

# Key findings report

Cyngor Sir Powys County Council

Housing Services  
Tenancy Management Policy  
Public Consultation

Date of report : 8 April 2016  
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## **1. Background**

### **1.1 Background to the policy and purpose of consultation**

Powys County Council Housing Service manages 5,400 Council homes. The updated Tenancy Management Policy describes how we create, change and end tenancy agreements. The policy follows current legislation. The policy should enable tenants to exercise their rights as introductory and secure tenants. It should provide Housing Staff with a reference on which they can base their decisions.

The consultation enabled Housing staff, involved tenants and external stakeholders to provide comments.

### **1.2 Background to the consultation and engagement**

The proposed policy and a survey response form were sent to all Housing staff, Tenants' Liaison Forum members and Housing Services Group 100.

External stakeholders, including Powys Teaching Health Board, PAVO, Brecon Beacons National Park Authority, Disability Powys, Age Cymru Powys, Shelter Cymru and Chartered Institute of Housing Cymru have been invited to read the proposed policy and provide comments as part of the public consultation.

All had a four week response period which ended on 30<sup>th</sup> of March 2016.

The policy was discussed with the members of the Tenants' Liaison Forum's Housing Policies Sub-Group prior to the public consultation.

The consultation was publicised on the Tenant Engagement Facebook page.

This consultation approach was agreed with the Corporate Consultation Officer.

### **1.3 Report format**

Part 2 includes the key findings, part 3 the responses and part 4 includes the conclusion.

### **1.4 Response rate**

Three people have completed the questionnaire and five people have sent a response, but not used the questionnaire. These eight people are a member of either the Tenants' Liaison Forum or Housing Services Group 100. In addition one member of staff has responded.

### **1.5 Profile data**

The number of respondents is too small to make the profile data significant.

## 2. Key Findings

The responses give support to the policy. Comments suggest that there are options to improve the clarity of some sections.

No respondent indicates that any part of the policy discriminates.

## 3. Question by question analysis

**Question 1:** How easy or difficult did you find the policy, to read and understand?

### Answers

Very easy	1
Fairly easy	2
Difficult	0
Very difficult	0

**Question 2:** If you answered “difficult” or “very difficult”, please tell us what you found unclear. It would help if you can refer to the paragraph (e.g. 1.4.a) or the line number found on the left hand side of the policy.

No responses were recorded.

**Question 3:** Do you feel there was something missing from the policy or if anything needs changing? If so please tell us.

Two comments have been received which are include in the list of all comments, below this section.

**Question 4:** The Housing Service wants to be fair to everyone and not discriminate for example on the grounds of age, disability or sexuality. If you think our policy does discriminate or puts a person at a disadvantage compared to another person we would like to hear your views.

The Equality Act lists nine protected characteristics. They are:

Sex	Race	Sexual Orientation
Age	Gender Reassignment	Pregnancy and Maternity
Disability	Religion or Belief	Marriage and Civil
partnership		

No responses were recorded that indicate there could be an equality issue.

### Comments received

In addition to the questionnaire comments have been received. All comments and response are listed below.

A.	<p>Consultation: Property inspections for all existing tenants. Cut down on the number of major repairs.</p> <p>Response: Property visits should take place when a concern is raised, 4 to 6 weeks after a tenant signed a tenancy, an introductory tenancy will be converted into a secure tenancy, and then annually.</p> <p>Where tenants raise concerns, needs support or where there are breaches of the tenancy agreement, appropriate action should take place.</p> <p>Action taken: Include property visits in the estate management policy.</p>
B.	<p>Consultation: Not sure about suspending right to buy?</p> <p>Response: The Council has applied with the Welsh Government for suspending the right to buy. For the moment the right to buy exist, but might be suspended. The policy reflects this.</p> <p>Action taken: None.</p>
C.	<p>Consultation: I thought it was the common housing register not allocations now. I thought the allocation was through the common housing register, not the joint housing allocations scheme. When did this change?</p> <p>Response: Council Housing and homes let by most Housing Associations in Powys are allocated according the "Common Allocations Scheme". This is formally in place since November 2015.</p> <p>Action taken: Use the correct name throughout the policy: Common Allocations Scheme.</p>
D.	<p>Consultation: I am not quite sure what you are talking about with the tenancy agreement. Can you clarify what you mean by it?</p> <p>Response: A tenancy agreement is the written contract between the Council as the landlord and the tenant. The tenancy agreement gives certain rights and obligations to both the tenant and landlord.</p> <p>Action taken: Add an explanation of tenancy agreement under Policy background and coverage</p>

E.	<p>Consultation: I found the tenancy agreement relatively straight forward. I have no problems with the policy put forward.</p> <p>Response: Positive feedback.</p> <p>Action taken: None.</p>
F.	<p>Consultation: 2.2 d states that Council will advise tenants of outstanding repairs and provide estimate of cost – At void inspections, Housing staff is unable to identify all recharges due to having furniture etc, will there be some kind of clause that states Council may not identify all recharges on this inspection</p> <p>Response: The tenant remains responsible for handing back the home in an acceptable state of repair. The Council provides advice to the leaving tenant. This should reduce the amount of rechargeable repairs, which is both beneficial to tenant and Council.</p> <p>Action taken: Changed wording to clarify that the tenant remains responsible for unnoticed repairs and new repairs occurring after the visit,</p>
G.	<p>Consultation: 2.3 a states that Notice To Quit has to be signed by all joint tenants – Is this correct, as under CIH Law it states that 1 tenant can terminate a joint tenancy and also this contradicts what is written in 2.2b.</p> <p>Response: That is correct. If all joint tenants sign, the Council can be confident all want to end the tenancy. Where only one joint tenant sends a notice the Council should try to find out what the intentions are and try to avoid making people homeless. The renting Wales Act 2016 will address this issue.</p> <p>Action taken: None.</p>
H.	<p>Consultation: 2.9 c states the Council will take possession of property on expiry of Notice To Quit. Is this correct, doesn't the Council under law have to apply for court for possession of the property or has this now changed under the Housing Wales Act?</p> <p>Response: It is correct, but where there is any doubt the Council should serve a notice seeking possession and a notice to quit and then obtain a court order to repossess the property. The renting Wales Act includes a warning notice and period after which a landlord could take possession without a court order. Implementation of</p>

	<p>the Act is expected in Autumn 2017</p> <p>Action taken: Adding a paragraph that where the council is not satisfied the tenants by their actions intended to surrender the tenancy, the Council will serve a notice seeking possession and a notice to quit and then obtain a court order to repossess the property.</p>
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### 3.1 Profile questions

The number of respondents is too small to make the profile data significant.

### 3.2 A note about market research and consultations

When conducting market research companies use a margin of error and confidence level to ensure that their results are robust and representative of the population they are seeking views from. (I.e. the population of interest).

A consultation however isn't market research as people choose to respond and are not contacted using a sampling methodology. People self-select so sometimes when conducting a consultation you only hear the views of the people who are either strongly in favour or strongly object to a proposal. The silent majority may not have given a view. However when we analyse any consultation results we do consider how robust they are in terms of the population of interest.

The number of responses is low. Feed back has been sought on the questionnaire from the Tenant Service Monitors. Their conclusion was that the questionnaire was too long including the profile questions. They agreed that because the policy follows current practice and existing guidance from Welsh Government it was unlikely more responses would have led to new insight or changes.

The draft policy has been discussed with the Housing Policies sub-group from the Tenants' Liaison Forum. The members are experienced in giving feed back on policies and recommendations on improving Housing services.

As part of the Forum, the members of the WHQS sub-group have been invited to submit comments. One of the respondents identified themselves as member of this sub-group.

When conducting consultation exercise Powys County Council works to the National Principles for Public Engagement in Wales.

<http://www.participationcymru.org.uk/national-principles>

## 4. Conclusion

Consultation responses are limited in numbers and indicate that the policy is easy or fairly easy to understand. Responses have resulted in a few changes in the policy to make it easier to understand, where respondents indicated they found it confusing or unclear.

The consultation responses do not indicate anything is missing from the policy.

The consultation responses have not highlighted any potential discrimination.