

CROWDING & SPACE HAZARDS POLICY

Report of the Head of Housing Management

1. SUMMARY

- 1.1 This policy has been reviewed and updated in line with Derby Homes key policy review schedule.

2. RECOMMENDATION(S)

- 2.1 To approve the suggested amendments to the policy.

3. REASON(S) FOR RECOMMENDATION

- 3.1 To ensure the Operational Board is informed of the suggested amendments to the policy.

4. MATTER(S) FOR CONSIDERATION

- 4.1 This policy ensures that due consideration is given to the risks faced by Derby Homes tenants living in overcrowded accommodation.
- 4.2 There are no major changes to the policy other than to provide additional clarity in some areas. Some parts of the policy have been reordered. For ease of reading, the updates are presented as tracked changes at Appendix 1 and as a final document minus tracked changes at Appendix 2.
- 4.3 The introduction has been updated slightly to further align it with Derby City Councils reviewed allocations policy which came into effect in October 2020
- 4.4 We will conduct a safe and well check on an annual basis to tenants who choose to remain in their existing property or until the overcrowding is relieved. This is to ensure they are given regular advice around fire safety and have considered how they will evacuate in the case of an emergency.
- 4.5 At the annual visit, we will also revisit the options available to the tenant and their family to relieve their overcrowding. The annual review will continue until the overcrowding has been resolved or we have exercised our duty.
- 4.6 If a tenant is unhappy with the decision to close the case because we believe our duty is discharged, they can request a review of our decision. The review will be carried out by the Director of Housing Services to prevent any conflict of interest and timescales in relation to review hearings have been included.

5. OTHER OPTIONS CONSIDERED

- 5.1 None

IMPLICATIONS

6. CONSULTATION IMPLICATIONS

- 6.1 This policy aligns with Derby City Council's updated allocations policy which came into effect in October 2020 after a period of extensive customer consultation.
- 6.2 The Equalities Impact Assessment was shared with the Diversity Forum for comment. One of the members stated that it would be useful if the policy could be prepared in a pictorial format for people with learning disabilities. This has been considered, however this isn't a policy that we tend to share with customers directly. Anyone with learning disabilities would be supported through the process by a Derby Homes worker. If they needed to move they would be issued with a pictorial tenancy agreement.

7. EQUALITIES IMPACT ASSESSMENT

- 7.1 A full Equalities impact assessment has been carried out (see Appendix 3).

8. POLICY REVIEW IMPLICATIONS

- 8.1 This is a key policy of Derby Homes and is included in the Key Policy Review Schedule. It will be due for a full review in July 2023.

9. RISK

The policy recognises that there is a legal obligation for Derby Homes to assess tenants who they believe to be seriously overcrowded and to put measures in place to manage and mitigate those risks.

10. LEGAL & CONFIDENTIAL

The policy takes into account the Housing Acts of 1985 and 2004, both of which outline the statutory overcrowding standard.

The areas listed below have no implications directly arising from this report:

Financial and Business Plan
Council
Personnel
Environmental
Health & Safety

For more information please contact:

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Background information:

List of appendices:

Appendix 1 – Updated policy with tracked changes.

Appendix 2 – Updated policy with tracked changes removed.

Appendix 3 – Equalities impact assessment.

This report has been approved by the following

Managing Director	Maria Murphy	27/05/2022
Finance Director/Derby Homes	Helen Samuel	17/05/2022
Accountant		
Company Solicitor	Taran Lalria	24/05/2022
Head of Service	Lorraine Testro	07/04/22