

**Paragon Asra Housing Limited**

# **PA Housing Permanent Decant policy**

October 2021

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<b>Owning manager</b>	<b>Richard Clark Lettings and HomeMoves Manager</b>
<b>Department</b>	<b>Housing Services</b>
<b>Approved by</b>	<b>EMT</b>
<b>Next review date</b>	<b>December 2023</b>

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**Paragon Asra Housing Limited (PA Housing) is committed to equality and diversity. This policy has considered the Equality Act 2010 and its protected characteristics which are: race, gender, gender reassignment, disability, religion or belief, sexual orientation, age, marriage, civil marriage and partnership, and pregnancy and maternity explicitly.**

**We will make sure that all of our communication is fully accessible and to achieve this if a policy or document needs to be available in other formats we will provide them.**

## AUDIT LOG

Date of Change	Who updated	Details of the change
19.01.18 26.01.18	AH AH	Initial draft prepared 4.2 amended 4.5 insert 3 x offers
09.03.18	TJ	5.1 section relating to making deductions from homeloss payment for any rent arrears removed as this is not something that we legally can do and arrears should be tackled in the standard way through our income collections processes.
30.9.21	Richard Clark Lettings and HomeMoves Manager	Reviewed, no current changes to be made. Policy satisfies current processes.

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## **1 Introduction**

- 1.1 There are occasions when PA Housing may be required to move customers from their homes permanently due to a requirement for the redevelopment, disposal, or the change of use of a property or block. This is known as a Permanent decant.
- 1.2 The purpose of this policy is to clarify what we will do when this is necessary, describe the options we will make available to customers and provide guidance on the financial expenses they will be offered.

## **2 Objectives**

- 2.1 We recognize that moving home can be a disruptive and stressful experience, so the objectives of this policy are to
  - Ensure that good information, communication and support is provided in order to make the move and resettlement processes go as smoothly as possible
  - Be flexible in managing the decant process, especially where groups or individual tenants are identified as likely to need extra support and reassurance
  - Set out fair guidance on the calculation of statutory and discretionary payments which will be made.

## **3 Scope and Limitations of policy**

- 3.1 The decision to redevelop, change the use, or dispose of a property can only be authorised by joint signatures from two PA Housing Executive Directors, one to be the Executive Director of Business Development and Sales.
- 3.2 This decision will have been made on receipt of a business case presented by senior managers such as the Head of Asset or Property Services, and is undertaken in accordance with our Asset management strategy.
- 3.3 This policy does not cover customers decanted temporarily to enable repairs to be carried out to their property. In this instance please refer to the PA Housing Temporary Decants policy.

## **4 Key points of Policy**

- 4.1 In order to achieve successful outcomes, when we require customers to move we will;
  - Consult the customers affected (and their relatives or advocates if appropriate) at the earliest opportunity. We will explain the process (including the support available); identify, consider and respond to customers' views, concerns and needs.

- For substantial decant programs we will develop an action plan and keep individual customers, the local authority, and any recognised residents associations operating in the area updated on our progress.
  - Discuss how we identify and offer potential alternative properties.
  - Clarify whether the customer might have the option to return to a new property on the same site
  - Identify a dedicated member of staff who will be key point of contact in relation to the decant; and who will be responsible for making sure that all moves go as smoothly as possible. They will arrange customer removals and other services.
  - Treat each move individually, recognising, respecting and responding to customers' different needs, circumstances and requirements. Certain groups of customers may need extra support such as older people, lone parents, non-English speaking households, or those with mental ill-health, or a physical or learning disability.
  - Take into account, wherever possible, preferred locations and property types. If a customer wishes to move to an area where PA Housing does not have any or appropriate properties, we will approach other Providers to seek a reciprocal move, but we cannot offer the certainty of this being successful. If this is not possible we will work with the customer to achieve the most equitable solution.
  - Clarify the financial package available, which will include disturbance payments in addition to the Statutory Home Loss payment at the nationally set rate.
- 4.2 Where customers will have the opportunity to move back to a redeveloped property, we will ensure that the decoration has been completed to an appropriate standard and that any minor adaptations are re-installed.
- 4.3 Where customers are moving to another property on a permanent basis we will consider reasonable requests for minor alterations in addition to the decoration of the property and the fitting of floor coverings.
- 4.4 Whilst we will do everything we can to ensure that suitable offers of alternative accommodation are made to decanting customers, we will still only offer accommodation on a like for like basis, unless the customer wishes to move to a smaller property. A customer would not be decanted to a home larger than their household needs.
- 4.5 Although we will always be reasonable, and work with the customer to reach an acceptable solution, where a customer refuses to move despite 3 suitable offers having been made we may consider legal action under the Housing Act 1988 schedule II Ground 6 <https://www.legislation.gov.uk/ukpga/1988/50/schedule/2>

## **5 Compensation**

- 5.1 Statutory Home Loss payment - This is prescribed in law under the Planning and Compensation Act 1991 and the amount is reviewed annually - details can be found at <https://www.legislation.gov.uk>. Payment will usually be made after the keys have been returned to PA Housing for the vacated property.
- 5.2 In addition to the Home Loss payment, customers will be entitled to a package of Disturbance Allowance payments intended to cover the actual costs and reasonable expenses incurred as a result of the decant. There is not a nationally set amount, but PA Housing customers would normally consider the following to be eligible
- Disconnection and reconnection of gas or electric cooker; washing machine, dishwasher, satellite dish or TV aerial, telephone lines, broadband, light fittings.
  - Removals costs (including packing service for customers who are older or otherwise identified as vulnerable and requiring assistance)
  - Redirection of mail for a three month period
  - Refitting or replacement of personal support aids.
  - Other discretionary costs reasonably associated with and incurred as a direct result of the move such as the removal and refitting of additional locks or external lights for security, replacement of the cooker where the fuel supply in the new property is incompatible with the customers' cooker or a fitted cooker cannot be moved, removal and refitting of fitted wardrobes, or possible replacement with freestanding wardrobes.
- 5.3 Home Loss and Disturbance payments will be made to the person(s) who signed the tenancy agreement, unless an advocate can demonstrate financial Power of Attorney of behalf of the customer. There will be one payment per household.

## **6 Security of Tenure**

- 6.1 The customer will be offered an equally secure tenure on the property they move into, comparable to their vacated home. Any eligibility for preserved Right to Buy will not be affected by the decant move.

## **7 Training**

- 7.1 We will carry out training for all relevant staff to make sure that they are aware of our policy. All relevant managers will received specific training to provide the skills and knowledge to comply with our policy.
- 7.2 New staff will have a thorough induction and training to ensure that they understand and can implement our policy.

## **8 Monitoring and reporting**

- 8.1 Regular monitoring will take place by carrying out customer satisfaction surveys to obtain their views on our performance during the decant process and opportunities to identify and suggest any areas for improvement. Feedback from this exercise will contribute towards the continuous improvement of our decant practices.

## **9 Equality Analysis, Consultation and Feedback**

- 9.1 This policy is subject to an equality analysis to make sure that we do not illegally discriminate against anyone and that it is fair to everyone.
- 9.2 Customers were consulted on whether this policy is clear, reasonable and easy to understand. Where they didn't find the policy clear we responded and changed it to meet their suggestions. All customers who took part in the consultation were sent a summary which explains how their feedback was used.

## **10 Legislation**

- 10.1 Compensation payments are covered by Section 30 of the Land Compensation Act 1973 (as amended by the Planning and Compensation Act 1991).
- 10.2 Grounds for possession for major works are contained in Schedule 2 of the Housing Act 1985

## **11 Linked Policies**

- Leasehold Management Policy
- Equality and Diversity Strategy
- Complaints Policy
- Temporary Decant Policy