2023 and demonstrate compliance with the Consumer Standards set by the Regulator for Social Housing.
- 2.2 The report listed the Policies, Procedures and Standards which will be required in order to deliver a harmonised landlord service to our tenants, together with the proposed consultation principles, adoption timetable and decision level for each, in order to ensure that the Framework is compiled as effectively and transparently as possible.
- 2.3 The Committee was asked to consider the list and the proposed timetable and agree which policy reviews they would like to participate in either as a full Committee or through a number of Task Groups (TG).
- 2.4 The Committee agreed that where possible they would like to be involved both at the policy formation stage and at post public consultation/pre-decision stage. They recognised this would not be possible in all cases given the tight timeframe for developing some of the key standards and policies and that in those instances, it would be better to be involved at post public consultation/pre-decision stage.
- 2.5 The Committee recognised that in order to sign up to participate in a particular TG, Members would need an understanding of the commitment it would require i.e. the optimum number of task group meetings each review would require and the possible meeting dates when they would need to be available.
- 2.6 Given the scale of the task, officers were asked to identify four or five key standards / policies where member contribution via a task group review could add the most value, and to consider what the work of each TG might include. Outside of that, members agreed other draft Policies, Procedures and Standards should come to the committee prior to their consideration by the Executive Member for Culture, Arts & Housing so that the views of scrutiny members could inform the decision-making process.

3.0 Proposed Policy Review Scrutiny Topics

- 3.1 The following four Standards / Policies have been identified as suitable for scrutiny review, where the committee could directly influence and add value to the process of harmonising current/legacy policies as part of a planned policy review or where there is currently policy conflict:

- **Lettable Standard (Void Standard)** - Scheduled for Executive Member approval on 9 April 2025
- **Grounds Maintenance Policy** - Scheduled for Executive Member approval on 9 April 2025
- **Housing Fees and Charges Policy** - Scheduled for Executive Member approval on 9 July 2025.
- **Compensation Policy** – Scheduled for Executive Member approval on 9 July 2025.

3.2 **Lettable Standard (Void Standard)**

To develop a Lettable Standard for NYC social housing stock. This standard details the condition which a property will be brought up to once a tenancy ends in preparation for an incoming tenant / mutual exchange. Void standards across the stock holding localities currently differ and could be improved.

Status: Some work has commenced on an operational level, using Harrogate's previous standard.

Lead Officers: Lorraine Larini, Paul Cole, Sara Smith

It is proposed the Task Group would meet three times – (Sessions 1 & 2 on same day with a lunch break between):

Friday 10 January 2025 – Information Gathering Day

- Informal TG Session 1 (AM) – To start in a meeting room for a briefing on current compliance with the RSH Consumer Standards and industry standard best practice.
- Followed by site visits to inspect voids (session likely to be held in Selby as that is where there is the highest turnover of voids -tbc)
- Informal TG Session 2 (PM) – Meeting to consider void numbers, complaints, tenant feedback and financial implications.

Tuesday 28 January - Options Consideration

- Informal TG Session 3 (AM or PM)– To assist in the development of a draft Policy through consideration of an options paper including consideration of financial implications to Council and implications for tenants.

Full Committee to consider TG review feedback and recommendations, and draft Policy (informed by the TG review). The final Task Group review report would come to the full Committee at its meeting on 10th March 2025, prior to its consideration by the Executive Member on 9 April 2025.

3.3 **Grounds Maintenance Policy**

To harmonise the Grounds Maintenance Policy for NYC Tenants. Currently tenants receive a different service depending on locality.

Status: Officers have yet to start work on this

Lead Officers: Lorraine Larini and Carl Doolan

It is proposed the Task Group would meet two times:

Monday 3 February 2025 (AM)

- Informal TG Session 1: TG to start in meeting room, to consider current compliance with the RSH Consumer Standards and review industry standard best practice.
- Followed by site visit to carry out estate walk (location to tbc)

Friday 20 February

- Informal TG Session 2: To consider tenant feedback and assist in the development of a draft Policy through consideration of an options paper including consideration of financial implications to Council and implications for tenants.

Full Committee to consider TG review feedback and recommendations, and draft Policy (informed by the TG review) at its meeting on 10th March 2025, prior to its consideration by the Executive Member on 9 April 2025.

3.4 **Housing Fees and Charges Policy - Service Charges**

To help shape the Policy. Currently 3 separate approaches to Service Charges and what services are offered to NYC tenants across the stock holding localities. This is a large piece of work which will require thorough consultation with tenants.

Status: Not yet started

Lead officer(s): To be confirmed.

Task Group to meet two times in April/May 2025 – exact dates to be agreed with input from Lead Officers. Review would need to be completed by 23 May 2025.

Informal TG Session 1 to:

- Consider current compliance with RSH Consumer Standards and review industry standard best practice.
- Review tenant satisfaction feedback.

Informal TG Session 2 to:

- Assist in the development of a draft Policy through consideration of an options paper including consideration of financial implications to Council and implications for tenants.

Full Committee to consider TG review feedback and recommendations, and draft Policy (informed by TG review) at its meeting on 11th June 2025, prior to its consideration by the Executive Member on 9 July 2025.

3.5 **Compensation Policy/Procedure**

To review / harmonise the tenant/ leaseholder compensation policy, taking into account legacy policies, best practice, consumer standards and housing ombudsman code.

Status: Not yet started

Lead officer(s): To be confirmed.

Task Group to meet two times in April/May 2025 – exact dates to be agreed with input from Lead Officers. Review would need to be completed by 23 May 2025.

Informal TG Session 1 - To:

- Consider current compliance with RSH Consumer Standards and review industry standard best practice.
- Review compensation claims, complaints trends and tenant experience/feedback.

Informal TG Session 2 – To:

- Assist in the development of a draft Policy/Procedure through consideration of an options paper including consideration of financial implications to Council and implications for tenants.

Full Committee to consider TG review feedback and recommendations, and draft Policy/Procedure (informed by TG review) at its meeting on 11th June 2025, prior to its consideration by the Executive Member on 9 July 2025.

4.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 4.1 The adoption of appropriate Policies, Procedures and Standards as part of an agreed HRA Policy framework aligns with the council priority: 'To ensure that our council housing stock remains decent and continues to improve, with an ambition to become an exemplar social landlord'.

5.0 IMPLICATIONS

- 5.1 The financial, legal, equality and climate change implications associated with the four Policies / Standards will be identified as part of each Task Group scrutiny review and detailed within each Task Group's draft final report for the full Committee's consideration.

6.0 REASON FOR RECOMMENDATIONS

- 6.1 In order to ensure that the Overview and Scrutiny Committee has effective oversight of and the opportunity to contribute to the development of policies, to promote transparency, to expedite decision making, and to support the work to harmonise the Council's HRA Policy Framework as soon as possible.

6.0 Recommendation

6.1 The Committee is asked to:

- i) Consider and agree the four proposed Policies / Standards for Task Group scrutiny review.
- ii) Note the proposed Task Group meeting dates and proposed remit for each Task Group review.
- iii) Seek nominations for each of the four Task Groups.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
County Hall
NORTHALLERTON

13 November 2024

Report Author & Presenter of Report – Melanie Carr, Senior Scrutiny Officer

BACKGROUND DOCUMENTS: None

APPENDICES: None

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Housing & Leisure Overview and Scrutiny Committee Draft Work Programme 2024/25

Role and Remit: To scrutinise Housing and Leisure (including Culture)

Committee Meeting - Monday 10 June 2024 at 2pm	
Subject	Description
Housing Service Overview	Introductory Presentation - Andrew Rowe, AD Housing
Consumer Standards Compliance	Presentation on Compliance Self-Assessment and Housing Improvement Plan - Andrew Rowe, AD Housing
Current Performance	Performance and Service Improvement Report
HRA Policy Framework	Presentation on HRA Policies across Housing Landlord Services and Housing Standards - Andrew Rowe, AD Housing
Draft Training Plan	Proposed training plan for Members on housing related matters
Introduction to Leisure & Culture	Overview & Key Priorities – Presentation from Jo Ireland, AD Culture, Leisure, Archives & Libraries
Draft Work Programme 2024-25	
Mid Cycle Briefing - Monday 29 July 2024 at 10am	
Committee Meeting - Monday 2 September 2024 at 10am	
Subject	Description
Libraries	Annual Review of Libraries – Hazel Smith, Head of Libraries
NYC Cultural Strategy	Cultural Strategy for NYC Progress Update – Danielle Daglan, Head of Culture & Archives
<i>Strategic Leisure Review Update</i>	<i>Progress Update – Jo Ireland, AD</i>
Housing Policy Framework	Identifying which policies are suitable for a deeper dive (possible Task & Finish Group) – Vicky Young, Housing Service Improvement Manager
ASB Policy	Draft Anti-Social Behaviour Policy (Landlord Services) – Carl Doolan, Head of Housing Management & Landlord Services
<i>Housing – Regulatory Update</i>	<i>Verbal update from Andrew Rowe, AD Housing</i>
<i>Housing Improvements</i>	<i>Housing Improvement Board - progress update on key actions – Andrew Rowe, AD Housing</i>
Work Programme 2024-25	
Mid Cycle Briefing - Monday 28 October 2024 at 10am	

Committee Meeting - Monday 25 November 2024 at 10am

Subject	Description
Executive Member Update	Attendance of Executive Member for Culture, Arts & Housing (to discuss new housing, cultural strategy etc) Invitation sent – attendance confirmed
Housing Growth Update	Andrew Rowe, AD Housing & Hannah Heinemann, Head of Housing Delivery and Partnership
Strategic Leisure Review Update	Progress Update – Jo Ireland, AD
Tenancy Policy	Consultation on draft revised Policy – Carl Doolan, Head of Housing Management & Landlord Services
Tenant Involvement Strategy	Consultation on draft Strategy – Sarah Thompson, Tenant Involvement Manager
Complaints	Update report on complaints handling including Ombudsman cases
<i>Housing Improvements</i>	<i>Verbal update on Housing Improvement Board key actions – Andrew Rowe, AD Housing</i>
<i>Housing – Regulatory Update</i>	<i>Verbal update from Andrew Rowe, AD Housing</i>
Scrutiny Review Proposals	Proposals for four Scrutiny Task Group Reviews – Melanie Carr, Senior Scrutiny Officer
Work Programme 2024-25	

Mid Cycle Briefing - Monday 27 January 2025 at 10am

Committee Meeting - Monday 10 March 2025 at 10am

Subject	Description
<i>Housing – Regulatory Update</i>	
<i>Housing Improvements</i>	<i>Housing Improvement Board Progress Report</i>
<i>Complaints</i>	<i>Update on complaints handling including Ombudsman cases</i>
Work Programme 2024-25	

Mid Cycle Briefing - Monday 28 April 2025 at 10am

Proposed topics for consideration:

- Homelessness Strategy
- Housing Dashboard regular updates (voids; repairs etc)
- Tenants Feedback – Attendance of Chair of Tenants Association

Melanie Carr - Senior Scrutiny Officer
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