



POLICY DOCUMENT

Group Member: Progress Housing Group

Service Area: Housing Operations, Housing Support Services

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Subject Title: Under Occupation Policy

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1. Introduction

- 1.1 Progress Housing Group (the Group) recognises that making the best use of existing stock is a key priority. This policy aims to assist in making the best use of stock by encouraging and providing an incentive to those tenants who under occupy their current home to move to more suitable accommodation.
- 1.2 It also recognises that in the last few years Welfare Reform has had a real impact on our tenants and has changed the definitions of how under occupation affects our tenants so we aim to assist those tenants affected by these policies.
- 1.3 The Group recognises the right for every tenant to stay within their home under-occupying or not. This policy will ensure we actively promote and incentivise those under-occupying households wishing to move.
- 1.4 The Group recognises that there is a limited supply of family accommodation and one bedroomed properties. It is important to have an effective allocations process that meets the needs of tenants now and in the future and that the available stock is utilised as effectively as possible.

2. Scope of the policy

- 2.1 This policy applies to all under occupied properties within general needs and independent living accommodation, primarily in general needs properties.

3. Responsibility

- 3.1 Amendments to this policy are approved in line with the Group's Standing Orders and Scheme of Delegation. The Head of Operations – Housing Support Services will oversee any transfer incentive scheme offered, including the procedural aspects and budgeting. Further development of the Group wide transfer incentive scheme will ensure that all tenants are being treated equitably.
- 3.2 All frontline colleagues should be aware of this policy and the issues surrounding under-occupancy. They should be trained to identify under-occupying households who may benefit from a move and be able to effectively utilise this policy to help them.
- 3.3 Colleagues will consider the following when offering alternative accommodation for under-occupiers:

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- The desirability and condition of the property being offered
- The condition of the property they are vacating
- The location of the alternative property – many tenants do not want to move away from their current neighbourhood. Other tenants may use as an opportunity to move to a different area
- The suitability of the property being offered on medical need
- Offer appropriate levels of support throughout the process of the move.

4. POLICY

4.1 Aims and objectives

Background

- 4.1.1 General population trends have demonstrated an ageing population, and a reduction in household sizes (due to family breakdowns, people living longer and a reduction in children per household) are taking place. Though this may well lead to under-occupation it does not necessarily follow that the household will want to move. Additional bedrooms may be desired for an office to work from home or a guest bedroom. We need to be aware of these trends and understand that under-occupancy as a rule does not necessarily mean a household will want to downsize. Also, systems such as Progress Lifeline and Telecare enable older people to remain in their homes for longer and we need to recognise that they simply do not want to move.
- 4.1.2 However since the Government introduced reductions in housing benefits and housing costs in Universal Credit for those tenants of working age who under occupy their home by one bedroom or more this has meant that tenants of working age who under occupy their home have been hit with a financial penalty which can affect their ability to pay their rent in full. Some of these tenants have chosen to stay and pay, but for some households they choose to move due to affordability. This policy sets out how The Group will support and assist these households.
- 4.1.3 The Welfare Reform Act has led to under occupying households losing the benefits if they are deemed to have a spare bedroom, 14% reduction for one spare bedroom and 25% reduction for two or more bedrooms. This is creating

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hardship for many of our households and could lead to multiple debts. Many under-occupiers also struggle to maintain and clean a large property and may find a smaller home easier to manage.

4.1.4 Larger properties cost more in utility bills. There can be a large difference in heating a large property for example, dependent on the heating source.

4.1.5 Many under-occupiers end up living in just two or three rooms of their property which can also create issues relating to a lack of heating and ventilation.

4.1.6 Some under-occupiers feel isolated and a move may help them to become more active in the community.

Allocations

4.1.7 Key to combating under-occupancy is initially ensuring that properties are let to households that are suitable for the size. This has been considered in policies for both Select Move and My Home Choice. The Group will ensure that this is incorporated into any allocation schemes it is a member of in the future

4.1.8 Where a household has subsequently become under-occupied and requests a transfer, priority will be provided when using any allocation scheme within The Group, the terms of which are further discussed in each individual policy. Sub regional lettings schemes allow transferring tenants to increase their access to stock availability across the area. The Group will also consider a direct match for tenants who are affected by the under occupying charge and in some cases they will approve a move with arrears if these were predominantly accrued due to welfare reform, which will be accounted for in the new tenancy agreement signed.

Mutual exchanges

4.1.9 The Group will always promote mutual exchange schemes and view it as a further tool in combating under-occupation. We will always take a favourable view in agreeing mutual exchanges both locally and nationally where possible. Our colleagues will endeavour to ensure that a mutual exchange does not result in an under-occupancy situation where possible; they will consider whether the situation results in a

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worsening situation for either tenant. Where this is not possible tenants will be made aware of the impact of any reduction in housing benefit as a result of under occupation. Where a tenant wants to join a national or regional mutual exchange scheme, we will reimburse the registration costs based in individual case assessment.

Household considerations

4.1.10 There may be certain households through personal circumstances that require further consideration when transferring as a result of under-occupancy. In accordance with the Safeguarding Adults and the Unmet Need and Safeguarding Children Policies that The Group operates, The Group will identify these households and tailor the service to their specific requirements whenever possible.

4.1.10.1 **Aids and adaptations.** In cases where substantial investment has taken place and/or large scale adaptations, it may be impractical to transfer an under-occupying household. The Group will always endeavour to find a household able to make use of adaptations where a household wishes to move.

4.1.10.2 **Age.** Older households may have been residing in a larger property for a number of years and be used to the additional space they have. This suggests that although there is an increase in the ageing population and a decrease in household size the requirement for alternative and future dwellings will no longer be met by one bedroom dwellings since those smaller households in middle age and old age may need, or will desire, a spare bedroom for guests (children or carers). However, many elderly tenants have concerns about security living in larger properties and keeping their properties warm during the winter months, many living in fuel poverty. In these circumstances we will support the tenant to move to a property that better suits their needs. This will be somewhere that is more secure, manageable and affordable enabling them to remain a part of the community.

4.1.10.3 Provide support for tenants of pensionable age, and therefore exempt from Under Occupation reduction or who do not receive any Housing Benefit, who are Under Occupying and would prefer to move to independent living

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accommodation. To assist them with the application process.

Transfer Incentives

- 4.1.11 It is recognised that although the decrease in Housing Benefit or housing element of Universal Credit can act as a 'push' factor for tenants, it is beneficial to both the organisation and household to adopt an incentivised approach to transferring property. The Group will:
- Provide an incentive to all of the Groups tenants who are Under Occupying and wish to move to a smaller property irrespective of whether they are affected by the reduction to Housing Benefit or housing elements of Universal Credit.
- 4.1.12 The Group will offer up to £500 to those tenants who currently under-occupy their home in the above circumstances to move to smaller accommodation, within The Groups housing stock (which has to contain less bedrooms than their current property).
- 4.1.13 In most cases rent arrears owing will be deducted from any incentive payment due. The cost of rectifying any damage which is the responsibility of the tenant to put right will also be deducted from any incentive payment due.
- 4.1.14 If the rent arrears are at a higher level than £500 this debt will be transferred onto the new tenancy agreement as a condition of the transfer.
- 4.1.15 Where any other re-chargeable work is or has been undertaken by the Group, its contractors or agents directly, the cost of this work will be deducted from any incentive payment due to the tenant.
- 4.1.16 The Head of Operations – Housing of Support will ensure that any tenant moving to alternative accommodation supported by the downsizing incentive scheme will not exceed the annual budget assigned to the scheme.
- 4.1.17 There may be some exceptions where the downsizing payment will be used to help with the costs of moving even if there are arrears attributable to the benefits reduction. This will be assessed on an individual basis.

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4.2 Abbreviations

- 4.2.1 The Group - Progress Housing Group Limited (and its subsidiary companies from time to time)

4.3 Definitions

- 4.3.1 As at 24 July 2017 the rules allow one bedroom for:

- every adult couple (married or unmarried)
- any other adult aged 16 or over
- any 2 children of the same sex aged under 16
- any 2 children aged under 10 (including children of the opposite sex)
- any other child (other than a child whose main home is elsewhere)
- children under 16 who cannot share because of a disability
- member of a couple who cannot share because of a disability

One spare bedroom is allowed for:

- a carer (or team of carers) providing overnight care
- an approved foster carer who is between placements a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time
- special rules for son or daughter in the armed forces
- student studying away from home

Under Occupation for tenants NOT of working age: the same rules will be used to assess for consistency

4.4 References

- 4.4.1 Welfare Reform Act 2012
4.4.2 National Census 2011

4.5 Data Protection

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This policy has been written in compliance with the principles and requirements of the current data protection legislation, please refer to the Group GDPR Data Protection Policy for more information.

5. Implementation

5.1 Training

- 5.1.1 Regular updates are required for colleagues to identify tenants who are under occupying and be able to support them to make choices about the options available to them when they wish to downsize due to under occupation.
- 5.1.2 Colleagues also need to be kept up to date on legislative changes which affect the support and advice that they need to offer to tenants.

5.2 Procedure references

- 5.2.1 Under-occupancy/Transfer Incentive Scheme procedures

5.3 Linked documents

- 5.3.1 Main Sub Regional Choice Base Lettings policies. Select Move and My Home Choice Fylde Coast – to address under-occupation as part of the allocations process.
- 5.3.2 Group Income Collection Policy
- 5.3.3 Group Aids and Adaptations Policy
- 5.3.4 Group Voids Policy
- 5.3.5 GDPR Data Protection Policy

6. Consultation

- 6.1 This policy will be presented to the Housing Forum on 30 November 2021.

7. Review

- 7.1 This policy will be reviewed every three years or as a result of a change in legislation.

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8. Equality impact assessment

8.1 The Group regularly reviews the data attached to this EIA. The EIA (Allocations & Under Occupancy) was last reviewed in 2019. The current EIA has been amended further as part of this review but will be fully reviewed when the Allocations policy is reviewed in 2022.