

HOUSING SCRUTINY SUB COMMITTEE

Tuesday, 26 February 2019 at 6.45 p.m.

C3 - Town Hall Mulberry Place

This meeting is open to the public to attend.

Members:

Chair: Councillor Dipa Das

Vice-Chair: Councillor Dan Tomlinson

Councillor Shah Ameen, Councillor Shad Chowdhury and Councillor Andrew Wood

Substitutes:

Councillor Sabina Akhtar, Councillor Mohammed Ahabab Hossain, Councillor Helal Uddin and Councillor Peter Golds

Co-opted Members:

Anne Ambrose

Tenant Representative

Moshin Hamim

Leaseholder Representative

[The quorum for this body is 3 voting Members]

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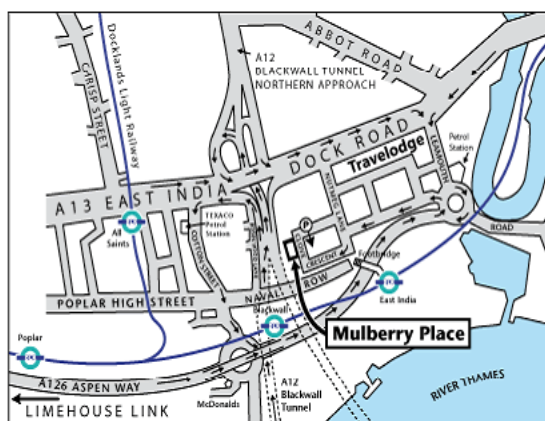
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APOLOGIES FOR ABSENCE

- 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS** **5 - 8**
To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.
- 2. MINUTES OF THE PREVIOUS MEETING(S)** **9 - 14**
To approve as an accurate record the minutes of the meeting held on 29 January 2019.
- 3. REPORTS FOR CONSIDERATION:**
- 4. SHELTERED HOUSING REPORT** **15 - 22**
The report summarises the joint work being undertaken by the Ageing Well Commissioning Team with local Registered Providers of sheltered housing schemes. Also provides an update on the transition to an intensive housing management model of sheltered housing provision, how this model compares with that delivered in other boroughs and an update on the implementation of the Tenant Activity Pot.

Presented by Keith Burns – Programme Director, Special Projects, LBTH.

18:55-19:15 (20 mins)
- 5. PREVENTING HOMELESSNESS UPDATE** **23 - 30**
The report provides an update on the HRA and answers a number of questions posed by members about the impact of the new legislation on the Housing Options service.

Presented by Rafiqul Hoque –Head of Housing Options.
19:15-19:35 (20 mins)
- 6. UNIVERSAL CREDIT & RENT ARREARS** **31 - 66**
An update on the implementation of Universal Credit (UC) in Tower Hamlets from Tower Hamlets Homes, Tower Hamlets Housing Forum and Tower Hamlets Council.

19:35-20:25 (50 mins)
- 7. ANY OTHER BUSINESS**
 - THH Strategic Review – Chair, Cllr Dipa Das.
 - Housing Open Spaces Scrutiny Review – Abidah Kamali (TH Council)
 - Items for next HSSC meeting - Abidah Kamali (TH Council)
20:25-20:30 (5 mins)

Next Meeting of the Sub- Committee

The next meeting of the Housing Scrutiny Sub Committee will be held on Tuesday, 9 April 2019 at 6.30 p.m. Town Hall, Mulberry Place.

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:

Asmat Hussain, Corporate Director Governance & Monitoring Officer Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE HOUSING SCRUTINY SUB COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 29 JANUARY 2019

MP702 - TOWN HALL MULBERRY PLACE

Members Present:

Councillor Dipa Das	Chair
Councillor Dan Tomlinson	Vice-chair
Councillor Shah Ameen	
Councillor Shad Chowdhury	

Co-opted Members Present:

Anne Ambrose	Tenant Representative
Moshin Hamim	Leaseholder Representative

Other Councillors Present:

Councillor Sirajul Islam	Cabinet Member for Housing
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Others Present:

Ann Otesanya	Head of Neighbourhoods THH
Richard Hards	Head of Leasehold Services THH

Officers Present:

Mark Baigent	Interim Divisional Director, Housing and Regeneration
Abidah Kamali	Strategy and Policy Manager, Place Directorate
Rushena Miah	Committee Services Officer

1. WELCOME, INTRODUCTIONS & APOLOGIES

Apologies were received from Councillor Andrew Wood. There was an apology for lateness from Councillor Shah Suhel Ameen.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of pecuniary interests made.

3. MINUTES OF THE LAST MEETING & MATTERS ARISING

The minutes were approved and signed by the Chair subject to the following amendments:

- Members recalled an action for Clarion to attend a scrutiny meeting to discuss its performance; however this was not included in the minutes. Sandra Fawcett, Chair of THHF, advised that she had notified Clarion about the request and they had agreed to meet the Committee. This action was noted for the Strategy and Policy Manager to follow up on.
- With regard to the action in agenda item 8 (Social Housing Performance Report Q2), Members clarified they requested for smaller RPs to attend the Housing Scrutiny Sub Committee (HSSC) meeting to discuss performance and any challenges they faced. The Chair asked Members to identify a few RPs they wanted to invite and draw up questions they would like to ask them. Members agreed Universal Credit should be a topic where additional RPs were invited to attend the HSSC meeting

Matters arising:

With regard to item 6 bullet point 3 of the minutes (Fire Safety and Building Regulations), a Member queried why Improvement Notices had not been issued if the council had the power to take action. Members requested a written update from Mark Baigent Interim Divisional Director of Housing regarding Improvement Notices.

ACTIONS:

- For Clarion to attend a Housing Scrutiny Committee to report on their performance.
- For RPs to be invited to the Housing Scrutiny Committee. Members are to contact Abidah Kamali, Strategy and Policy Manager with suggestions for which RPs to invite to discuss the Universal Credit item for the next meeting and put forward some questions that they would like to put to the invited RPs.
- For Mark Baigent, Interim Divisional Director, to provide an update on the issuing of Improvement Notices.

RESOLVED:

1. To approve the minutes of the meeting held on 20 November 2018, having made the above amendments.

4. BUDGET SCRUTINY

[The Chair decided to take agenda items in a different order than published. Item 6: Service Charges for Leaseholders was taken first followed by items 4 and 5. For convenience the minutes will follow the order published in the agenda].

The committee received a report from Mark Baigent, Interim Divisional Director Housing & Regeneration on the Housing Budget.

In response to Members, Officers provided the following:

- Officers explained that the annual repairs and maintenance figures listed in appendix 1 had gone up due to cost inflation.
- Officers explained that the issue with Universal Credit was that it was paid every six weeks and directly to the individual rather than the landlord. The payment schedule exacerbated the rent arrear issue. Officers said a financial service centre had been set up to support tenants with money management.
- Officers said they were not expecting additional costs associated with the Fit for Human Habitation Bill.
- A Member asked if the 42 block flat purchased on Burdett Road would be social rent and whether the social rent would be maintained. Officers said that the development in question was built via a s106 agreement with the intention of providing affordable housing so the Council would not charge beyond affordable rates. Officers explained that the council had purchased some temporary accommodation properties and there was greater flexibility in the tenure.
- Although Members did not take issue with the report, there was a consensus that the budget report had arrived late to the meeting. Members advised that it would have been useful to have an outline of the budget at the last meeting for in-depth discussion at the current meeting. Officers explained that budget reports to a scrutiny sub-committee was a new agenda item. Previously all budget reports had gone to the main Overview & Scrutiny Committee and Members were invited to participate at that meeting. Members were invited to submit any comments regarding the budget to Abidah Kamali, Strategy and Policy Manager, who passed on advice that Members could feedback comments before the Budget Council meeting in February.
- The GLA has made an arrangement with the government to hold unspent right to buy money for three years. Officers said this took the pressure off spending right to buy money within the set period.
- Right to buy sales have slowed down. There were between 50-100 sales this year.
- The Seahorse Company had made offers but had not purchased property as of yet. The Company intended to buy a block of flats to privately manage as investment. The money from the investment would not go into the Housing Revenue Account. The fund could pay a dividend to its shareholder the Council, invest, or give to charity.
- Some of the 2,000 new Council homes (to meet the Mayoral Pledge) are for use as temporary accommodation and were acquired through funds from the general fund but are still considered to be council housing.
- Officers clarified delivery of affordable homes was lower than the target ending quarter 2, (appendix 6 on page 38 of the agenda pack), the majority of these homes come from developments where there was commitment to providing affordable housing. However, the Council does not have control over when developments complete which are influenced by a number of factors. One pressing issue is Brexit, which may have delayed housing completions. It is expected that housing

delivery will pick up once there was further clarity around Brexit. Officers said the Council was committed to building its Council homes within planned timeframes.

RESOLVED:

1. To note the report.

5. TOWER HAMLETS HOMES OPTIONS APPRAISAL (STRATEGIC REVIEW)

The Committee received an update from Mark Baigent – Interim Divisional Director of Housing on the Tower Hamlets Homes Options Appraisal.

Members had expected ‘to review recommendations and take an informed view of the options presented and implications’. However, due to delayed progress of the review and stakeholder engagements, there was instead a presentation which highlighted the scope of the review, progress and next steps, including a statutory consultation of the options under the Housing Act S105.

The Committee was advised that due to issues of confidentiality, reporting was limited to the Steering Group, which provided Governance for the review. Officers said options would be presented to the Mayor for direction and a consultation would then follow.

The Committee raised concerns around the approach presented and made the following requests:

- To view the draft recommendations presented to the Steering Group and feed into development of final recommendations.
- For the Chair to write to the Chair of Overview & Scrutiny to inform him of the Committee’s concerns and ask for his support in being able to review the draft recommendations.
- For the Chair of Overview & Scrutiny to write to the Mayor on behalf of the Housing Scrutiny Committee, requesting for the sub-committee to view the draft report and recommendations.
- If the draft report and recommendations could not be shared, a written response from the Mayor on the following to be provided:
 - Why are the terms of reference of the review, information from consultants, advice and analysis by Steering Group members and notes from Steering Group meetings confidential?
 - Why can’t the Housing Scrutiny Committee review the draft report and recommendations and feed into the decision making process? Are there legal implications that prevent this?

It was noted that if the Committee were not given the opportunity to review the draft prior to a Cabinet decision, there would be a risk of calling in the decision via the Overview & Scrutiny Committee.

The Committee agreed the Mayor's response should be circulated to both Members of the Overview & Scrutiny Committee and Housing Scrutiny Committee, preferably before the next Housing Scrutiny Committee meeting on the 26th of February 2019.

RESOLVED:

1. To note the inaccuracy in the agenda summary. The information provided did not meet the expected outcome.
2. For the Chair to write to the Chair of Overview & Scrutiny regarding concerns around information sharing for the THH options appraisal.
3. For the Chair in consultation with the Chair of Overview & Scrutiny Committee to write to the Mayor requesting a written response to the questions raised at the meeting.

6. SERVICE CHARGES FOR LEASEHOLDERS

The Committee received a presentation from Richard Hards, Head of Leasehold Services THH, and Ann Otesanya, Head of Neighbourhoods THH, on services charges for leaseholders.

In response to questions from Members Officers provided the following:

- The service charge benefits had been advertised in THH newsletters. Officers pointed out a small number of leaseholders were likely to benefit from it because 60-70% of stock was leasehold and of that a small portion are on benefits.
- It was clarified that 108 leaseholders were referred to the for financial inclusion advice. 76 payment plans were agreed and whilst the number of applications were higher, 29 leaseholders were eligible for benefits after assessments were made.
- It was noted that the current debt position had decreased from £7 million to £2 Million. There was a system in place to automatically credit individuals if overpayments were made.
- Of the 217 complaints, the vast majority were from owner occupiers. Officers assured Members a complaints process was in place.
- Members asked who the small working group were mentioned on page 52 of the agenda pack and how they balloted. Officers said Strickland house set up their own leaseholder association and that became the representative body. They said there were four leaseholder groups in the borough, for stock managed by THH.
- Some Members challenged a 66% good or fair satisfaction response was positive. Officers acknowledged there was room for improvement. They explained that there were a number of areas within the improvement plan that were being looked at that would contribute towards driving up satisfaction. It was noted a 60% satisfaction rate was average in comparison to other social landlords.
- Chair thanked the officers for their presentation.

RESOLVED:

1. To note the presentation.

7. ANY OTHER BUSINESS

Members said they would like to invite smaller RPs to the meeting to discuss Universal Credit. Clarion, THCH and East End Homes were identified as RPs Members were interested in inviting.

Sandra Fawcett sought clarity on the discussion. She said the Committee were now discussing bringing in RPs to discuss Universal Credit however, earlier in the meeting Members wished to discuss performance issues. She wanted a steer on what she should communicate to her RP colleagues.

It was agreed that THCH would be invited to the next meeting to share best practice and provide an update on Universal Credit and Clarion would be invited to the April meeting to provide an update on their performance.

The Committee were reminded that the first meeting of the Scrutiny Review sessions would be held on the 19 February 2019.

RESOLVED:


1. To invite Clarion to the April 2019 meeting of the Committee.
2. To invite THCH to the next meeting to share best practice and provide an update on Universal Credit.

8. DATE OF NEXT MEETING

Tuesday 26 February 2019, 6.30pm, Town Hall, Mulberry Place.

The meeting ended at 8.15 p.m.

Chair, Councillor Dipa Das
Housing Scrutiny Sub Committee

<p>Non-Executive Report of the:</p> <p>Housing Scrutiny Sub-committee</p> <p>26 February 2019</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Denise Radley, Corporate Director Health Adults and Communities</p>	<p>Classification: Unrestricted</p>
<p>Sheltered Housing and the Tenant Activity Pot</p>	

Executive Summary

- 1.1 This report advises the Housing Scrutiny Sub-Committee of the joint work being undertaken by the Ageing Well Commissioning Team with local Registered Providers of sheltered housing schemes to implement the recommendations of the Cabinet report approved in March 2018.
- 1.2 This report provides an update on the transition to an intensive housing management model of sheltered housing provision and how this model compares with that delivered in other boroughs. The report also provides an update on the implementation of the Tenant Activity Pot.
2. **Recommendations:**
 - 2.1 The Housing Sub- Committee is recommended to:
 - To note the contents of the report

3. DETAILS OF THE REPORT

Background

- 3.1 Sheltered housing is designed to enable older people aged 55 and over with low or little need for support to live independently in their own flat, in a safe and secure environment. Tenants typically have access to a community alarm or telecare provision in an emergency; and access to staff and support at levels agreed on an individual basis.
- 3.2 As part of the commissioning process a review of all sheltered housing contracts took place in 2016 and a Cabinet paper (July 2016) set out a number of options for funding and delivering the support provision in sheltered housing.
- 3.3 Cabinet agreed, in principle, to move to a Floating Support Model and authorised the initiation of a tender process for the floating support service pending further consultation with tenants and support providers on the changes.
- 3.4 Through the consultation process with tenants, support providers and landlords, and as a result of wider changes in the market, it became evident that an alternative model – Intensive Housing Management Service (IHMS) - would be a viable option for providing support in sheltered housing while also creating substantial efficiencies for the council.
- 3.5 In March 2018 a further paper was brought back to Cabinet (appendix 1) recommending the move to an IHMS model of provision and the funding of a range of activities in sheltered schemes at a maximum value of £500 per resident per annum. This proposal reflected the priorities identified in the Ageing Well Strategy and the Mayor’s commitment to tackling loneliness and isolation and improving the wellbeing of elderly tenants living in sheltered housing.
- 3.6 This report provides an update on the transition to an IHMS model of provision and implementation of the Tenants Activity Pot (TAP).

Intensive Housing Management Support (IHMS)

- 3.7 Cabinet approved a six month transition phase to enable registered providers to move to an IHMS model. This work was completed in September 2018 and as of 1 October the TAP was launched.
- 3.8 Through this period all registered providers other than One Housing Group engaged in the transition process and development of the TAP. Whilst Southern Housing Group and Sanctuary Housing subsequently chose not to participate in the TAP, Mercers and Clarion Housing Group chose to enter the partnership despite having previously withdrawn from local authority funding.
- 3.9 The table below summarises the position of each provider who is engaging with the borough in implementing the TAP.

Provider / Landlord	Scheme	Number of units	Unit cost per week 2017-18	Current Unit Cost	Partnership Working	Providing all areas of IHMS	Hours Delivered	Access to Community Alarm
Gateway	Hugh Platt House	20	£14.33	£14.33	Yes	Yes	Hours reduced from 1 HR per person per week to an average of 18.65 HPW Per scheme. Level ranges from 15 - 35 HRS per scheme per week.	Yes
	John Tucker House	36						
	Lawrence Close	31						
	Mandela House	28						
	Rochester Court	34						
Vic Johnson House	17							
Gateway	Regency Court	30						
	Ruth Court	24						
	Ted Roberts House	30						
	Edith Ramsay House	43						
	William Cubitt Lodge	21						
Gateway	Mosque Tower	31						
Gateway	Bustaan Raada	16						
Genesis	Colin Winter House	34	£18.08	£19.95	Yes	Yes	Increased to 56.5 HPW	yes
Industrial Dwellings Society	Stepney Green Court	19	£16.63	£13.31	Yes	Yes	Increased by 1 HR to 20 HPW	Yes
PA Housing	Cavell Street	11	£17.82	Not Charging / under review	Yes	Subject to review	Reduced by 2 HR to 7 HPW - seeking to increase hours	Yes
L&Q	Phoenix Court	45	£22.54	£21.31	Yes	Yes	Reduced to FTW 35 HPW - reduction of 21 HPW - MGMT time removed	Yes
Clarion Housing Group	Pebble Centre & Gawthorne	56	Pulled April 2017	Not Charging	Yes	Yes	Reduced to FTW 37 HPW - MGMT time removed	Yes
Mercers	Lady Micos Almshouses	18	Pulled April 2017	Awaiting response	Yes	Awaiting response	Awaiting response	Yes
Southern Housing Group	Hogarth & Manchester Rd	58	£15.22	Withdrew	No	Not engaging		
Sanctuary	Shaftesbury Lodge	32	£10.26	Withdrew	No	Not engaging		
One Housing Group	John Sinclair Court	30	Pulled April 2017	No response	No	Not engaging		

3.10 All providers have confirmed that they transferred to an IHMS provision. Whilst the costs for the service have remained comparable to that funded by the authority, the model adopted has focused on front line staffing as opposed to line management presence in the schemes and the support is classified as housing management. This means that it forms part of the rent and service charge, which is payable via Housing Benefit for those tenants (a significant majority) who are eligible, rather than via a separate contract with the Council.

IHMS Model Delivered

3.11 All schemes have a staff presence on a daily basis Monday to Friday, except for Cavell Street, which continues to have the same level of support as under the previous contract - a member of staff present one day per week. The move to an IHMS service has given some providers an opportunity to increase the staffing presence, two providers having done so and Cavell Street is currently under review. Gateway Housing Association (GHA) have, further to consultation with residents, moved to a paired model of provision where named staff deliver support across two schemes, at a level reflective of the size of the scheme. Outside of working hours residents have access to community alarm provision in an emergency.

3.12 All providers have confirmed that they are providing a broad range of services in line with the IHMS model including:

- Advice & assistance to understand and comply with the tenancy conditions

- Assistance in sustaining all aspects of the tenancy
- Annual individual risk assessments to ensure any risks are identified and referrals to support agencies made if necessary
- Regular welfare checks to ensure tenant's safety and well-being (this will be at a frequency agreed with the individual tenants)
- Assistance in claiming/managing housing benefit application
- Signposting and accessing support from other services e.g. budgeting support; assistance with debt management from voluntary agencies; accessing support to assist with alcohol/substance related matters
- Monitoring and signposting for social services / care services
- Provision of Pendants for more frail residents
- Advice and assistance regarding security of the tenants' home
- Advice and assistance on using equipment within the property
- Testing and maintenance of the Pull Cord Telecare system
- inspections and maintenance of the building, to address wear and tear to the property and facilities
- Health and safety inspections
- Information and advice to tenants relating to use of communal areas,
- Arranging repairs to communal areas, including fixtures and fittings
- Provision of CCTV and other safety features.

Other Boroughs

- 3.13 This approach is now widely used across the sheltered housing sector although the model can vary. The London Borough of Redbridge has advised that the sheltered schemes were decommissioned during the financial year 2017-18 and that all 22 schemes have adopted the IHMS model.
- 3.14 The London borough of Newham have stated that In recent years, the traditional warden model has developed into more of a virtual function, with alarms being sent automatically to a member of staff based either nearby or to a call centre.
- 3.15 Both boroughs have confirmed that the services are funded through rent and service charges.
- 3.16 The Royal Borough of Greenwich has confirmed that their internally managed sheltered schemes have maintained the warden on a full or part time basis dependent upon the size of scheme.
- 3.17 No authority is known to have adopted the Tower Hamlets approach of reinvesting the savings achieved to fund activities that tackle isolation and loneliness in sheltered accommodation by way of the TAP.

Tenants Activity Pot (TAP)

- 3.18 It is important to note that the TAP was launched in October 2018 and it is therefore still at an early stage of development and is continuing to evolve.
- 3.19 Officers have set up a TAP Forum which meets six weekly with providers to inform development, this will be extended once the TAP processes are established to include tenant representatives from each provider.
- 3.20 Officers from the Lettings Team are in attendance, and a review of the sheltered housing application form has already been commenced by the group to reflect the

changes in need since the last review over 10 years ago and the new model of provision. It is intended that the new form be used from April 2019.

- 3.21 An initial approach to the monitoring of the TAP has been developed based on a model suggested by the Campaign to End Loneliness. The information provided at this stage is therefore, based on the outcomes reported at the forum meetings and an initial analysis of the first quarter returns for the TAP.

Activities

- 3.22 A number of activities have been undertaken including:

- Black History Month celebration
- Visit to Madame Tussaud's
- Lunch gathering
- Fish and Chips night
- Christmas Gala
- Tea at the Hilton
- Christmas Party celebration
- Local Theatre trip – Aladdin
- Christmas Light trip to west end
- Afternoon posh tea at the scheme
- Local History talk with Ray Newton
- Furry tales with Stepney City Farm
- Wellbeing treatment Spa event

- 3.23 The TAP was also used to fund a digital pilot in 3 Gateway Housing Association (GHA) schemes inclusive of wifi enabling, equipment provision and training. GHA has reported that the pilot has been so successful that it is their intention to roll out the service to all their sheltered schemes.

- 3.24 Going forward providers are exploring with their tenants the following options:

- Bags of taste – cooking on a budget. .
- Working in partnership with In-common to bring primary school children into sheltered schemes.
- Swimming.
- Newsletter, animation based.
- Host events promoting different cultures e.g. Eid Party
- Bread making.
- ESOL classes.
- Residents to record a repair based video.
- Chair based exercises.

- 3.25 Sewing classes have commenced at Phoenix Court which brings together a scheme for Somali elders and a generic scheme. The provider reports that through such activities, which have also included people from the locality that there is a stronger sense of community and integration developing through the TAP and provider funded activities.

Tenant Engagement and Profile

- 3.26 As at the end of December 47 activities had been held. In total 823 people attended, of whom 622 were sheltered tenants and 201 were from the locality, family and / or friends.

- 3.27 Our analysis has shown that a number of tenants attended more than one activity so the actual number of individual tenants that have participated in at least one activity is

290 residents, which equates to 53% of the total resident population of the schemes involved. We will continue to work with the registered providers to ensure that participation levels continue to increase.

3.28 Analysis of the profile of those who took part in activities identified that:

- 78% were aged 70 years or older
- 56% were female and 44% male
- 39% identified as white British,
- 10% identified as Black British,
- 11% identified as Asian British,
- 7% identified as other.

Feedback

3.29 Attendees were asked to complete feedback forms after each activity and 340 forms, or 74%, were returned which confirm that:

- 91% agree or strongly agree that people from different backgrounds get on well in their sheltered scheme;
- 42% agree or strongly agree that they contributed some of their time to organise the TAP activity;
- 89% agree or strongly agree that they feel they are a part of a community;
- 89% agree or strongly agree that they have increased contact with their neighbours compared to the previous three months;
- 71% strongly agree and 24% agree that taking part in the activity has made them feel happier.

3.30 Providers have suggested that the activities have brought together groups of residents who would otherwise not have met. They report that initial scepticism around the programme from residents who have traditionally not wanted to get involved in group activities has been reduced or removed following their participation.

Challenges

3.31 Whilst it is unrealistic to expect all residents to engage all of the time, the next quarter's monitoring will help to establish whether an increased number of residents will take part in the TAP. At this stage of the project it is not proposed to claw back a percentage of the funding to reflect the level of attendance, but this is something that may need to be considered going forward

3.32 At the end of the first quarter of the £66,375 grant paid, £41,146 had been spent plus the costs for the GHA digital pilot, which has not yet been confirmed.

3.33 Providers have advised that delivering the TAP is time intensive and whilst none have suggested that they will opt out at this stage, it is of concern. If targets were to be set for increased uptake for example, this would add to the burden, hence going forward there may be a need to explore mechanisms and / or models to support the TAP. This could potentially be attractive to those providers who have chosen not to take part as it was not felt to be compatible with their model of provision.

3.34 Four schemes which at full capacity house 120 sheltered tenants currently have no access to the TAP and officers will continue to encourage the relevant registered

providers to engage. The positive feedback received thus far will be an important tool in this respect.

Next Steps

- 3.35 Further analysis is to be undertaken of a baseline survey exploring social connectedness measuring how tenants felt prior to the TAP, which will be compared with data returned at the end of the next quarter.
- 3.36 A programme of scheme visits is to be undertaken by officers, the aim being to have visited a majority of the schemes prior to the end of March to gather first hand feedback from residents on the effectiveness of the TAP.
- 3.37 Providers have also advised that residents are not keen to continually fill in forms and have suggested an on-line monitoring system be developed, given that the current paper based system is time intensive for all parties. We will explore how to achieve this over the course of 2019.

4. EQUALITIES IMPLICATIONS

- 4.1 The provision of sheltered housing is consistent with a key aim of the council, which is to promote and to maximise the independence of every individual and particularly those who may need additional support.
- 4.2 This report seeks to explain how by changing the model of provision the council is encouraging connectedness and reducing social isolation.
- 4.3 The outcomes are being monitored and analysed to ensure equity and access across the sector.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 The services will promote the continued safety and wellbeing of older people. The Care Act requires that each local authority must cooperate with each of its relevant partners (as set out in Section 6 of the Care Act) in order to protect the adult. In their turn each relevant partner must also co-operate with the local authority. While safeguarding adults is a lead duty of the local authority, the responsibility for identifying, investigating and responding to allegations of abuse lies with operational staff across all organisations.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report updates the Housing Scrutiny Sub-Committee of the joint work being undertaken by the Ageing Well Commissioning Team and local Registered Providers of sheltered housing schemes to implement the recommendations of the Cabinet report approved in March 2018.
- 6.2 The Housing Scrutiny Sub-Committee is recommended to note the contents of this report and there are no direct financial implications arising.

7. COMMENTS OF LEGAL SERVICES

- 7.1 This report provides the Committee with an update on the implementation of support provision within supported housing in the Borough. The Council has a duty under section 3 of the Local Government Act 1999 to secure continuous improvement in the way in which its functions are exercised through a combination of economy, efficiency and efficiency. The details in the report demonstrate how the Council is fulfilling this obligation with regard to supported housing.
- 7.2 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector duty).
-

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – Cabinet Report 22 March 2018
<http://democracy.towerhamlets.gov.uk/documents/s123823/5.12%20Cabinet%20cover%20report%20Sheltered%20Housing%20Options%20Paper.pdf>

Local Government Act, 1972 Section 100D (As amended)


List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

N/A

<p>Non-Executive Report of the:</p> <p>Housing Scrutiny Sub-Committee</p> <p>26 February 2019</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Rafiqul Hoque, Head of Housing Options</p>	<p>Classification: Unrestricted</p>
<p>Housing Needs – Preventing Homelessness</p>	

Executive summary

The Homelessness Reduction Act (HRA) 2017 came into effect on 3rd of April 2018. It significantly impacts on how services are provided to homeless people or those threatened with homelessness within 56 days.

This sub-committee posed a number of questions relating to HRA, homelessness, temporary accommodation (T/A) and rough sleeping, which have been addressed in this report. The report gives members an insight on current status, challenges and potential opportunities.

Recommendations:

The Housing Scrutiny Sub Committee is recommended to:

- Note the report and answers provided to questions posed by the committee.

1. REASONS FOR THE DECISIONS

- 1.1 This report provides an update on the HRA and answers a number of questions posed by members about the impact of the new legislation on Housing Options service.

2. DETAILS OF REPORT

- 2.1 The Homelessness Reduction Act 2017 puts more emphasis on prevention activities by placing new legal duties on local authorities to provide meaningful support to everyone who is homeless or at risk of homelessness, regardless of whether they are in priority need, intentionally homeless or have a connection with Tower Hamlets.
- 2.2 A new Homelessness Code of Guidance has been published after a period of consultation which provides practical guidance on the legislation and related policies.
- 2.3 Local Authorities are required to prevent homelessness and work closely with eligible applicants and devise a Personalised Housing Plan (PHP) to address their housing need and to help them secure suitable accommodation for at least 6 months. Making sure they are sign-posted to relevant support so that they can sustain their tenancies and remain in their accommodation.
- 2.4 A number of questions were posed by members as detailed below, which have been answered.

2.5 Implementation of the Homelessness Reduction Act - What are the statistics for reductions in homelessness since the Act was introduced? How are the provisions within the Act being used? Successes and challenges.

The statistics below shows an increase in the number of applicants approaching the service. This has consequently resulted in higher number of applicants placed in temporary accommodation. The application process is significantly more administratively burdensome and interviews on average are taking at least a couple of hours.

The increase in footfall is not surprising because the expectation, in the short term, was that the numbers approaching and offered temporary accommodation would be higher than in the past. Obviously, impact is due to the Council's new legal obligation at the 'prevention stage' to offer advice and assistance to applicants regardless of whether they have a local connection, are in priority need, or intentionally homeless.

Once the legislation is fully embedded and the Council is able to develop further housing options for applicants, especially, more effective work with landlords/tenants, parents, for example, in dispute resolution, addressing affordability issues etc. and rely more on private sector accommodation as a prevention tool, it should help reduce numbers placed in T/A and the number of preventions should increase significantly.

Statistics

The number of Prevention and Relief applications registered from April 2018 to September 2018 is 1100.

In the previous year (same period) April 2017 to September 2017, we had 1022 approaches, which means an increase of 7.6 %.

For quarter 2 update in regards to temporary accommodation: 2433 households were in temporary accommodation, an increase of 13 % from 2144 as of 30 September 2017.

In quarter 1 we had 2310 households in temporary accommodation, an increase of 6% from 2178 as of 30th April 2017.

Successes

Working in collaboration with partner organisations – it's an opportunity to gain referrals earlier to deal with preventing homelessness and providing the key information they require/need to alleviate homelessness or explore alternatives, although Tower Hamlets have always had good practices in this area of work.

Also an opportunity to deliver customer focused services via Personalised Housing Plans, especially, when working with other stakeholders in gaining positive outcomes.

Tower Hamlets Council has successfully implemented the Duty to Refer Protocol on 1 October 2018, in partnership with East London Housing Partnership. This means public bodies e.g. Probation, Social Care, and also voluntary agencies such as Registered Housing Providers can make referral using 'Alert' IT portal to allow the Council to engage early with applicants to alleviate homelessness.

Challenges

The process has become resource intense, with longer interviews, frontline services all been altered to take into regard two hours of interviewing for clients, a lot of initial interviewing, but appointments not kept/initial interviews not closed down to record outcomes or way forward. Notification letters not always being provided to the applicants when Prevention Duty/Relief Duty triggered from the very onset, therefore guidance issued to ensure this was in place for staff. There are high caseloads per officer. Learning is still ongoing for staff.

There are H-CLIC (new data reporting requirement) and P1E issues as the data comes from two separate systems, plus temporary accommodation for all cases reported on Northgate as corporately tied in. Hence, a long counting/verification of data exercise to extract the TA numbers from the P1E reporting; impact has been delay in quarterly returns to MHCLG.

Preventions reported previously on P1Es were from outside agency involvement, now trying to work at ensuring that an outreach worker is assigned to conduct Prevention work and add onto HCLIC so can officially report Prevention although corporately still collating this information.

Legacy cases work (applications made prior to HRA) – the Council needs to transfer Legacy cases over to HRA CDP Soft from Northgate as they will need to be reported on H-CLIC for Q4 onwards. However, the Council is still exploring whether there is an automated IT solution to report Legacy cases moving forward. Ensuring Legacy cases are HCLIC compliant will have cost/resource implications.

2.6 How is the Council being more proactive rather than reactive in preventing homelessness? (Tackling the cause of homelessness, early intervention).

The Council is delivering, exploring, and enhancing the following initiatives:

- For single homelessness, the Council is looking into PRS offers.
- No First Night Out – a tri-borough project with Hackney and City has prevented rough sleeping for 106 individuals since the start of April of this year to end of December.
- Increase in supported housing pathways for vulnerable single people
- Looking at commencing surgeries with Workpath to tackle worklessness and training opportunities for clients within Housing Options.
- Enhance Housing Advice work for tenants renting privately. Last week the Council successfully prosecuted a private landlord for an illegal eviction, which resulted in £36,000 damages and £25,000 estimated cost awarded against the landlord/agent.
- Develop and increase work undertaken with social tenants facing eviction through the Homelessness Intervention and Prevention Partnership (HIPP). This initiative was initially piloted with Poplar HARCA and is now rolled out with all RPs. Between November 2017 – April 2018, 72 cases were referred; 53 prevention achieved, and total **£42,907.75** rent arrears was recovered for RPs.

2.7 Households in temporary accommodation, in borough and out of borough, duration and average costs – comparable information if available.

Households in temporary accommodation:

Households in self-contained temporary accommodation as at 25th January 2019 – 2264

In borough and out of borough:

In borough 1160

Out borough 1104

Duration:

Duration of residence in temporary accommodation depends on the client's bidding choices, waiting time on the housing register and the size of accommodation required.

However, average guideline time periods for obtaining an offer via Homeseekers are:

1bedroom under 1 year, 2br 3-4 years, 3br 7-8 years, 4br+ 10 years

Average costs:

There are pan-London rates for TA, the average costs of TA within TH are:

Studio	1	2	3	4	5	6+
£209.33	£254.27	£311.57	£364.82	£407.56	£450.06	£449.40

Comparable information if available:

The average cost of TA in London as a whole is:

Studio	1	2	3	4	5	6+
£217.84	£263.35	£321.84	£375.01	£421.22	£442.95	£444.20

When Tower Hamlets places clients in other boroughs we adhere to the agreed pan-London rate for that borough.

The good work the Council is doing in diversifying T/A e.g. buybacks, use of non-secure tenants (TH and RPs) for T/A accommodation, conversion, has greatly helped in securing more affordable temporary accommodation in Tower Hamlets. This has resulted in more applicants being placed in Tower Hamlets than out of borough, which is a huge benefit for all parties concerned, particularly our residents as it means less disruption for them.

2.7 Partnership successes and opportunities (including funding)

HIPP – work with RPs – increase in prevention work in quarter 2, we achieved 32 preventions. We need to expand this service and could look at the potential of increasing work with RSLs to fund additional staff to increase preventions further. We could look at the possibility of employing an additional staff member by a potential spend to save model, i.e. as the amount of rent arrears clawed back is high due to Council involvement and beneficial to RPs.

Expansion of floating support services to offer tenancy sustainment and support to maintain tenancies for potentially homelessness cases hence increase preventions.

The Council is waiting for outcome of its bid application to MHCLG PRS Access Fund. If successful, it will enable the council to create four posts as follows:

- Homeless Prevention Support Officer
- Tenancy Training Officer
- Two Tenancy Sustainment Officers
- Procurement Officer

This funding will greatly assist the Council in its prevention work in the private sector; tenants and landlords will be offered support so that tenancies can be sustained and homelessness prevented, where possible.

2.8 **How will the Council ensure it meets the Governments target to eliminate rough sleeping by 2027**

The council will meet the target by:

- Commissioning specialist outreach and day services to meet the current and changing needs of our rough sleeping population
- Delivering on an accommodation pathways that offers choice and support to rough sleepers from the start of their journey off the street through to settled independent accommodation. This includes commissioning a range of specialist supported accommodation projects, hostels and Housing First properties.
- Working in partnership with a wide range of third sector, faith based, statutory bodies to meet the complex needs of our rough sleeping population including poor mental and physical health, and high substance misuse.
- Delivering on our support and enforcement model to ensure rough sleepers who cause ASB take up offers of support and avoid the criminal justice system where possible.
- Championing innovation and testing new delivery models such as a street psychologist, street nurse and community model to work with non-UK nationals.
- Delivering on pioneering rough sleeping prevention programmes i.e. No First Night Out.
- Securing new funding opportunities from the MHCLG and GLA.

The Council has launched its five year Homelessness and Rough Sleeping Strategy 2018 – 2023. The Council will work closely with its key stakeholders and partners to deliver the objectives set out in the strategy. The primary aims are to prevention homeless and rough sleeping in the borough and offer a more responsive service to homeless and vulnerable people in housing need. A link to the strategy document is provided under appendices in this report.

3. **COMMENTS OF THE CHIEF FINANCE OFFICER**

- 3.1 This report recommends that the Housing Scrutiny Sub-Committee note this report which contains answers to questions that have previously been raised by this Committee, and as such there are no direct financial implications arising.

4. LEGAL COMMENTS

- 4.1 The Homelessness Reduction Act 2017 (the Act) came into force on 3 April 2018. It places new legal duties on Local Authorities with a focus on preventing homelessness.

The Act introduces the following key measures:

- a) An extension of the period 'threatened with homelessness' from 28 to 56 days.
 - b) A new duty to prevent homelessness for all eligible applicants threatened with homelessness, regardless of priority need.
 - c) A new duty to relieve homelessness for all eligible homeless applicants, regardless of priority need.
 - d) A new 'duty to refer' - public services will need to notify a local authority if they come into contact with someone they think may be homeless or at risk of becoming homeless.
 - e) The Act includes a provision that would allow the Secretary of State to provide Councils with 'one or more' **codes of practice**, that Councils must have regard to.
 - f) The Act also requires local authorities to develop homelessness **strategies** based on a review of all forms of homelessness in their district and outlining how local partners will work together.
- 4.2 The Council is obliged to ensure that the new statutory requirements are fully understood and implemented correctly. The Council must develop robust policies and procedures for staff to refer to when faced with a client failing to co-operate or requesting a review. The Council must also ensure effective training is delivered to staff to be legally compliant and provide a robust service limiting successful lawful challenges. Failure to implement these new duties adequately will be a reputational risk to the council and could leave us vulnerable to legal challenge regarding our decision making.

The answers provided above (1-4) indicate that the Council already has measures in place or is working to implement the legislative requirements contained within the Act.

- 4.3 In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector duty).

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.

- 5.2 The recommendations in scrutiny review are made as part of the Housing Scrutiny Sub-Committee's role in helping to secure continuous improvement for the Council, as required under its Best Value duty.
- 5.3 There are no direct environmental implications arising from the report or recommendations.
- 5.4 The recommendations of the Scrutiny Review are based on areas of risk and for improvement for the Council and its partners and the actions seek to address these.
- 5.5 There are no direct crime and disorder reduction implications arising from the report or recommendations.
-

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Homelessness and Rough Sleeping Strategy, link:

https://www.towerhamlets.gov.uk/ignl/housing/housing_statements_and_strateg/homelessness_strategy.aspx

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.

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Tower Hamlets Homes

Universal Credit

Housing Scrutiny Sub
Committee (HSSC)
February 2019

Tower Hamlets Homes

- ❖ National picture
 - Managed Migration complete - 2023
 - One in six new universal credit claimants are not being paid on time
 - Many people are worse off, putting them at risk of hunger and multiple debt, including rent arrears

- ❖ Local Picture
 - Universal Credit Full Service roll out for THH – October 2018
 - Current number of claimants:

Cases	Count
UC	984

- Expected number of UC claimants by 2023 is 6000
- Estimated overall value of housing payments at risk (current HB) £39m
- YTD Collection rates are 99.5%

THH support Offer for residents



THH Financial Inclusion Officers
Job Centre Plus
Independent Help and Advice
Employment services
Food bank



❖ How we are responding to UC:

- Dedicated team offering personal contact, practical help and support
- Working with partners
- Communication – Live radio, letter inserts, resident newsletter 'Open Door' articles, organisation focus on financial vulnerability and "Ask Ian" campaign
- Planning for the future – supporting more claimants transitioning to monthly UC payments, verification and processing payments
- Extended payment options – Any day, any frequency direct debits



Impact

Increase in the number of UC claimants

Some residents struggling to manage their budget

Payment delays

Increasing number of rent verifications

Demand on FIO resource

UC Arrears £1,232442

Mitigating Impact

- ✓ 2 Week HB paid in addition to UC housing element April 2018
- ✓ Option available for claimants to access advance payments
- ✓ Changes to IT system and collection processes
- ✓ Applications for Alternative Payment Arrangements (APA's)
- ✓ Automated process being established to post Direct payments on accounts (live March 2018)
- ✓ Increased referrals to Account3, Financial Health Centre and Go Train
- ✓ Move from fortnightly to weekly escalation
- ✓ FIO's taking more time to assist residents to maximise income & access additional help

Learning

Early intervention, rent first culture (internal and external), additional support, requesting APA's and Third Party payments

Developing positive partnership relationships

Review and align resources to adapt to UC changes & meet residents' expectations

Completing financial assessments & agreeing affordable payment arrangements

Range of payment options, e.g. 'Any Day, Any Frequency Direct Debits.

**Tower
Hamlets
Homes**

Questions?

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Universal Credit

Housing Scrutiny Sub Committee

26th February 2019

Tower Hamlets Housing Forum

Contents

- Background
- Roll out of Universal Credit
- Key Changes
- RP response
- Impact
- Risks



***Universal
Credit***

Background

- Introduced by the Welfare Reform Act 2012
- Aim to simplify the benefits system
- Combination of 6 benefits
 - Income based Jobseekers Allowance
 - Income based Employment Support Allowance
 - Income Support
 - Working Tax Credit
 - Child Tax Credit
 - Housing Benefit

Background

- One monthly payment to the resident
- Introduced in April 2013 in Pathfinder areas
- Live system  Full Service

Roll out of Universal Credit

- Tower Hamlets went live with the full service from 2017
 - February 2017 – Poplar JCP
 - March 2017 – City Tower JCP
 - October 2018 – Bethnal Green JCP
- Claims only for those with two children or less until 1st February 2019
- Households in receipt of a Severe Disability Premium to remain on legacy benefits - 16th January 2019

Roll out of Universal Credit

- Managed migration pilot for 10,000 legacy benefit cases from July 2019. A test and learn approach.
- Managed migration 2020 – 2023
- No agreed method for the roll out

Key Changes

- Automated direct payments cease
- Residents responsible for paying their rent to their landlord
- On line claims for Universal Credit
- Housing Benefit ceases and residents receive a housing element of Universal Credit

Key Changes

- 2 week run on of Housing Benefit
- 2 children limit only applied to those born after 6th April 2017
- Mixed age couples to claim Universal Credit instead of Pension Credit from 15th May 2019
- 2 week run on of legacy benefits from July 2020

RP Response



- Dedicated specialist Welfare Reform staff focusing on Welfare Benefit advice
- Focus on home visits and out of hours working – personal contact is key
- Action Plans to mitigate risk
- Supporting residents to apply for Discretionary Housing Payments
- Use of specialist IT to track Universal Credit payment dates e.g. Rentsense

RP Response



- Good, consistent communications - Promoting the changes and what it means for residents
- Specific Universal Credit patches/ officers – greater response where needed most
- Alternative Payment Arrangements where applicable
- Trusted Partner Status
- Review of payment methods and introduction of digital self-serve
- Greater range of payment options

Impact

- Increase in caseload for RPs
- Increased rent arrears initially for those on Universal Credit
- Time lag for receipt of Alternative Payment Arrangements
- Greater resources needed to guide residents through the complex changes including digital by default
- Range of personal and social impacts for residents whilst waiting for claims to be assessed

Risks

- Potentially increased rent arrears for all social landlords
- Risks for vulnerable tenants who need support
- Court decisions
- Potentially increased homelessness and debt

Mitigation of Risk


- Regulator of Social Housing - Sector Risks Profile includes welfare reform
- Most RPs show this as a Red risk on their risk registers
- Detailed policies, procedures, action plans and staff in place to support residents

Mitigation of Risk

- Strong partnership working with the Council and the Department for Work and Pensions
- Close working with the Council's Homelessness Service to ensure prevention of eviction, in particular working with residents who previously had rent paid direct
- Range of measures to support collection of income

Any Questions?

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<p>Non-Executive Report of the:</p> <p>Housing Scrutiny Sub Committee</p> <p>26 February 2018</p>	
<p>Report of: Neville Murton, Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Universal Credit and rent arrears Universal Credit – implementation in Tower Hamlets</p>	

Originating Officer(s)	<p>Steve Hill – Head of Benefits Services Ellie Kershaw – Tackling Poverty Programme Manager Lee Fearon – Benefits Policy and Programme Manager</p>
Wards affected	All wards

Executive Summary

This report provides Housing Scrutiny Sub Committee with an update on the implementation of Universal Credit (UC) in Tower Hamlets.

Recommendations:

The Housing Scrutiny Sub Committee is recommended to:

1. Note this report.
2. Provide comments as appropriate.

1. REASONS FOR THE DECISIONS

1.1 This report provides an update on the implementation of Universal Credit in Tower Hamlets.

2. ALTERNATIVE OPTIONS

2.1 Members are invited to provide comments on the report.

3. DETAILS OF THE REPORT

3.1 Universal Credit (UC) replaces several existing “legacy benefits” for working age residents including:

- Housing Benefit (HB)
- Job Seekers Allowance (JSA)
- Employment Support Allowance (ESA)
- Tax Credits (CTC and WTC)
- Income Support (IS)

UC does not apply to pension age claimants who will continue to be eligible for Housing Benefit and Pension Credit.

UC is administered by the Department of Work and Pensions and entitlement is re-assessed and paid via a single payment on a monthly basis.

The single payment has 2 elements:

Living Costs	Replacing JSA/ESA and Tax Credits
Housing Costs	Replacing Housing Benefit

Currently mixed age couples where one partner is a pensioner and the other is under pension age are eligible to claim Pension Credit to top up their pension and Housing Benefit if they need help to meet their rent payments.

This is due to change from 8 May 2019 when mixed age couples will no longer be eligible to make a new claim for either Pension Credit and Housing Benefit and instead will need to claim Universal Credit to top up their income and/or help with their rent payments.

3.2 Roll-Out of Universal Credit

Roll-out of “Full Service” Universal credit was completed in December 2018. Under full service most people who need to make a new claim for any of the legacy benefits listed above would instead need to claim Universal Credit.

The most notable exception being families with 3 or more dependent children who are currently unable to claim Universal Credit due to problems with the UC IT system. The DWP report that these problems were recently fixed and from 1 February 2019 affected households are unable to make a new claim for legacy benefits and will be directed to claim Universal Credit instead.

Furthermore residents in Exempt Supported Accommodation, (accommodation where the rent includes charges for personal care and support) and those housed by the council in temporary accommodation under the statutory homeless provisions are only eligible to claim UC in respect of their living costs but remain eligible for Housing Benefit to cover the rent.

The roll-out date for full service UC for LBTH residents was as follows:

Commencement Date	JCP Office	Postcodes
22 February 2017	Dod Street	E14, E3,
29 March 2017	City	E1, E1(W)
8 October 2018	Shoreditch/Hoxton	E2, E9

Details of the timetable and plans for mandatory migration whereby existing recipients of legacy benefits are moved onto UC are currently unclear and although DWP has committed to complete this process by 2023 it is not due to begin until summer 2019 and there are currently no details available as to how this will be achieved.

3.3 Universal Credit in Tower Hamlets - Analysis

The rate at which Tower hamlets residents have migrated from legacy benefits to UC has been relatively slow as illustrated by the table below;

Date	Housing Benefit Claims	LCTRS Claims
End of January 2017	35,289	31,355
End of June 2018	29,964	27,692
End of September 2018	29,432	27,914

The above figures show a Housing Benefit caseload reduction of approximately 278 claims migrating to UC each month since the introduction of UC full service

Current live Universal Credit claims in Tower Hamlets as at August 2018, the latest figure available from DWP was 8,774. Since go live for UC full service there have been approximately 731 UC claims per month.

These are the latest DWP figures obtained from the Gov.UK website:

<https://www.gov.uk/government/collections/universal-credit-statistics>

Our many local requests for more up to date UC statistical information via our regular liaison meetings with the Local Jobcentre Plus/DWP management team have been unsuccessful.

However, we anticipate the migration rate is likely to increase from February 2019 when households with 3 or more dependent children will become eligible to make a new claim for UC.

Despite the current Universal Credit migration rate being relatively low, the impact on both residents in receipt of UC and the consequences for the council is illustrated by the fact that there were 867 THH tenants in receipt of UC with a total arrears balance £1,027,855.00 as at August 2018.

The relatively high level of rent arrears for UC recipients can be attributed to a number of factors including:

- UC being paid monthly in arrears.
- Delays in issuing the first payment of UC.
- Delays in claiming UC and the fact that DWP seldom backdate entitlement.
- Both the living and housing elements of UC are normally paid via a single monthly payment to the claimant. (Although there is provision for the rent to be deducted from the total monthly award and paid direct to the landlord. This is referred to as an Alternative Payment Arrangement).
- UC is primarily a digital benefit accessed via an online application and involving conditionality which a claimant is expected to discharge by use of a personal digital logbook. Consequently it is not uncommon for claims to be cancelled when claimant's neglect to update their claim accordingly via their digital logbook.
- The problems regarding claimant's upkeep of their digital UC claim are exacerbated by DWPs refusal to permit representatives (including council officers) to act on the claimant's behalf unless the claimant is present.

At the same time, the council's Benefit Service has experienced a relatively high error rate in UC assessments which causes problems for recipients in respect of both underpayments, leaving residents with insufficient income and overpayments which are later recouped from their ongoing entitlement causing budgeting issues for the recipient.

3.4 LBTH Response to the Introduction of UC

3.4.1 Benefits Service

The Benefits Service has responded to the considerable challenges posed by the introduction of full-service UC in the borough as follows:

Provision of Training Front-Line services.

Provision of training and briefings for front line council services including One Stop Shops, Housing, Adult Services and the Leaving Care Service.

Publicity

Ensuing information regarding UC is available on the council's website and that front-line staff including One Stop Shop and Contact Centre staff are able to accurately advise residents who need to claim UC.

Reorganising the Teams within the Benefits Service to address demand

The council's Benefits Service has been reorganised Teams to include:

- A specialist team dealing with Council Tax Reduction recipients who are getting UC.
- A dedicated UC/Housing Benefit caseworker to whom issues identified by the specialist team are referred. The caseworker liaises with the affected residents and relevant third parties (including DWP) to help resolve the issues identified.

Liaison with DWP

The Benefits Service management team meets with senior management team from the local Jobcentre Plus/DWP on a regular basis to discuss issues and has secured provision of a dedicated UC liaison resource from the DWP to whom queries can be referred.

Working with Interested Third parties

The council's Benefit Service regularly liaises with landlords, advice agencies, foodbanks etc, to identify, escalate and help to resolve issues relating to residents UC entitlement.

3.4.2 Tackling Poverty Team

Outreach

The Resident Support Team works from a number of locations around the borough assisting residents who are moving to UC in making their claim. The team also takes a holistic view of the resident's circumstances and will help with applications for DHP and grants, as well as making referrals to other services where appropriate.

Childcare

The Tackling Poverty Team is currently investigating the upfront costs of childcare and the barrier this presents to employment with the aim of piloting a method of helping parents with these costs.

Tackling Poverty Dashboard

The dashboard uses housing benefit data to map households across the borough and gives an indication of how various welfare reforms and policy changes will affect them. It does not provide data on households claiming UC, as this data belongs to the DWP and the Local Authority does not have access to it. However, reports can be run showing which residents are likely to move to UC due to their circumstances changing, and use of this data allows for proactive contacting of these households to offer support in making their claim where it is needed.

3.4.3 Going Forward

The experience gained in the relatively short time since UC was introduced in Tower Hamlets informs the following:

- The digital approach to claiming UC and maintain an on-line claim is not suitable for all LBTH residents. The medium to long term solution is to develop and implement a UC inclusion initiative but DWP should be petitioned to explore alternative short term fixes one of which should be inclusive partnership working with local authorities which involves allowing us direct access to UC processing staff to represent residents experiencing difficulties with their UC claim.
- Confusion regarding the rules regarding migration to UC can result in late claims which manifest in residents losing entitlement. Whilst publicity and early intervention can help mitigate this risk, it will not completely eradicate it and therefore we would strongly advocate that DWP exercise their discretion to backdate entitlement more liberally.
- Direct consultation between DWP and Local Authority associations regarding proposed changes to UC would reduce confusion, help identify and eliminate possible problems and provide a better understanding of the effects.
- Jointly produced publicity of forthcoming changes and information regarding future roll-out of UC in the Local Authority area would likely be more effective for residents and provide with a more active role in the roll-out process.

- Although DWP refer to working in partnership with Local Authorities in order to help ensure the success of UC, our experience thus far does not indicate a willingness on part of DWP to adopt an inclusive partnership approach and it is difficult to escape the conclusion that Local Authorities are spectators rather than partners in the UC process.
- In December the Benefits Service wrote to DWP regarding our experience of UC liaison and have been informed the matter has been passed to DWP Policy Division; we have set out our concerns and are currently awaiting a response.
- In order for Local Authorities to be able to provide a service that is truly beneficial to residents, the DWP should be prevailed upon to give access to the data and to allow Council Officers to speak to the DWP on behalf of the resident when requested to do so.

4. EQUALITIES IMPLICATIONS

- 4.1 There are no specific equalities implications arising from this report.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This report provides Housing Scrutiny with an update on progress of the roll out of Universal Credit in Tower Hamlets and its intention is to inform in order to help secure continuous improvement for the council as required under its best value duty.
- 5.2 There are no direct environmental, crime or disorder implications arising from the report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report provides the Housing Scrutiny Sub Committee with an update on the implementation of Universal Credit in Tower Hamlets and asks the Committee to note the report and provide comments as appropriate.
- 6.2 As this is a noting report there are no direct financial implications arising. However, an area of financial risk is outlined in section 3.3 in relation to the current level of rent arrears among Tower Hamlets Homes tenants in receipt of Universal Credit, the balance of which was - as at August 2018 - over £1 million. This level of rent arrears will need to be kept under constant review by Tower Hamlets Homes in order that appropriate mitigating actions can be taken.

7. COMMENTS OF LEGAL SERVICES

- 7.1 This report provides an update on the implementation of Universal Credit in Tower Hamlets. It is for noting and comments only and has no direct legal implications.
- 7.2 The Housing Scrutiny Sub-Committee is tasked with the responsibility of holding service providers to account and considering housing matters affecting the inhabitants of the Council. Accordingly, a review of the roll out of Universal Credit and its effects on the inhabitants of the borough falls within its remit and authorised by the Council's Constitution

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

Appendix 1 –
Universal Credit roll out in Tower Hamlets
Benefits Service experience

Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report

- NONE

Officer contact details for documents:

Steve Hill – Head of Benefits Services

Appendix 1

Universal Credit roll out in Tower Hamlets

Benefits Service experience

This report provides an overview of the council's Benefits Service experience of the Universal Credit roll out in Tower Hamlets for the current financial year 2018/19. The Service also holds data for the previous financial year 2017/18.

This year the Benefits Service has referred 539 Universal Credit cases back to the DWP as accuracy queries.

The 539 referrals arose as the council's Benefits Assessment staff identified the errors as they were assessing Housing Benefit/Local Council Tax Reduction claims with Universal Credit awards.

It is pertinent to note that the errors have been identified routinely rather than following a prescribed checking process. The council receives no funding to identify and remedy error on Universal Credit claims. Our experience shows that if such funding were made available by DWP the referral rate would be substantially higher and there could be less error in the Universal Credit system.

Despite the lack of funding, the council's Benefits Service has allocated a dedicated resource to these referrals; this resource liaises with the DWP and with the customer to facilitate the correction of UC errors identified.

It should be noted that the DWP will not act upon notification of a Universal Credit error from the council. This is despite councils being considered "partners" in the delivery of Universal Credit by the DWP.

As a consequence the DWP will often advise the council that they will correct errors which the council has identified only after the claimant notifies them of the error. The exception being where the council, the claimant and the DWP are all together and the claimant gives permission for the council to act on the claimant's Universal Credit claim.

Where such permission is granted it is only allowable once. If another error were to be subsequently identified on the UC claim, the DWP require fresh permission to be obtained from the claimant again before the council can act on the claimant's behalf once more.

This bizarre process is far apart from Housing Benefit administration where the DWP and councils work in genuine partnership and deal with errors immediately on welfare benefits and on Housing Benefit claims without the claimant needing to be contacted. The claimant is only contacted after the errors are swiftly resolved. These arrangements reduce error, minimise underpayments and overpayments in the system and in so doing provide a better experience for residents.

Our local experience informs our view that the current liaison arrangements are not fit for purpose. The DWP appear to have developed a UC delivery model where councils are spectators in the Universal Credit process with the one exception, the council's role of ending Housing Benefit entitlement after a claim for Universal Credit has been made.

Our liaison concerns and the level of error identified locally have both been communicated to DWP.

Universal Credit consists of two elements, the living element and the housing element. The Benefits Service has focused particularly on identification of two areas, overpaid Universal Credit housing element and underpayments of Universal Credit housing element.

Universal Credit error resulting in overpayments

There are several examples where Universal Credit housing element was paid incorrectly due to the accommodation being exempt; supported accommodation or temporary accommodation after the 11th April 2018 or when there has been a rent change which should of triggered UC ending and housing benefit being awarded.

The council identified a Universal Credit case overpayment involving payment of UC housing element to a claimant placed in supported exempt accommodation. The claimant was placed in supported accommodation following their partner passing away; the children were placed into care. The council identified early on that the claimant was receiving both UC housing element and also the child element in error. It took repeated notifications from the council to the DWP (at least seven and escalation requests) for the matter to be resolved. A UC overpayment of over £18k resulted.

The council identified one case where Universal Credit was paid in error due to the claimant not actually being eligible to claim as the family had three or more children. This error accounted for the largest overpayment identified of £25,206.27. The error should have been easy to identify as ineligible for Universal Credit using the DWP's own restrictions/rules. Of all our cases identified where there have been two child restriction cases (three claims had three children and one had five children), these account for in excess of £50k in UC overpayments.

The council has identified Universal Credit cases where the DWP have investigated claimants for fraud and informed the council that the fraud has been proven, there is no entitlement to benefits and the claim should not be paid. The council has advised the DWP that the fraudulent claimant has successfully claimed Universal Credit which has been paid by DWP in spite of the DWP's own fraud investigations. These are overpayments.

To date, the total value of Universal Credit overpayments identified by the council and referred to the DWP for correction is £194k, this in respect of 43 cases with an average of £4,510.77 ranging from £25k to £277.00.

Again, it is worth stressing the point that these errors are being identified as council Benefits Assessors routinely perform their tasks rather than actively looking at identifying error.

Universal Credit error resulting in underpayments

Identification of Universal Credit underpayments occurs where the DWP has missed off or wrongly calculated the housing element of Universal Credit.

During the year the council's Benefits Service has identified cases where the DWP has refused to pay the housing element of Universal Credit as the DWP incorrectly believed the council should be paying housing benefit for temporary accommodation claims prior to 11th April 2018.

Our experience suggests DWP also ended claimants UC housing element if the claimant mentioned temporary accommodation on their Universal Credit journal or had a non-change in rent change of circumstance e.g. a partner joined the household which seemed to trigger Universal Credit housing element ending. In these cases, council staff have had to explain to Universal Credit staff what their own rules and regulations are and why Universal Credit housing element has to continue (as there was no change in rent/temporary accommodation charges).

The council confirmed the DWP had wrongly applied UC rules to one case in temporary accommodation; the DWP refused to pay the claim as a result of the claimant not submitting 'rent proof' until after the 11th April 2018. This took some work by the Benefits Service to convince the DWP of their error and the claimant was eventually awarded £8k.

The council has identified many cases where rent reduced on Universal Credit claims. These errors were traced back to a UC assessment error whereby inputting of rent increases treated a weekly rent as a monthly rent. As a result of our intervention the claims were corrected over time.

The Benefits Service has identified incorrect Universal Credit award components on many cases for example where children are missed off of the UC assessment, where carers' element is not awarded, etc.

The council have identified UC cases where claimants are not paid at the correct rate especially in the cases where joint tenants have vacated and the incorrect proportionate joint tenant amounts of UC housing element has been awarded.

On one case, a claimant whose partner was a pensioner had passed away; so she had to claim Universal Credit. The DWP treated her deceased partner as a joint tenant as his name was on the tenancy agreement. Despite being aware that she was claiming as a single person, the DWP awarded UC housing element at only 50%.

The same case is still not assessed correctly by the DWP as they have restricted her rent due to social sector size criteria rules (bedroom tax) from the start of her claim when she should have qualified for maximum entitlement of UC housing element for the first 3 months.

To date, the total value of Universal Credit underpayments identified by the council and referred to the DWP for correction is £150k, this in respect of 143 cases with an average of £104.49 ranging from £8k to £29.00.

Universal Credit – outstanding and resolved UC case queries

The Benefits Service currently has 197 outstanding Universal Credit queries with DWP made this financial year. There are other case queries still outstanding from 2017/18 with the DWP.

146 Universal Credit queries have been resolved with DWP which had no under or overpayment.