Management Standard

Requirements for Community Led Housing (CLH) organisations

Introduction

The BCC Management Standard for Community Led Housing (CLH) organisations sets out Bristol City Council's (BCC) requirements to ensure that CLH housing that has been funded through provision of BCC land and/or grant funding is managed to an acceptable and safe standard. This is both for the benefit of residents and the future safety and sustainability of the housing stock. The BCC Standard is particularly important in cases where the CLH organisation is not a Registered Provider (RP) or is not working in partnership with a RP. Registered Providers are required to comply with the Regulatory Framework for Social Housing. In cases where a RP is involved in funding, providing and/or managing the housing, working in partnership with a CLH group, the CLH group will still be required to sign up to the BCC Standard and this will be referenced in any lease or grant agreements with BCC. Further Guidance on meeting the Standard is available at Community led housing - bristol.gov.uk

1 Quality of accommodation

1.1 CLH organisations shall ensure that the homes they build, own, manage and maintain meet the standard set out in section five of the Government's Decent Homes Guidance[1] and BCC's adopted planning and urban design policies that are in force at the time of development.

1.2 CLH organisations will ensure that they meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7812/138355.pdf Nb. The Decent Homes Standard is being reviewed during 2021.

1.3 CLH organisations shall build, maintain and retrofit homes to high standards of environmental sustainability to mitigate the impacts of climate change and reduce tenants' and residents' running costs.

1.4 CLH organisations will provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of, and offers choices to, tenants and residents, and has the objective of completing repairs and improvements to the required standard at all times.

1.5 CLH organisations shall ensure a prudent, planned approach to repairs and maintenance of homes and communal areas. This should demonstrate an appropriate balance of planned and responsive repairs, and value for money.

1.6 CLH organisations shall develop accessible/adaptable homes and co-operate with BCC and relevant organisations to provide an adaptations service that meets tenants' and residents' needs.

2. Equality and Diversity

2.1 All aspects of allocations, tenancy management, maintenance services and neighbourhood and community engagement will be designed, provided and monitored in accordance with the CLH organisation's adopted Equality and Diversity policy, consistent with current equalities law and BCC's Equalities Policy.

2.2 CLH Employees, volunteers and trustees will receive information and training on the policy. The policy should cover all 'protected characteristics' as set out in the Equality Act 2010.

3 Allocations

3.1 Allocations

CLH organisations shall let their homes in a fair, transparent and efficient way, taking into account the housing needs and aspirations of tenants and potential tenants. Their allocations policies shall ensure that:

(a) Social and affordable rented homes shall be allocated through BCC's Home Choice allocation scheme and contribute to the BCC's strategic housing function and sustainable communities.

(b) Shared ownership homes must be sold via the Help to Buy/OwnYour Homes portal where funding has been provided by Homes England and in accordance with the lease and any other funder requirements.

(c) Shared ownership, shared equity, discounted market sale and other 'intermediate' tenures shall be allocated using the following criteria:

- Household income £80,000 gross a year or less;
- Household cannot afford all of the deposit and mortgage payments for a home that meets their needs;
- Household are either first time buyers; used to own a home but cannot afford to buy one now; owns a home and wants to move but cannot afford a new home suitable for their needs; forming a new household; or existing shared owners and want to move.

(d) Any Local Lettings Policies or Sustainable Lettings Policies must be agreed with BCC and be compatible with BCC Home Choice and equality and diversity policies.

3.2 Lettings to open market units that are provided on CLH schemes must be let in accordance with all relevant regulations and should be subject to the same management policies, maintenance and repairs programme and equality/diversity policies as affordable units.

3.3 There should be clear and transparent application, decision-making and appeals processes.

4 Tenure

4.1 CLH organisations shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.

4.2 CLH organizations shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.

4.3 CLH organisations may develop policies to address under-occupation and overcrowding in their homes, within the resources available to them. These services should be focused on the needs of their tenants, and will offer choices to them.

4.4 CLH organisations shall develop and deliver allocations processes in a way which supports their effective use by the full range of actual and potential tenants, including those with support needs, those who do not speak English as a first language and others who have difficulties with written English.

4.5 CLH organisations shall minimise the time that properties are empty between each letting, taking into account the circumstances of the tenants who have been offered the properties.

4.6 CLH organisations shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:

(a) The type of tenancies they will grant.

(b) Where they grant tenancies for a fixed term, the length of those terms.

(c) The circumstances in which they will grant tenancies of a particular type.

(d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years following any probationary period.

(e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property.

(f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.

(g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households

with children, including through the provision of tenancies which provide a reasonable degree of stability.

(h) The advice and assistance available to tenants on finding alternative accommodation in the event that they do not grant another tenancy.

4.7 Where CLH organisations choose to let homes on fixed term tenancies, they shall offer tenancies of at least five years and offer reasonable advice and assistance to those tenants as to what happens when that tenancy ends.

4.8 Where CLH organisations use probationary tenancies, these shall be for a maximum of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has the opportunity to request a review.

4.9 CLH organisations shall make sure that the home continues to be occupied by the tenant they let the home to in accordance with the requirements of the relevant tenancy agreement, for the duration of the tenancy.

4.10 CLH organisations shall develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.

4.11 CLH organisations shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

5 Neighbourhood and Community

5.1 CLH organisations shall keep the communal areas associated with the homes that they own clean and safe.

5.2 CLH organisations shall work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

5.3 CLH organisations shall adopt a policy on how they work with relevant partners to prevent and tackle anti-social behaviour.

5.4 CLH organisations will ensure:

(a) that tenants are made aware of their responsibilities and rights in relation to anti-social behaviour (ASB) and that such rights and responsibilities are clearly reflected in any tenancy agreement.

(b) prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available.

(c) all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not.

(d) appropriate provision of information and support to victims and witnesses.

6 Customer service and involvement

6.1 CLH organisations shall provide information and communication that is appropriate to the diverse needs of their tenants and residents, including in alternative formats and languages where required.

6.2 CLH organisations shall have an approach to complaints that is clear, simple and accessible, that ensures that complaints are resolved promptly, politely and fairly.

6.3 CLH organisations shall ensure that tenants and residents are given opportunities to influence and be involved in:

(a) the formulation of their landlord's housing-related policies and strategic priorities;

(b) the making of decisions about how housing-related services are delivered, including the setting of service standards;

(c) the scrutiny of their landlord's performance and the making of recommendations to their landlord about how performance might be improved;

(d) the management of their homes, where applicable;

(e) the management of repair and maintenance services, such as commissioning and undertaking a range of repair tasks, as agreed with landlords;

(f) sourcing goods and services locally.

6.4 CLH organisations shall:

(a) treat all applicants for housing, tenants and residents with fairness and respect;

(b) demonstrate that they understand the different needs of their applicants, tenants and residents, including in relation to the equality strands and people with additional support needs.

6.5 CLH organisations shall provide tenants and residents with accessible, relevant and timely information about:

(a) how they can access services;

(b) the standards of housing services they can expect;

(c) any service choices available to tenants and residents, including any additional costs that are relevant to specific choices;

(d) progress of any repairs work;

(e) how tenants can communicate with them and provide feedback;

(f) the responsibilities of the tenant and provider;

(g) arrangements for tenant involvement and scrutiny.

6.6 CLH organisations shall become members of the Housing Ombudsman Scheme and will make information about the Scheme available to tenants and residents, to enable them to have complaints investigated by the Housing Ombudsman.

7 Right to Acquire

7.1 Where CLH homes have been funded through Homes England and the owner is a Registered Provider, the Right to Acquire may apply. Tenants should be informed of the their Right to Acquire if so and the usual procedures of the Registered Provider on this matter should be followed in accordance with relevant legislation and guidance, see 11. Right to Acquire - Capital Funding Guide - Guidance - GOV.UK (www.gov.uk)

8 Reporting and Compliance

8.1 CLH organisations that are in receipt of BCC Grant and/or are developing on land transferred from BCC at less than market consideration in accordance with the Local Government Act 1972: General Disposal Consent (England) 2003 will be required to submit a confirmation report in a standard format as specified by BCC annually to confirm compliance with this Standard. BCC may seek additional information and will investigate, or commission relevant and qualified external parties to investigate, any apparent failures to adhere to the Standard. Serious failure to meet the Standard could result in BCC requiring specific improvements in management or repairs services or activation of any step-in rights set out in any lease or grant agreement with BCC.