

You are requested to attend a meeting of the Tenant Services Management Board to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 17 May 2011 at 18:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Tenant Services Management Board held on 15 March 2011 and the 18 April 2011 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 Disabled Adaptations - Verbal Report of the Senior Technical Officer
Reporting Officer: Stuart Hall
- 6 Housing Revenue Account Forum Project - Report of the Community Services Manager
Reporting Officer: James Barrahan
- 7 Housing Revenue Account Business Plan 2012 - 2042 - Report of the Housing Services Lead - (to follow)
Reporting Officer: Stephen Boland
- 8 Anti Social Behaviour Service Standard and Policy - Report of the Estate Officer
Reporting Officer: Steven Clarke
- 9 Tenant's Open Day - Verbal Report of the Tenant Empowering Manager
Reporting Officer: Martin Price
- 10 Leisure Facilities for Younger People - Verbal Report of Board Member Kevin Hellier
- 11 Tenant Participation Advisory Service Annual Conference - Verbal Report of the Tenant Empowerment Manager
Reporting Officer: Martin Price

Tonya Meers
Legal and Democratic Services Manager

09 June 2011

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

If a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors or Tenant Services Management Board Members begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact Democratic Services on 01823 356382 or email d.durham@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or e-mail us at: enquiries@tauntondeane.gov.uk

Tenant Services Management Board Members:-

Councillor R Bowrah, BEM
Councillor S Brooks

Minutes of the meeting of the Tenant Services Management Board held on Tuesday 15 March 2011 at 6pm in the John Meikle Room, The Deane House, Belvedere Road, Taunton.

Present: Mr Etherington (Chairman)
Mr Edwards (Vice- Chairman)
Councillor Bowrah, Mrs Drage, Mr Galpin, Mr Hellier, Mrs Marshall and Mr Watkin

Officers: Stephen Boland (Housing Services Lead), Paul Hadley (Housing Estates Manager), Sharon Harvey (Support Housing Team Manager), Tim Haynes (Property Manager), Helen Mockridge (Administrative Assistant), Martin Price (Acting Tenant Empowerment Manager), Rosie Reed (Tenant Services Development Officer), Christine Thompson (Supported Housing Manager), Tracey Vernon (Tenant Services Development Officer) and Lesley Webb (Housing Enabling Lead)

(The meeting commenced at 6pm)

20. Apology

Apology: Councillor Brooks

21. Minutes

The minutes of the meeting of the Tenant Services Management Board held on 14 February 2011 were taken as read and were signed.

22. Public Question Time

A group of tenants asked the Board the reasons why solid fuel and open fires were being removed from Council properties. It was an eco friendly and sustainable source of fuel.

The Property Manager responded that it was because of Health and Safety issues, chimney fires and carbon monoxide poisoning were a particular concern, and the cost of servicing and ongoing costs of maintenance.

23. Declaration of Interests

The following members declared a personal interest as a Council house tenant:

- Mrs Drage
- Mr Edwards
- Mr Etherington
- Mr Galpin

- Mr Hellier
- Mrs Marshall
- Mr Watkin

Councillor Brooks declared personal interests as a council house tenant and as a Member of Somerset County Council.

24. Fire Places in Taunton Deane Borough Council

The Property Manager explained that oil burners which had been installed in properties without permission were a concern. Full central heating had been installed to provide adequate heating to each room. This had been done in properties which had chimney fires. Open fires had been bricked up where there were exchanges or voids. Health and Safety was a concern. Chimney fires had increased by 25% and carbon monoxide was a greater risk from open fires. The cost implications of repairs, maintenance and servicing was also referred to.

Resolved that the Property Manager bring more detailed proposals to a future meeting.

25. Regeneration Halcon North

The Housing Enabling Lead updated the Board on the Regeneration of Halcon North.

A business plan was being progressed and information from tenants was being fed into the plan.

Due to poor turn out, surgeries were no longer being held although calling on residents had proved productive.

The Board asked about alternative accommodation. It was explained that people would have to go in temporary accommodation for a while. If required any adaptations for those requiring them would be provided and paid for from the cost of the scheme.

The Housing Services Lead explained that a case had to be made for developing the area. It needed to be clear that this was the right thing to do and how this was best achieved. The whole project was being looked at by the Housing Quality Network Consultancy. Various options were being considered.

Resolved that the update be noted.

26. Passivhaus Construction

The Housing Enabling Lead gave the Board an update regarding this. Passivhaus was a german company. Their houses were heated from dense insulation. Ways were being looked at to reduce carbon emissions. A major

problem was that developers were not interested in putting extras in properties to drive down fuel poverty. Taunton Deane Borough Council was considering carrying out a pilot scheme to build two of these properties. A site in Churchill Way, Taunton had been identified due to its sunny aspect and open space needed. Although the concept had been greeted favourably by residents, the site had not.

More detailed costs were required and would be considered by the Executive in May 2011.

The following questions were asked. Responses are shown in italics:

Could the Council enforce developers to install solar panels etc?
Taunton Deane could not enforce them but could encourage.

Could Passivhaus buildings be multi occupancy?
Yes, they could be built as flats. If successful they could be built at Halcon; and

How long would the properties be monitored once built?
It was thought at least five years.

Resolved that the update be noted.

27. Supported Housing Service Standard

Considered report previously circulated, presenting the revised service standard for the Supported Housing Service. The report outlined the service tenants in designated Sheltered, Low Level and Extra Care Housing Schemes could expect to receive. It provided details of the specific elements of the service, how outcomes would be monitored and what a client could do if they wished to complain that a standard had not been met.

The report aimed to raise the awareness of the Tenant Services Management Board and provide an opportunity for members to comment and shape the format of this service standard.

Service Standards were originally agreed following consultation with tenants in 2004. They were reviewed in 2010 as part of the validation process to achieve the revised Quality Assessment Framework. The standards were reformed to produce a leaflet in the same style as other Housing Service Standards and were shared with members at the meeting.

A copy of the Service Standard was submitted. It aimed to provide clear information to prospective and existing tenants as to what they could expect from Taunton Deane Borough Council, how this would be monitored and what tenants could do if a standard had not been met.

The cost of implementing this would be met within existing budgets and incorporated into the welcome pack for new tenants.

The outcomes expected as a result of the revised service standard were detailed.

Resolved that

- (1) The content of the supported housing service standard leaflet be agreed and provided to all new tenants; and
- (2) Officers be tasked to update the website, monitor and scrutinise the standard and provide the sheltered housing forum AGM in April 2011.

28. Tenant Involvement in developing Supported Housing Services

Considered report previously circulated, concerning the work undertaken by Taunton Deane Borough Council to involve tenants in developing housing related support services. It outlined the process in place together with the role of the members of the Sheltered Housing Forum, Supported Housing Service Development Group. The report considered how the role of the Sheltered Housing Forum currently worked in relation to the Tenant Services Management Board.

The Council had just over a thousand properties in Low Level (Hardwired, non-estate) Sheltered and Extra Care Housing.

There were a number of ways for tenants to influence how the Council met their landlord responsibilities. The Department of Communities and Local Government recommended that there be a more formal process for the Council to scrutinise their performance against standards.

The Constitution and aims of the Sheltered Housing Forum were submitted.

A small number of tenants had formed a Service Development Group. The projects they had been involved with were detailed.

It was proposed that the Sheltered Housing Forum would take on a more directive role, work with officers in service development and then submit reports to the Tenant Services Management Board.

Resolved that the report be noted.

29. Estate Management Service Standard

Considered report previously circulated regarding the proposal for a new service standard for Estate Management for Taunton Deane Borough Council Landlord Services. It outlined the service tenants in council housing could expect from landlord services on managing their estates. Landlord services were committed to working with their tenants to promote a sense of pride and respect for the area where they lived.

The Standard aimed to provide a simple leaflet for tenants to access. A copy of the proposed standard was submitted. Costs would be met from within existing budgets.

Resolved that the Standard be approved in principle before going to the Tenant's Forum.

30. Satellite Housing Office in Wellington

Considered report previously circulated regarding the establishment of a Satellite Housing office based in Wellington.

In 2007 the Housing Estate Officers from the Wellington area made greater use of the facilities at the Wellington Community Office to improve services to tenants. That same year a locality based working project was commissioned to look at bringing together partner agencies to provide a 'one stop shop' facility for Housing, Benefits, Tourism, Social Services and the Police. The report was to provide the TSMB with the opportunity to consider a comment on the on the proposal to establish a Satellite Housing Office in Wellington.

It was proposed that a Satellite Housing office be set up in the Wellington Town Council which would be the base for two estate officers. Details of the costs involved were reported. The benefits included a reduction in carbon emissions and a reduction in travelling time.

Resolved that the proposal be approved.

31. Fire Project

Considered report previously circulated regarding the actions and progress made in relation to fire safety for council housing blocks of flats.

Work had been carried out by the various sections of the Council to blocks of flats in Taunton following an arson attack at a block of flats in Dorchester Road.

Five key action areas were identified in the report and supported by the Fire Brigade. Information regarding the progress to date in each of these key action areas was submitted.

Resolved that the actions and progress to date be noted

33. Tenant Services Management Board Annual General Meeting

A Tenant's Day would be held on Monday 18 April 2011 at the Somerset County Cricket Club from 11am until 9pm. The day would be opened by the Mayor of Taunton Deane. The Tenant Services Management Board Annual General Meeting would be held at 5pm.

Members of the Board agreed that a mail shot should be sent out to tenants to publicise the event at a cost of £1847.

32. Tenant Participation Advisory Service Annual Conference

The Tenant Empowerment Manager reported that the Tenant Participation Advisory Service Annual Conference would take place on the 28th and 29th July 2011. The cost would be £499 per delegate. It was suggested that the Board send three members.

(The meeting ended at 9.12pm)

Minutes of the AGM meeting of the Tenant Services Management Board held on Monday 18 April 2011 at 5pm in The Long Room, Somerset County Cricket Club, Taunton.

Present: Mr Etherington (Chairman)
Mr Edwards (Vice- Chairman)
Councillor Bowrah, Councillor Brooks, Mrs Drage, Mr Galpin,
Mrs Hegarty, Mr Hellier and Mrs Marshall.

Officers: James Barraah (Community Services Manager), Stephen Boland (Housing Services Lead), Nora Day (Housing Estate Manager), Simon Lewis (Strategy and Corporate Manager), Rosie Reed (Tenant Services Development Officer), Martin Price (Tenant Empowerment Manager), Phil Webb (Housing Manager – Property Services) and Natasha Williams (Administrative Officer).

Others: Councillor Morrell and Councillor Stuart-Thorn.

(The meeting commenced at 5pm).

1. Introduction

The Chairman welcomed all board members and tenants who attended the meeting and gave a brief history of the formation of the Tenant Services Management Board.

2. Tenant Services Management Board 2010/2011

The following issues raised at previous Tenant Services Management Board meetings were highlighted:-

- Service Standards;
- Housing Revenue Account Reform;
- Guest rooms in Sheltered Housing;
- Property Services Review;
- Annual Report to Tenants and Tenant Services Authority;
- Direct Labour Organisation Transformation Project;
- Energy Efficiency;
- Halcon North – Regeneration;
- Draft Housing Revenue Account Budget and
- Council House Voids

A 'welcome pack' had been produced for new tenants. The Audit Commission had commented that the 'welcome pack' included useful information for new tenants.

The Chairman thanked all board members for their time.

Councillor Bowrah thanked Dustyn Etherington for being Chairman of the Tenant Services Management Board. Councillor Brooks concurred.

3. The year ahead for the Tenant Services Management Board

Mr Boland (Housing Services Lead) welcomed all at the meeting and advised that the Tenants Open Day had been a success.

The next 12 months were important as a new era for council houses was emerging. Mr Boland explained the need for self-financing and advised that this was the preferable route for Taunton Deane Borough Council to follow.

The Halcon North regeneration project was briefly outlined and tenants were advised that the Ward would be consulted throughout the project.

The recent status survey identified that 90% of tenants were satisfied with the Landlord service provided. This was an increase on last year and was deemed a positive insight and very good result. In 2008, the best landlords in the country received approximately a 90% satisfaction result, so Taunton Deane Borough Council had done well.

A new business plan was to be in place shortly. Strategic objectives would be included and shaping delivery of services for tenants.

4. Election of Chairman

Dustyn Etherington was appointed as Chairman of the Tenant Services Management Board.

5. Election of Vice-Chairman

Mark Edwards was appointed as Vice-Chairman of the Tenant Services Management Board.

6. Public Question Time

Councillor Morrell raised three issues with board members. It was requested that a review occur with regard to the general fund and the cost of director charges.

It was also requested that the Tenant Services Management Board review the current level of vandalism to properties and consider where savings could be made. An increase in inspections could make savings in the long run.

Councillor Morrell also suggested that the board consider the disposal of land to registered social landlords.

Mr Barrah advised that Councillor Morrell's questions regarding the budget had already been received at a previous meeting and were currently being looked into.

Councillor Brooks advised that a breakdown of the cost of directors would be useful.

7. Declaration of Interests

The following members declared a personal interest as a Council house tenant:

- Mrs Drage
- Mr Edwards
- Mr Etherington
- Mrs Hegarty
- Mr Hellier
- Mrs Marshall
- Mr Watkin
- Councillor Brooks

Councillor Brooks also declared a personal interest as a Member of Somerset County Council.

8. Budget Strategy Project

Mr Lewis explained the significant pressure over the coming years on the Councils General Fund. The Budget Review project was seeking to create savings options equivalent to a 40% reduction over the four years from 2012/13 to 2015/16.

Taunton Deane Borough Council would look into current assets, procurement as well as technology. Current terms and conditions of staff would be reviewed as well as contracts with partnerships.

Mr Barrah advised board members that unprecedented change was going to occur to the Housing Revenue Account (HRA).

Mr Barrah outlined the issue of self financing and that this would go live from April 2012. However, a range of options in the management and asset expenditure that would allow the Council to respond to other challenges facing the HRA.

It was requested that self-financing be put on the forward plan for the next meeting of the Tenant Services Management Board.

The board members were thanked for their time and commitment.

The next meeting of the Tenant Services Management Board would be held on 17 May 2011.

(The meeting ended at 6:10pm).

Declaration of Interests

Tenant Services Management Board

Taunton Deane Borough Council Housing Tenants – Councillor Brooks,
Mrs Drage, Mr Edwards, Mr Etherington, Mr Galpin, Mrs Hegarty, Mr Hellier,
Mrs Marshall and Mr Watkin

Member of Somerset County Council – Councillor S Brooks

Housing Revenue Account Reform – Project Outline – Version 1.7

Aim of the Project

The Project Group was convened to lead on Taunton Deane Borough Council's response to Government's reform of Housing Revenue Account arrangements. These are set out in the CLG's document 'Implementing Self Financing for Council Housing', which includes plans to radically change Council Housing finance. The negative subsidy system is to be replaced by a self financing model. This Project Group is designed to guide Taunton Deane Borough Council's services through this process efficiently and to enable Full Council to reach a considered decision on a new HRA business plan.

The project is divided into three broad phases that will collectively deliver the associated outcomes by April 2012, as outlined below:-

1. Policy & Priority Review Including the Development of the Outline Business Case
 - Outline current position costs and performance
 - Agree new Asset Management Plan
 - Profile expected income position
 - Engage all appropriate stakeholder groups
 - Clarify Stakeholder aspirations for the service
 - Produce Business Plan based on current position
 - Identify key policy issues where decisions need to be made
2. Agreement of Business Plan
 - Confirm key housing related policies to be incorporated in modelling
 - Agree a robust and affordable 30 year business plan for housing
3. Finalising Financial Arrangements
 - Agree updated treasury and accounting policies to reflect self financing regime.
 - Agree and implement funding
 - Agree and design plans for monitoring financial performance and control.

Summary of Project Work Packages

Ref No.	Work Package	Lead	RAG Status
1	Treasury Management	Maggie Hammond	
2	Data Checking	Fiona Gudge	
3	Financial Controls/Accountancy Changes	Paul Fitzgerald	
4	Affordable Housing	Martin Daly	
5	Policies/Best Practice	Martin Price	

6	Income Management	Stephen Boland	
7	Business Plan	Stephen Boland	
8	Stakeholder Engagement	Martin Price	
9	Assets	Phil Webb	
10	Baselining/Benchmarking	Stephen Boland	

Workstream Quality

All Workstream Leads will be required to ensure their workstreams consider and incorporate the following:-

- Equalities Impact Assessments (where required)
- Impacts on partners and any engagement / communications required with them
- Risk Assessment and proposed mitigation
- Timetable/milestones for the project
- Member/Tenant Governance

Each Workstream Lead will be responsible for completing a work package and forwarding the work package to the Project Manager.

Work packages will be signed off as completed and having met specification by the Project Sponsor at a fortnightly Project Group Meeting.

Governance and Responsibilities (please refer to Appendix A)

The following governance and roles are proposed to ensure accountability of the project and its outcomes:-

Members Change Steering Group – cross-party representation to oversee project progress and take ownership of the end results. The Project Manager will provide monthly highlight reports on project progress and individual Workstream Leads will report on an ad-hoc basis, as and when required.

Project Sponsor – Accountable for the success of the project; authorises resources; provides direction; provides visible support to Project Manager; authorise work packages as fit for purpose. Key role includes ensuring project stays focussed on objectives, ensure value for money, ensure deliverables meet project needs and responsible for business case.

Project Lead - The Project Lead will have the following responsibilities:-

- Be directly accountable for the delivery of the project by producing agreed outputs to the required specification and quality within budget.
- Maintain close liaison and communication with key stakeholders.
- Provide day to day direction to the project, respond to project issues and take decisions to ensure project maintains momentum and that the timetable is achieved.

- Ensure that communications with internal and external stakeholders are effective.
- Manage the key strategic risks facing the project.
- Meet with the Project Manager frequently to review progress of the project.
- Commission and chair reviews during the project to ensure alignment with objectives, capability of delivery and measurable achievement of benefits.

Project Manager - The Project Manager will have the following responsibilities:-

- Design and agree work packages for each subgroup that have clearly defined outcomes, timescales, quality levels etc
- Liaise with Workstream Leads to monitor progress and help address any issues
- Report back to the Project Group on progress, issues, delays, completed work packages etc.
- Maintain a Risk Register
- Review lessons learnt from previous projects including the HRA Reform Project.
- Manage information flows between different levels of the project

Workstream Lead – Ensure delivery of different work packages assigned by the Project Manager on time and to required quality. Report back to the Project Manager on progress, issues and delays.

The Workstream Lead is expected to keep the Project Manager abreast of progress and on any issues arising that will lead to delays or changes to the required outputs.

Workstream Leads will also be requested to attend a fortnightly Project Group Meeting to share progress with the Project Sponsor, Project Manager and other Leads and to make links between the workstreams. The project will develop iteratively, with workstream results linking into each other and therefore these meetings will be critical to ensure shared communication.

On occasions, Workstream Leads will be required to report findings / progress to stakeholder groups including tenants and staff, which will be arranged through the ‘Stakeholder Engagement’ workstream as well as to CMT and a Members Change Steering Group.

Project Group Meetings – Fortnightly Project Group meetings will include the Project Sponsor, Project Manager and Workstream Leads. Workstream Leads will provide updates, share issues, make requests and ensure cross-working on workstreams.

Tenant Services Management Board – The TSMB will be briefed on the aim of the HRA Reform Project Group and will be kept updated on the progress of the project. The TSMB provide vital tenants’ input to the project.

CMT Steering Group – CMT will be used as a sounding board / steering group to challenge the findings of the project and add value. The Project Manager will circulate workstream dashboards to CMT and update them on key issues monthly.

Unison Change Forum – Progress will be reported periodically to the Unison Change Forum.

The proposed governance structure is shown as Appendix A.

Proposed Timetable:

Phase	Description	From	To
Project Start Up	Agree workstreams, aims of the project, governance etc.	March 2011	April 2011
1	Policy & Priority Review & Development of Outline Business Case	April 2011	October 2011
2	Agreement of Business Plan	November 2011	March 2012
3	Finalising Financial Arrangements	November 2011	March 2012

DRAFT

Project Work Packages

Title	1. Treasury Management
Lead Officer	Maggie Hammond
Description	Borrowing the current amount from the markets that meets the 30 year business plan.
Outcome	Funds borrowed in time to pay the CLG & best borrowing rates having been achieved.
Potential risks	Insufficient funds borrowed, The borrowing not matching the business plan, Events occurring within the HRA which means we can't meet borrowing costs, Risks around lenders options e.g. LOBO'S.

Ref	Outputs Required	Target Date	Dependencies
1.1	List of options for borrowing including rates and other borrowing terms & conditions.		
1.2	Funds in for paying CLG on the required date	28/3/12	CLG changing the date for payment and the value we need to borrow.
1.3	Borrowing that matches the business plan.		Business plan being drawn up as early as possible, so we know what we need to borrow.

Title	2. Data Checking
Lead Officer	Fiona Gudge
Description	To complete the annual returns forms and send them to the CLG.
Outcome	TDBC complete the requirements of the CLG.
Potential risks	Potential for TDBC to be fined by the CLG if forms are not returned.

Ref	Outputs Required	Target Date	Dependencies
2.1	Complete the first advance form	31.3.11 – CLG has extended this deadline until the 7/4/11	Receiving accurate data from other TDBC departments.
2.2	Complete the second advance form	Fiona to check	Receiving accurate data from other TDBC departments.
2.3	Complete bases date return	Issued 06/11 – return 08/11	Receiving accurate data from other TDBC departments.

Title	3. Accountancy Changes
Lead Officer	Paul Fitzgerald
Description	Define and implement new HRA accounting structure
Outcome	New accounting structures fully implemented for 2012/13 financial year onwards
Potential risks	Capacity within SW1 Finance, Need to change SAP, Delayed CIPFA guidance, Availability of Housing Stock Valuation Information

Ref	Outputs Required	Target Date	Dependencies
3.1	Update MTFP (Medium Term Financial Plan) -Draft 1 -Draft 2 -Final Version	July 2011 Nov 2011 Jan 2012	Government announcing TDBC exact debt settlement figure.
3.2	Set up arrangements to account for the debt and its repayment: -Existing Debt -New Debt	Sept 2011 Jan 2012	Arlingclose analysis of capital debt. Settlement figures confirmed
3.3	Produce separate balance sheet for the HRA -Restated 2010/11 Balance Sheet under new structure -2011/12 Balance Sheet under new structure	Sept 2011 June 2012	Availability of Accounting Regulations and CIPFA Guidance
3.4	Overhaul HRA Coding Structure	Sept 2011	Aim to deliver management reporting and statutory reporting with single structure
3.5	Prudential Indicators for need to be updated & formally approved (probably split between GF and HRA, whereas currently combined)	Sept 2011	Linked to Treasury Policy. Legislation being passed in July

3.6	Policy for debt repayment (“MRP” = Minimum Revenue Provision) needs to be revised & updated	Sept 2011	Needs to be updated at the same time as the Prudential Indicators
3.7	Update depreciation policy and practices, including componentisation, of housing stock assets	Oct 2011	CIPFA Guidance. Could have ongoing finance resource implications

DRAFT

Title	4. Affordable Housing
Lead Officer	Martin Daly
Description	To identify and codify plans for housing enabling, redevelopment and regeneration plans that could have an impact on the HRA
Outcome	A clear understanding of future housing plans and their impact on the HRA
Potential risks	Analysis not comprehensive enough. Information not available.

Ref	Outputs Required	Target Date	Dependencies
4.1	Identify and map in a structured way the location, scale and likelihood of future housing developments involving HRA assets	1 st July	Input from Growth and Strategy Team Staff
4.2	Present findings to Project Team to enable further analysis	19 th July	Project Team meeting
4.3	Evaluate extent of any conflicts between HRA and housing plans	1 st August	Input from Project Team
4.4	A clear steer on future affordable housing priorities and the HRA	31 st August	Input from the Project Team

Title	5. Policies/Best Practice
Lead Officer	Martin Price
Description	To identify and make recommendations on relevant HRA policies and best practice
Outcome	Clear information to aid challenges and decision making
Potential risks	Analysis not rigorous enough

Ref	Outputs Required	Target Date	Dependencies
5.1	Analysis of relevant good practice and HRA reform policies	27 th May	Availability of best practice
5.2	Identify operational areas to benefit from review of policies and best practice	31 st May	Agreement from housing management
5.3	Prioritise operational areas for review and timetable actions	31 st May	Agreement from housing management
5.4	Report initial findings and recommendations to project team	7 th June	Learning from research
5.5	Codify analysis in a clear, logical and accessible format	21st June	Input from Project Team
5.6	Integrate findings and recommendations with project plan	19th July	Work with Project Manager

Title	6. Income Management
Lead Officer	Stephen Boland
Description	
Outcome	
Potential risks	

Ref	Outputs Required	Target Date	Dependencies
6.1	Provide data on current levels of debt, including current rent arrears, FTA, Void Management.		
6.2	Provide 2011 projected income for the Housing Service.	May 2011	
6.3	Ensure effective income management arrangements are in place across the service.	Throughout 2011/12	Outcomes of Budget Review Programme & Outcomes of the HRA Settlement.

Title	7. Business Plan
Lead Officer	Stephen Boland
Description	Draft specification that will lead to commissioning of consultants who will help us produce a HRA Business Plan 2012-2042, which reflects TDBC Housing Services aspirations and objectives and understands the environment in which the service operates.
Outcome	HRA Business Plan 2012-2042 for the Housing Service.
Potential risks	Overrun on timescales for producing the business plan.

Ref	Outputs Required	Target Date	Dependencies
7.1	Produce a business plan specification brief and circulate to project group officers.	8/4/11	Asset Management Strategy
7.2	Approach several firms of consultants who have experience in delivering HRA Business Plans (i.e. strategic documents & action plans).	21/4/11	
7.3	Select preferred consultant.	End of April 2011	
7.4	Begin work with consultant on formulating business plan.	May 2011	
7.5	Complete business planning work.	?	

Title	8. Stakeholder Engagement
Lead Officer	Martin Price
Description	Provide opportunities for all stakeholders, including tenants, Councillors and staff, to be informed of the HRA Reform Project and its aims by using a variety of methods of communication.
Outcome	Fully informed Stakeholders who were provided with the opportunity to comment on the HRA Reform Project.
Potential risks	Capacity within Tenant Empowerment Team

Ref	Outputs Required	Target Date	Dependencies
8.1	Identify stakeholders to ensure all receive clear and accurate information. These include: <ul style="list-style-type: none"> ➤ Tenants ➤ Councillors ➤ Staff ➤ Community and voluntary groups ➤ Partners ➤ Other public service providers 	May 2011	
8.2	Identify stakeholders' respective information and consultation requirements	May 2011	
8.3	Ensure all information is up to date and accurate on Sharepoint site	Throughout 2011/12	
8.4	Identify key Project Group members who are accessible to stakeholders	May 2011	
8.5	Hold events in the JMR at key points during the project to inform staff of the project.	Throughout 2011/12	

8.6	Post articles in the Core Brief to inform staff of the project and key milestones.	Throughout 2011/12	
8.7	Set up FAQ'S to help anticipate difficult questions and ensure clear and consistent answers to them.	Throughout 2011/12	
8.8	Brief Councillors as part of their "Post Election Induction"	June 2011	
8.9	Brief all tenant groups including Tenant Services Management Board, Tenants' Forum, Sheltered Housing Forum and Tenant and Resident Association	Throughout 2011/12	
8.10	Brief a wider tenant audience by use of tenant newsletters and utilise websites and satellite offices.	Throughout 2011/12	
8.11	Record comments and feedback from consultation to update Project Group	Throughout 2011/12	

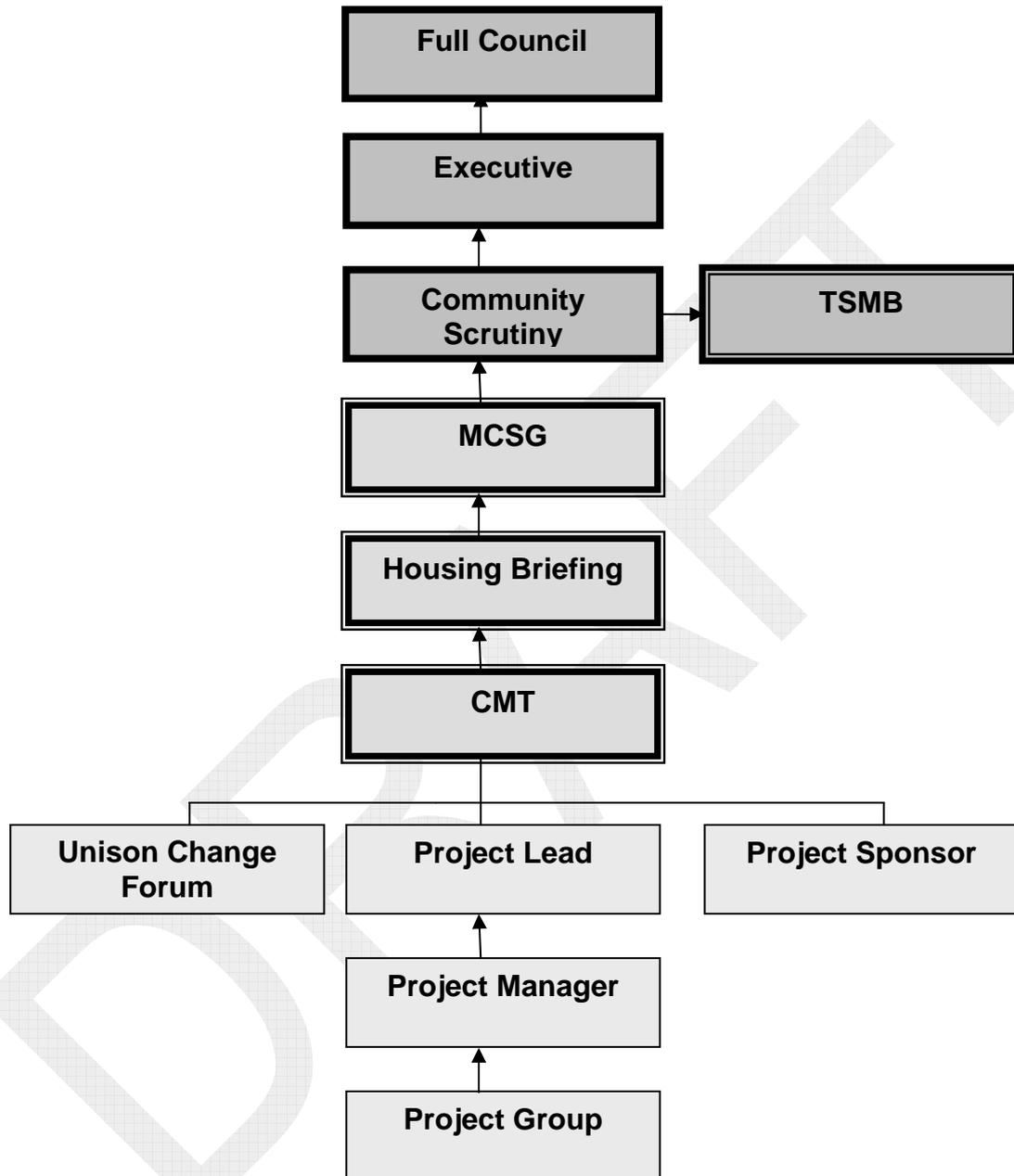
Title	9. Assets
Lead Officer	Phil Webb
Description	Housing Stock Assets including information and possible options for future use
Outcome	Full Picture of Housing Asset Condition and Robust and Affordable 30 Year Business Plan
Potential risks	

Ref	Outputs Required	Target Date	Dependencies
9.1	Work through draft HAMP from HQN to update and improve	27/05/11	Input from others in HA team
9.2	Finalise HAMP	27/05/11	Input from others in HA team
9.3	Assist HQN with preparation and delivery of 30 year Business Plan	Sept 2011	HAMP and input from others in team
9.4	Supply of information to enable the above	Ongoing	Access to relevant information

Title	10. Baselineing/Benchmarking
Lead Officer	Stephen Boland
Description	Performance measuring of core landlord services, against which standards can be set and performance monitored.
Outcome	Strong local approach to performance management, coupled with accountability to tenants.
Potential risks	Lack of staff time to complete Housemark DCF by target date.

Ref	Outputs Required	Target Date	Dependencies
10.1	TDBC's 2011 tenant STATUS survey report. TDBC's survey results to be compared with a selected peer group of social landlords that have undertaken the STATUS survey in recent years. TDBC's 2011 tenant STATUS survey results to be compared with TDBC previous survey results i.e. 2006 and 2008.	29 th April 2011	
10.2	Community Services Scorecard Performance Report 2011 / 2012 Key performance management information obtained on a quarterly basis throughout the year that is available to assist in the monitoring of key financial estimates.	Quarterly throughout year – 2011/12	
10.3	Completion of HouseMark Core Benchmarking System - Data Collection Form (DCF). This will lead to TDBC being able to make value for money assessments of service operations across the broad range of activities in terms of costs, resources and performance. This 'baseline' information can then be used internally and externally, within the HouseMark system, to assess performance.	DCF completed May 2011	Allocating sufficient staff time to complete the DCF. HouseMark Validator satisfied with the integrity of data submitted. Satisfactory upload of data outputs on to Housemark website.

Appendix A: Proposed Governance



Taunton Deane Borough Council

Tenant Services Management Board – 17th May 2011

Housing Revenue Account Reform Project

Report of Rosie Reed – Tenant Services Development Officer and Project Manager for Housing Revenue Account Reform Project

1.0 Executive Summary

The Project Group was convened to lead on Taunton Deane Borough Council's response to Government's reform of Housing Revenue Account (HRA) arrangements. These are set out in the CLG's document 'Implementing Self Financing for Council Housing', which includes plans to radically change Council Housing finance. The negative subsidy system is to be replaced by a self financing model. This Project Group is designed to guide Taunton Deane Borough Council's services through this process efficiently and to enable Full Council to reach a considered decision on a new HRA business plan.

The Community Services Manager will discuss in more detail the attached Housing Revenue Account Reform – Project Outline – Version 1.7 at the TSMB meeting on 17 May 2011. Please note that this document is in draft format until the Project Group meeting on 10 May 2011.

2.0 Background

The project is divided into three broad phases that will collectively deliver the associated outcomes by April 2012, as outlined below:-

1. Policy & Priority Review Including the Development of the Outline Business Case
 - Outline current position costs and performance
 - Agree new Asset Management Plan
 - Profile expected income position
 - Engage all appropriate stakeholder groups
 - Clarify Stakeholder aspirations for the service
 - Produce Business Plan based on current position
 - Identify key policy issues where decisions need to be made

2. Agreement of Business Plan

- Confirm key housing related policies to be incorporated in modelling
- Agree a robust and affordable 30 year business plan for housing

3. Finalising Financial Arrangements

- Agree updated treasury and accounting policies to reflect self financing regime.
- Agree and implement funding
- Agree and design plans for monitoring financial performance and control.

3.0 Financial Implications

The project has a large impact on future of HRA funding in TDBC.

4.0 Links to Corporate Aims (Please refer to the current edition of the Corporate Strategy)

Proposals have the potential to impact on the Corporate Aims: Tackling Deprivation and sustainable Community Development; Regeneration; and Affordable Housing

5.0 Recommendations

It is recommended the Tenant Services Management Board:

- Receive and note the attached Project Outline;
- Receive and note the presentation of the Community Services Manager at the TSMB meeting;
- Comment on the current and future work of the Project Group

Contact: Rosie Reed – Tenant Services Development Officer
Direct Dial No 01823 356327
e-mail address r.reed@tauntondeane.gov.uk



Tenant Services Management Board – 17th May 2011

Anti Social Behaviour AND hate Polices

Report of – Steven Clarke Estate Officer

Executive Summary

This report has been produced to propose the revised Anti Social Behaviour (ASB) policy and new Hate Policy for Taunton Deane Borough Council.

It outlines the strategic overview that tenants in council housing can expect from landlord services on managing Anti Social Behaviour.

It provides details of the specific elements of the service.

It will show how and what the council can and will deal with in relation to Anti Social Behaviour that is caused by Taunton Deane Council tenants or their visitors. The Policy is a living document and will be reviewed on a regular basis to reflect changes in legislation and peoples behaviour. It also will link into the new Hate Policy that has been drafted.

1. Purpose of the Report

To provide the Tenants Services Management Board (TSMB) with the opportunity to comment and shape the Policy for Anti Social Behaviour (ASB) and Hate incidents.

2. Background to this report

Landlord services are responsible for ensuring tenants comply with their tenancy agreement and do not behave in an anti social manner within our communities. TDBC house some of the most vulnerable and disadvantaged in our society and we must show support to them.

The polices will show to tenants the minimum standard they can expect from TDBC in relation to the investigation of neighbour nuisance or anti social behaviour.

- Register their complaint
- What our responses will be to their report
- What actions landlord services can take in relation to anti social behaviour

3. **Aim of the Polices**

To meet the requirements of the anti social behaviour policy and procedures.
To give tenants clear information on what they can expect from TDBC, and the support and assistance available to them.

4. **Approximate Costs**

The cost of implementing this polices will be met within existing budgets. It is the intention that the polices will be incorporated into the TDBC sharepoint website to be available for all tenants and staff

5. **Impact on Tenants**

Tenants will be better informed on what to expect from their landlord and what is expected of them and the implications of their behaviour.

6. **Diversity**

Some people may need specific help to fully access the policies.
Additionally information may be required in different formats:

- Large Font
- Audio Version
- Different Languages
- Website page

7. **Timetable**

17/05/11 – Draft standard reviewed by TSMB policy implemented with immediate effect if approved.

01/07/11- Incorporate policy onto sharepoint website

8. **Outcomes**

The outcomes that can be expected from the implementation of these polices are:

- Improved information to tenants on the landlord service.
- Tenants more aware of service provided by TDBC

9. **Information Plan**

If implemented it is intended to inform all tenants of the polices by writing an article for Housing Website and providing information in the next edition of Deane housing News.

10. **Recommendation**

We recommend that the Tenant Services Management Board approve the proposed policies as set out in Appendix 1 and 2 to this report.

11. **Contact Officers:**

Steven Clarke, Estates Officer, 01823 356332 Ext 2693,
<mailto:s. Clarke@tauntondeane.gov.uk>

Anti-Social Behaviour Policy

Definition of anti-social behaviour

Taunton Deane Borough Council (TDBC) uses the definition of anti-social behavior in the Crime and Disorder Act 1998, which is:

‘Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as (the defendant).’

Policy Statement

TDBC are committed to providing an excellent anti-social behaviour service. On delivering our housing service we will actively seek to prevent anti-social behaviour. When allocating empty property we will undertake an assessment of the risk of anti-social behaviour involving the housing applicant, historical incidents of anti-social behaviour within the neighbourhood and the design of the property. With reference to 3.7 of the Homefinder Somerset Common Lettings Policy, which stipulates who are not able to participate in bidding for Social Housing across the whole sub-region. This includes those who have broken their previous tenancy conditions due to ASB. This would mean that if they are evicted and subsequently reapply for social housing all partner-housing providers might refuse to re-house them.

Where appropriate we will advise housing applicants where there are risks of anti-social behaviour, for example, if we feel the property is prone to noise travel. At the start of a tenancy we will make residents aware of their tenancy obligations on anti-social behaviour. Through the management of our communal areas we will actively deter anti-social behaviour (such as vandalism/graffiti, abandoned vehicles or misuse of communal areas). When developing new properties or undertaking re-investment or improvement works we will consider how we can prevent anti-social behaviour through these works. We will also utilise our community development resources to prevent anti-social behaviour; this may include youth, parenting projects or projects to foster greater community cohesion.

Dealing with reports of anti-social behaviour

We will not tolerate anti-social behaviour and will always seek to resolve the problem with the complainant (the complainant is the person reporting anti-social behaviour) remaining in their existing accommodation. We will only consider rehousing the complainant in exceptional circumstances (for example where there is a risk of serious physical harm). In line with Home finder Somerset Lettings Policy.

We recognise that retaining resident confidence and involvement is critical to the success of each anti-social behaviour case and the service as a whole. To achieve this we will normally only take action on a case agreed with the complainant. We will usually expect the complainant to undertake certain actions to assist us in dealing with the anti-social behaviour, this may involve keeping details of the incidents that occur or reporting incidents to another agency such as the police or the local authority environmental health noise team.

We will advise the complainant in writing of the outcome of the investigation and discuss any further action we propose with them. We will advise complainants when action has been taken against a perpetrator and will monitor the case for any further incident. We will also write to the alleged perpetrator advising them of the outcome of the investigation. We will agree with each complainant how often we will contact him or her. As a minimum we will contact complainants at least once a month to update them of progress and/or receive updates on the situation if these have not already been forwarded to us. If we plan to close an anti-social behaviour case we will write to the complainant first to inform them and invite them to complete a satisfaction survey on our handling of their anti-social behaviour case.

Taunton Deane Borough Council

Aim of this policy

Through the delivery of this policy, we aim to:

Enable residents to live peacefully within their homes without unreasonable disturbance from others

Encourage reporting and make it easy to report anti-social behaviour

Respond quickly and in a robust manner to incidents of anti-social behaviour

Ensure residents are clear on their tenancy obligations

Inspire confidence amongst residents that anti-social behaviour will be challenged

Ensure complainants are kept informed of actions being undertaken on their complaint

Use a full range (and where appropriate a combination) of measures (such as diversion, education, enforcement, prevention, engagement and rehabilitation) to tackle anti-social behaviour and its underlying causes

Provide a framework for supporting victims, witnesses and vulnerable perpetrators

Deliver a 'zero tolerance' approach towards abuse on staff

Who is covered by this policy?

Our anti-social behaviour policy relates to all TDBC residents including persons residing visiting the property or otherwise engaged in lawful activity in the locality. Our policy is designed to protect residents in the areas where we work. We may act to protect owner-occupiers or those in other sectors from our residents and equally, may take action against people in other tenures to protect our residents.

Where our residents experience criminal activity, we will give advice on what action to take and any available additional support. Where the anti-social behaviour takes the form of a hate crime/incident or domestic violence we will comply with the service standard.

Types of anti-social behaviour

We will use the following categories recommended by Housemark (a housing industry benchmarking organisation) for the different types of anti-social behaviour we deal with:

Noise (managed by Environmental Health)

Verbal abuse / harassment / intimidation / threatening behaviour

Hate related incidents (harassment based on race, sexual orientation, gender, disability, religion or age.

Vandalism or damage to property

Pets and animal nuisance

Drugs / substance misuse / drug dealing

Alcohol related

Domestic abuse

Physical violence

Litter / rubbish / fly-tipping

Garden nuisance

Misuse of communal areas

Prostitution / sexual acts / kerb crawling

Criminal behaviour (other than listed above)

Dealing with noise nuisance

Noise is the most common type of anti-social behaviour reported to TDBC. These complaints are investigated by Environmental Health Department.

We are keen to:

-Respond effectively to resident complaints of noise nuisance

-Be realistic about the action we can take to deal with reports of excessive noise.

TDBC does not normally consider everyday living noises (such as toilets being flushed, washing cutlery) to be anti-social behaviour even if they are disturbing the complainant. In

Taunton Deane Borough Council

these cases we will normally expect neighbours to be tolerant and respectful of each other's lifestyle and needs and minimise the noise they create.

We recognise that there are certain properties that do not have good soundproofing and are prone to noise travel. In these cases even everyday living noises (such as walking around the flat during the day with outdoor shoes) can cause annoyance to their neighbour(s). From our experience we have found it very difficult to prove that the noise heard in these cases is anti-social behaviour except where statutory noise nuisance levels have been breached. This can result in cases remaining open for significant periods of time with the complainant reporting persistent problems (as well as the other party making counter-complaints) yet TDBC have insufficient evidence to take any formal action on the case. We have also found that in these cases mediation has proven to be very successful in resolving the problems. Therefore where we have identified a property as prone to noise we will only investigate a report of excessive noise where:

-The noise nuisance has been witnessed by local authority noise teams or recorded on sound recording equipment

Or

-Where we suspect these noise levels were breached.

Where there is no evidence of excessive noise nuisance or we suspect that the noise reported would not breach these levels we will invite all parties involved to undertake mediation. If both parties do not accept this we will close the case and only investigate further if noise nuisance is witnessed.

Definition of harassment

TDBC defines harassment as behaviour that is abusive to individuals or groups and which is deliberate. It can take many forms and includes, but is not limited to:

Abusive or insulting behaviour
Threats of violence
Physical assault
Vandalism to property
Arson or attempted arson
Threatening, abusive or insulting graffiti
Repeated and unfounded complaints against a resident or residents
Attempts to deter a person from occupying a particular property
Abusive telephone calls
Uninvited visits to someone's home
Deliberate noise
Excrement, rubbish or offensive materials near or in the victim's home

Harassment may be directed against an individual, family or group of people. It is often motivated by prejudice against the characteristics of the individual or group. For example sexual harassment is the interference with a person's comfort or safety on grounds of their gender or sexuality. To distinguish harassment from domestic violence, the harasser is not usually a person with whom the complainant has previously been associated.

Harassment may be based on race, sexuality, gender, disability, religion or age

Definition of Hate Crime

There is a distinct difference between a hate incident and a hate crime.
Hate incident is defined as:

'Any incident, which may or may not constitute a criminal offence,

Taunton Deane Borough Council

which is perceived by the victim or any other person, as being motivated by prejudice or hate.'

Hate crime is defined as:

'Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or Hate crime.'

It is vitally important to note that all hate crimes are hate incidents. However, some hate incidents may not constitute a criminal offence and therefore are not hate crimes.

The following are examples of different types of hate incidents. This list is not exhaustive:

- Racist incident
- Homophobic incident
- Transphobic incident
- Faith related incident
- Sectarian incident
- Disablist incident

The following are examples of actions effected by perpetrators of Hate Crime. This list is not exhaustive:

- Physical attacks on people and property;
- Intimidation and torment;
- Graffiti;
- Arson or attempted arson;
- Offensive comments;
- Abusive or threatening behaviour – language, letters, phone calls
- Deliberate and targeted acts intended to deter residents from living in their home or to force them to move away.

Domestic abuse is not included within this policy

Responsibility to deal with anti-social behaviour

There are many agencies that have a responsibility to tackle anti-social behaviour these include the police and local authority Environmental Health teams, local Crime and Disorder Reduction Partnerships as well as housing associations. We will work in partnership with these agencies where appropriate to share information, best practice and provide a co-ordinated response to resolve the problems

Resident obligations

TDBC tenancy agreement includes contractual terms forbidding residents or their visitors from causing anti-social behaviour. We will take further action where there is evidence of anti-social behaviour.

Taking action to resolve anti-social behaviour

When deciding on action our main aim will be to stop the anti-social behaviour. Unless the reported ASB is particularly serious, every effort will be made to resolve the issue without the use of legal action. Where the allegations involve threats of violence or actual violence we will consider whether it is appropriate to take emergency legal action to protect personal safety.

Assessing potential actions in dealing with anti-social behaviour

Part of the investigation into the anti-social behaviour a risk assessment is completed. We will consider the information gathered and decide what further action to take. If there is a lack of information to support the report this may limit the action we can take.

The action we take on a particular incident will depend on a number of factors, which include:
The seriousness of the incident (e.g. where there is intimidation or a threat of violence we may take immediate legal action on one incident; whereas on the first report of noise nuisance we may serve a warning letter).

The number of previous incidents that have occurred

The level of evidence we have on the reported ASB

Any legal advice received on the case

Whether the people involved have vulnerability.

We understand that the circumstances will vary with each case and this will affect the action taken. However we will aim to resolve lower category ASB with non-legal action at first and only consider legal action where problems persist.

We will write to the complainant and the alleged perpetrator after we have completed our investigation confirming whether the reports of anti-social behaviour are proven or not and what further action will be taken. Where anti-social behaviour is not proven we may issue warnings that on the consequences if anti-social behaviour is proven in the future.

Where anti-social behaviour is proven we will take firm proportional action. Where non-legal action fails to stop the anti-social behaviour we will consider taking legal action.

Actions taken to resolve the anti-social behaviour could involve a combination of the following:

Non-legal actions

Warning letters

Acceptable Behaviour Contracts (ABCs)

Referral to mediation

Monitoring with diary sheets

Referral to Crime and Disorder Partnership

Parenting contract (informal)

Parenting courses

Referral to the police for a crack house /premises closure

Referral to the Noise Nuisance team

Referral to Supported Housing or other support package

Referral to Family Intervention Project

Referral to the Mental Health Team

Referral to the Youth Offending team

Legal actions

Demotion Orders,

Possession proceedings,

Anti Social Behaviour Orders,

Injunctions under 153a, 153B, 153C, 153D of the 1996 Act (including with the power of arrest attached)

Or other legal action e.g. under Environmental Protection Act 1990 or criminal prosecution).

Confidentiality

Complainants will be encouraged to allow us to share information with other agencies, including the police and partner agencies, to ensure that the full range of civil and criminal action can be pursued and appropriate support provided. However all information provided by the complainant will be treated with the utmost confidence and only passed to external agencies with proper consent. The exception is where we consider a child is at risk in any situation or if there is a high risk of serious harm to anyone involved. The Community

Taunton Deane Borough Council

Services Manager or Housing Services Lead will approve any disclosure without the complainant's consent.

There may be situations where the complainant has requested that no action is taken on a report. However where we consider the situation to be serious we may feel that we have little option but to pursue an issue against their wishes. In such circumstances we will take appropriate action to protect all those affected.

Providing support and tackling the causes of anti-social behaviour

When we first investigate a report of anti-social behaviour we will undertake an assessment of the support needs of the complainant, witnesses and perpetrators and with their consent refer them to an appropriate support provider. When taking action we will consider the various factors that may be causing the anti-social behaviour and will seek to take appropriate action to tackle these causes identified. This may include making a referral to an anger management course where aggressive behaviour has occurred or referral to the local Community Mental Health team where mental ill-health is identified as contributing to the anti-social behaviour. Throughout the case (including at the end) we will re-assess the support needs of those involved and take appropriate action.

We realise that the active co-operation of complainants and witnesses is vital to the success of the service. Therefore we will support residents by:

- Providing them with information on our service and what we can do to help them
- Agreeing with them what action we will take on the case
- Providing regular updates on the progress of the case
- Regularly assess their support needs
- Suggest providers of appropriate support.

Safeguarding children and vulnerable adults

Whilst delivering our anti-social behaviour service, if we consider a child or vulnerable adult to be at risk of harm we will be take appropriate action in line with our vulnerability policy and relevant local authority safeguarding procedures.

Closing an anti-social behaviour case

We will close an anti-social behaviour case in the following circumstances:

- The anti-social behaviour as finalised
- There have been no reports of further incidents for at least one month
- An investigation has been completed and there is no evidence of ASB
- The complainant has not co-operated with requests from the authority making it difficult to progress further with the case.

Abusive behaviour towards staff

We will not tolerate abusive behaviour, threats or violence towards our staff members or contractors. We will work with the police and other agencies to take action where this occurs. This action may involve exclusion from office premises and legal action.

Staff training

TDBC provides training for all staff dealing with anti-social behaviour complaints. This programme includes:

- training on policy and procedures, good practice and legal remedies in tackling anti-social behaviour, domestic violence and hate crimes/incidents
- health and safety training
- training seminars
- informal training and coaching from supervisors.

Best Value and Continuous Improvement

Taunton Deane Borough Council

TDBC is committed to continuously improving its service to residents. To this end we will develop an annual ASB Strategy, which will draw upon best practice and value for money considerations to set the direction of service development.

In tackling anti-social behaviour we aim to use our resources effectively so that the maximum number of residents can benefit from our service. Through engaging with our external partners we will endeavour to lever-in their resources to resolve anti-social behaviour within our stock. On an annual basis we will assess the cost of providing our anti-social behaviour service as a cost per property and benchmark these costs with those of other organisations. We will also set targets to reduce the average amount of time taken to resolve cases.

Equalities and Diversity Statement

At the start of an anti-social behaviour case we will complete an Equalities Monitoring Questionnaire form (if this information is not already available to us) and undertake an assessment of the needs of all parties for additional support. This will include barriers to communication through disability or through English being a second language.

We will monitor the diversity status of complainants and alleged perpetrators for differences in satisfaction as a check against discriminatory practices. Before serving a Legal notice on a resident we will undertake an assessment to ensure that we are adhering to the Disability Discrimination Act.

Key Performances Indicators

We will routinely monitor our performance in implementing of this policy and report on our performance to the TDBC Senior Management, Tenant Services Board and Elected members.

Indicators we use to measure of the service include:

The number of ASB cases in total

The number of hate crimes reported per category

The number of cases closed

The number of actions taken to resolve ASB (such as evictions due to ASB, ASBOs, Injunctions, Acceptable Behaviour Contracts, referral to the Local Authority Crime and Disorder Partnerships)

The satisfaction of complainants on closed cases

We will publish in the TDBC annual report:

The number of evictions due to ASB action

The number of Anti-Social Behaviour Orders obtained

The number of Injunctions obtained

Relevant legislation and regulatory documents

Respect Standard for Housing Management

Respect Performance Toolkit

Housing Quality Network "The Respect Standard: What Social Landlords should be doing and what inspectors are looking for"

Anti-Social Behaviour Act 2003 (Section 12)

Crime and Disorder Act 1998

Disability Discrimination Act 2001

Data Protection Act 1998

Housing Act 1985

Housing Act 1996

Reviewing this policy

TDBC will review the policy, in consultation with a panel of residents every 3 years to ensure that it is effective and complies with current good practice. This will be completed by a nominated Estate Officer from TDBC.

Taunton Deane Borough Council

Anti Hate Policy

Introduction

The purpose of this Policy is to clearly define Taunton Deane Borough Council (TDBC's) commitment to the rights of all Council tenants to live in safety and security within their homes and neighborhood, regardless of their sex, sexual orientation, religion, disability or culture.

It also seeks to lay out a timely and supportive multi-agency response to any incidents of hate crime within TDBC's housing stock, and underlines TDBC's determination to use every available legal remedy against perpetrators of such incidents.

Policy Statement

We are committed to ensuring that our tenants can live in safety and security within their own homes and neighborhood. We recognise that all tenants, regardless of their minority group, may experience neighbor disputes, antisocial behaviour or vandalism. However, we also recognise that hate crime is far more likely to be experienced by individuals and/or their families because of their race, sex, sexual orientation, religion, disability or culture.

We will take action against tenants who we have grounds to believe are carrying out hate crime attacks. (Action will equally be taken against the tenant if the harassment is being carried out by either another resident in that tenant's property or a visitor to that tenant's property).

Such acts may be physical or verbal and would include:

- 1) Interfering with the peace of the victim
- 2) Causing nuisance or annoyance to the victim
- 3) Causing the victim to fear for his or her safety.

We will:

- Act promptly and effectively in investigating incidents of hate crime
- Provide practical support for victims of hate crime to protect them from further harassment, and identify and take action against the perpetrators of harassment
- Monitor incidents of hate crime and the effectiveness of the policy and procedure and review at least every three years or as necessary due to any legislative changes
- Work in partnership with other agencies to create an environment which encourages tolerance of minority groups and cultures within society

Definitions

There is a distinct difference between a hate incident and a hate crime.
Hate incident is defined as:

'Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate.'

Taunton Deane Borough Council

Hate crime is defined as:

'Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or Hate crime.' It is vitally important to note that all hate crimes are hate incidents. However, some hate incidents may not constitute a criminal offence and therefore are not hate crimes.

Hate Motivation is defined as:

Hate crimes and incidents are taken to mean any crime or incident where the perpetrators hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.

The following are examples of different types of hate incidents. This list is illustrative but is not exhaustive:

- Racist incident
- Homophobic incident
- Transphobic incident
- Faith related incident
- Sectarian incident
- Disablist incident

The following are examples of actions effected by perpetrators of Hate Crime. This list is illustrative but is not exhaustive:

- Physical attacks on people and property;
- Intimidation and torment;
- Graffiti;
- Arson or attempted arson;
- Offensive comments;
- Abusive or threatening behaviour – language, letters, phone calls
- Deliberate and targeted acts intended to deter residents from living in their home or to force them to move away.

Hate crime can be any crime based on people's differences but a victim of a hate crime does not have to be either a member of a minority group or someone who is generally considered to be a 'vulnerable' person. For example, the friends of a visible minority ethnic person, gay person, transsexual person or refugee may be victimised because of their association. In some cases the perpetrators perception may be wrong. This can result in a person entirely unconnected with the hate motivation becoming a victim. In reality anyone can become the victim of a hate crime.

Other Definitions

Racist Incident – Any incident, which is perceived to be racist by the victim or any other person as given in, the MacPherson Report following the Stephen Lawrence enquiry.

Homophobic Incident – Any incident which is perceived to be Homophobic by the victim or any other person that is directed to impact upon those perceived to be gay or bi-sexual.

Transphobic Incident – Any incident that is perceived to be transphobic by the victim or any other person. Transphobia is an irrational fear and dislike of people who identify themselves as Transsexual.

Religion or Belief Related Incident – Any incident that is perceived to be based upon prejudice towards or hatred of the religion or belief (or lack of religion or belief) of the victim or so perceived by the victim or any other person.

Taunton Deane Borough Council

Sectarian Incident – Any incident that is perceived to be sectarian by the victim or any other person. Although currently there is no clear definition of sectarianism, it is broadly understood to describe incidents of religious conflict or factionalism between individuals of different denominations of the same religion. For example between Catholic and Protestant Christian or Sunni and Shia Muslims.

Perpetrator – Someone who commits an offence or crime

Domestic abuse is not included within this policy

Why Report a Hate Crime

A hate crime is a violation of personal and civil rights. Hate crimes are not only crimes against the targeted victim but also against a particular group as a whole. Hate crimes are attacks on communities.

Effective action against hate incidents requires that these crimes be reported to the Police but also to us. Only if hate crime is reported can we together take action to deal with it. No one has the right to harass, threaten or assault someone because of who they are. If hate crime is reported, victims can be offered help and support, and action can be taken against the perpetrators. It is important to report incidents however small so that early intervention can take place to avoid escalation.

Taunton Deane Borough Council will encourage victims and witnesses to report all incidents of harassment by publicising and promoting policies and procedures and offering appropriate support.

Victim Centred Approach

We will operate a victim-centred approach i.e. where the complainant believes that the harassment is motivated by prejudice of a minority group, the investigation will begin from that premise and the hate crime / minority group harassment procedure will be implemented.

Action Against Perpetrators

TDBC's will not pre-judge alleged perpetrators prior to the investigation. However it is our policy to take firm action where there is evidence of hate crime against any tenant, or other person, perpetrating hate crime. The action includes injunctions, demoted tenancies, the pursuit of prosecution for criminal offences, and the ultimate sanction of eviction against Council tenants. We will take all practical measures to ensure that the perpetrators are identified. However, such action will take into consideration whether or not the complainant wishes to proceed with the matter.

Investigation

We will investigate all complaints of alleged hate crime whether received in person, letter, phone, e-mail or third party. An interview with the complainant should take place within:

- 1 working day if the incident if the incident is classed as serious. (threats, physical violence)
- 5 working days for cases involving persistent harassment.
- 10 working days for all other incidents.

Taunton Deane Borough Council

The investigation will follow the Anti-Social Behaviour Policy. We also have an Anti-Social Behaviour Service Standard, which explains how Taunton Deane Borough Council can help.

If the complainant's first language is not English, and if they prefer to use their first language, we will take all reasonable steps to ensure that an interpreter is present to assist in the interview. This could be accessed remotely via a telephone service. (Language Line)

Legal Framework

Housing Act 1985 as amended 1996
Crime and Disorder Act 1998
Anti Social Behaviour Act 2003
Human Rights Act 1998
Environmental Protection Act 1990
Disability Discrimination Act 1995
Protection from Harassment Act 1997
Regulation of Investigatory Powers Act 2000

Property Repairs

We will treat all repairs, including the removal of graffiti, arising as a result of hate crime as an emergency and will provide such additional security measures as are reasonably practicable. Where the perpetrators have been identified we will endeavour to recover the costs of any repairs from the perpetrator.

Rehousing of Complainants

We will consider the offering of emergency re-housing where there is serious physical or psychological injury suffered by the tenant or members of the tenant's household, or where damage to their property is such that it is not reasonable for them to occupy the property at that time.

We recognise that victims of harassment may wish to move from the property/area where problems are experienced. We will deal with each case sensitively and on its merits based on the evidence gathered. Such moves would be dealt with on a priority basis as a management transfer.

Challenging Hate Crime / Minority Group Harassment

The Role of Our Tenants

Tenants who live near victims of hate crime can play an important role in helping to support victims. They can establish a climate where harassment is unacceptable. This can help deter perpetrators. The Hate Crime Policy should be well-advertised and promoted through newsletters, TDBC's website, information in reception areas and at tenancy sign-ups. It is essential that they are aware of their responsibilities, as tenants under their conditions of tenancy, including the unacceptability of hate crime.

The Role of Tenant and Resident Associations

Tenant and Residents Associations and tenants' representatives play a vital role in establishing an environment that encourages tolerance of minority groups and cultures. They can offer support and a point of contact for victims, and they are ideally placed to promote and publicise the unacceptability of hate crime within their community.

The Role of Other Agencies

Taunton Deane Borough Council

We will work with mediation services where appropriate and with other agencies within the South Somerset Crime and Disorder Reduction Partnership including the police and community support agencies to ensure that evidence is gathered which satisfies legal requirements. Systematic records will be kept of all complaints and decisions taken in relation to the complaints. We will ensure that the complainant is kept fully informed at each stage of the investigation, and of the choices available.

Training

We will ensure that all our employees are aware of the policy. We will provide on-going training for relevant employees as to the procedures they will need to implement in cases of hate crime. Awareness training will also be available for tenant representatives and Tenant and Resident Associations.

Refresher training and further training where legislation changes or in pursuit of best practice will also be provided.

Training needs are identified through annual job appraisal and development interviews (1-2-1's) and six-monthly reviews.

Monitoring and Consultation

All incidents will be recorded, monitored and treated in confidence. Statistics will be reported to the **Crime and Disorder Reduction Partnership** on a quarterly basis for the purpose of future strategy and forward planning. The statistics will also be reported to the Tenant Services Management Board on a regular basis. Local Borough Council members will be alerted to any serious cases in their wards as and when they occur, though the specific details of the complainants will be kept confidential. Such incidents will be incorporated in the annual report and made available to tenants via the tenants newsletter.

Policy Review

TDBC is committed to ensuring that its hate crime policy and procedure is open and transparent and will continually monitor and review its effectiveness. The policy will be reviewed at least once every three years to ensure that it is meeting the current needs of the community, and to ensure that it takes into consideration any changes to legislation at any given time.

Equality and Diversity

TDBC Housing Services recognises that there is a broad range of visible and non-visible differences that characterise its tenants. Some of these qualities include race, religion, culture, nationality, ethnic background, colour, disability, sex, sexual orientation, age, literacy and income level. By understanding and respecting this diversity it is able to set a policy which ensures that all tenants are able to access services provided by TDBC in an equitable manner.

TDBC is committed to providing information and services equally and without discrimination so that they meet the needs of all sections of the community who are either housed by TDBC, living near properties managed by TDBC or seeking access to or information on housing services in the TDBC area. In carrying out all housing management policies, TDBC Equality and Diversity Policy will be adhered to.

Taunton Deane Borough Council

Tenant Services Management Board – 17th May 2011

Dates of Future Tenant Services Management Board Meetings

Report of Martin Price – Tenant Empowerment Manager

1.0 Executive Summary

This report proposes dates for future TSMB meetings until the end of this calendar year.

2.0 Proposed Dates

The proposed dates for 2011 are detailed below:

- Monday 20th June
- Tuesday 12th July
- Tuesday 23rd August
- Monday 19th September
- Monday 24th October
- Monday 21st November
- Monday 19th December

3.0 Recommendations

It is recommended the Tenant Services Management Board:

- Note and if acceptable agree the dates detailed above

Contact: Martin Price – Tenant Empowerment Manager
Direct Dial No 01823 356552
e-mail address m.price@tauntondeane.gov.uk