

Committee: Cabinet

Date:

Title: Introductory Tenancies

Tuesday, 20
February 2024

Portfolio holder: Cllr Arthur Coote,
Portfolio Holder for Housing

Key Decision: No

Author: Judith Snares, Housing Strategy and
Operations Manager

Summary

1. The Housing Act 1996 gave local authorities the discretion to grant introductory tenancies to all new social housing tenants.
2. Uttlesford District Council (UDC) currently offers 12 month introductory tenancies, which can be extended up to 18 months. The purpose of an introductory tenancy is to identify whether a tenancy can be sustained.
3. If the tenant/s adheres to the conditions of the tenancy agreement, following a review, they are offered a secure council tenancy at the end of the term of the introductory tenancy.
4. If the tenant/s are unable to manage their tenancy effectively, they may be granted an extension of a further 6 months or steps can be taken to bring the tenancy to an end. An introductory tenancy should be easier to end than a secure tenancy as it affords the landlord mandatory possession.
5. The Tenancy Standard 2012, published by the Regulator of Social Housing, legislates that all social housing providers should publish a Tenancy Policy which sets out what types of tenancy they will grant.

Recommendation

6. Cabinet approves the ending of introductory tenancies and the granting of secure tenancies to all new tenants.
7. Cabinet approves and adopts the revised Tenancy Policy, pending further review.
8. Cabinet approves the issue of new secure tenancies to all tenants currently on introductory tenancies unless there is current enforcement action being taken to end the tenancy.

Financial Implications

9. Savings in administration costs and officer time for monitoring and reviewing introductory tenancies.

10. With time efficiencies being created within the team, a rolling programme of tenancy audits will replace the process of reviewing introductory tenancies. This will be more beneficial as we can triangulate data to inform our programme and prioritise audit visits to target property condition issues, under-occupation, tenancy fraud and progressing cases of ASB.

Background Papers

None

Impact

Communication/Consultation	Tenant and Leaseholder panel /members. Housing Board.
Community Safety	None
Equalities	Yes, all new tenants and tenants currently on introductory tenancies will be offered tenancies on the same basis as current secure tenants
Health and Safety	None
Human Rights/Legal Implications	Yes, all new tenants and tenants currently on introductory tenancies will be offered tenancies on the same basis as current secure tenants
Sustainability	Yes, more sustainable tenancies and communities by giving people security from the outset of their tenancy
Ward-specific impacts	None
Workforce/Workplace	Yes, removes the need for time-consuming administration of introductory tenancies

Situation

11. The Housing Act 1996 gave local authorities the discretion to grant an introductory tenancies to all new social housing tenants.

12. Uttlesford District Council (UDC) currently offers 12 month introductory tenancies, which can be extended up to 18 months. The purpose of an introductory tenancy is to identify whether a tenancy can be sustained.

13. Out of approximately 2700 council tenancies, UDC currently has 178 tenants (as of 19th December 2023) on introductory tenancies. In the past year, 9 have been extended for a further six months and none have been ended.
14. There has been recognition by the Government of the importance of housing stability for those who rent in the social housing sector and as the giving of introductory tenancies is discretionary, it is felt that by the removal of this type of tenancy we will be giving people security and stability from the start of their tenancy.
15. Evidence has demonstrated the importance of social housing tenants feeling that they have a long-term commitment to their community without the fear of a tenancy review leading to uncertainty and even potential termination of their tenancy. This is especially true with an introductory tenancy as there is no discretion of the courts to deny eviction. It is important that tenants and their households can settle into their new home and feel part of their local community.
16. Introductory tenancies need to be formally reviewed before the end of the 12-month period and can then only be extended for another 6 months. These reviews are an administrative burden for the housing management team and although a small number are extended, there have been hardly any tenancies ended by this process. The reality is that where there are concerns over the management of a tenancy, such as rent arrears or anti-social behaviour, these are being addressed not at the review stage but as part of the day-to-day work carried out by housing officers. Issues with a tenancy can occur at five months or five years and the actions that officers take to address and resolve matters are the same, whatever the length or security of the tenancy.
17. The ending of a tenancy is always a last resort and only happens when all other means have failed, and this is the case whether a tenant is an introductory tenant or a secure tenant.
18. It is therefore considered that it will be a better use of housing officer time if this mostly administrative task is removed, a new programme of tenancy audits for all tenants is adopted and all new tenants are granted a secure tenancy from the start of their tenancy.
19. The Tenancy Policy has been updated to reflect the ending of introductory tenancies. The Tenancy Policy will undergo further review during Q2 to consider the implementation of discretionary succession rights and under what circumstances they would be permitted.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
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<p>2. Council tenancies may not be checked or reviewed on a regular basis.</p>	<p>1.Low likelihood due to the mitigating actions</p>	<p>2.Mitigaing actions in place to reduce the potential impact</p>	<p>The Housing Service will implement a rolling programme of tenancy audits where tenants are visited at home and their circumstances checked. This helps ensure that we know our tenants and can deal with any issues. Housing Officers will be able to concentrate more time on these checks by removing an administrative process that has marginal outcomes.</p>
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- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.