

Customer Access Review – Full Assessment

Assessment details	
Assessment area	Rent Arrears Policy
Date of assessment	8 May 2024
Directorate and Service	Housing & Public Protection, Housing Services
Manager	Tenancy Services Manager
Officer conducting assessment	Senior Housing Policy & Performance Officer

Step 1: Scoping the assessment	
<p>1. What are the aims and objectives of the activity or proposal?</p>	<p>The Rent Arrears Policy outlines Dartford Borough Council’s approach to preventing and managing rent arrears in council tenanted properties. To achieve this, the Council aims to:</p> <ul style="list-style-type: none"> • Ensure all tenants are aware of their responsibility to pay their rent • Promote and offer a wide variety of payment options • Promote a payment culture among tenants • Enable tenants to maximise their income • Offer advice and support to tenants to reduce rent arrears • Ensure all communications are clear, customer friendly and encourage contact • Monitor levels of rent arrears and have early intervention mechanisms in place to prevent arrears accruing further • Take appropriate and proportionate action in accordance with the level of rent arrears • Sustain tenancies and prevent homelessness by taking eviction action as an absolute last resort and only when all other options have been exhausted. <p>The policy has a review mechanism to ensure it remains up to date and this Customer Access Review has been carried out in conjunction with the review. The key draft updates to the policy include:</p> <ul style="list-style-type: none"> • Removal of references throughout the policy on temporary measures to possession proceedings and evictions that were in place during the Covid-19 pandemic, as these temporary measures have come to an end. • Addition of reference to the Regulator of Social Housing’s Rent Standard. • Removal of reference to Band E under the Housing Allocations Policy, as Band E has been withdrawn from the allocations scheme.

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Step 1: Scoping the assessment	
	<ul style="list-style-type: none"> • Removal of flexible tenancies being issued under the Tenancy Policy, as the issuing of flexible tenancies ceased in June 2021. The Tenancy Policy states that the Council only issues introductory and secure tenancies. • Removal of reference to being able to pay rent at the Council’s Civic Centre cash machine, as the cash machine is being decommissioned in June 2024. • Removal of reference to a monthly direct debit prize draw being undertaken to encourage tenants to pay by this method, as this prize draw has been withdrawn. • Removal of reference to rent statements being sent quarterly to tenants in the post, as rent statements are no longer sent by post. Tenants are encouraged to access their rent statements online through the Tenant Portal. Where tenants have alternative format needs or are unable to access the Tenant Portal, they may request paper copies of their statements. • Clarification that the Pre-Action Protocol for Possession Claims by Social Landlords is provided to a tenant with the notice of possession proceedings and not at the point of making a claim for possession. • Addition of reference that the Housing Ombudsman can be contacted if further advice and support is needed on making a complaint to the Council about the level of service received under the policy. • Reference to keeping the policy under continuous review due to the temporary measures in place during the Covid-19 pandemic removed, as the temporary measures have come to an end. The policy will be reviewed every three years or earlier to address legislative, regulatory, best practice and operational issues.
<p>2. Who will be affected by the activity or proposal?</p>	<p>The policy will affect secure, introductory, demoted and existing flexible tenants of Dartford Borough Council.</p>
<p>3. How does the activity or proposal contribute to: a) any key performance indicators? b) policies, values or objectives of Dartford Borough Council?</p>	<p>a) HPI-1: Rent collection and arrears recovery – rents collected as a proportion of rents owed HPI-2.1: Amount of rent arrears as a percentage of debit HPI-24: No: of rent related NOSP</p> <p>b) The draft Rent Arrears Policy contributes to the Housing ambition in the draft Corporate Plan 2024-2027 to ‘provide a high quality and responsive housing service that’s built on respect for aspiring and existing tenants. We want to be practical, honest and straightforward in all the information and advice we give’.</p> <p>In addition, as the build-up of rent arrears could ultimately lead to a tenant losing their home through possession proceedings, the preventative approach to rent arrears in the draft policy relates to the strategic aims of promoting early intervention and support in the Council’s Homelessness and Rough Sleeping Strategy 2024-2029.</p>

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Step 1: Scoping the assessment	
<p>4. Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</p>	<p>The Rent Arrears Policy and its delivery is intended to be compatible with the following relevant legislation:</p> <ul style="list-style-type: none"> • Housing Act 1985 • Housing Act 1996 • Protection from Eviction Act 1977 • Welfare Reform Act 2012 • Homelessness Reduction Act 2017 • Equality Act 2010 • Human Rights Act 1998 • Data Protection Act 2018 <p>The policy is also compatible with the requirements of the Pre-Action Protocol for Possession Claims by Social Landlords, which aims to encourage more pre-action contact and exchange of information between landlords and tenants; enable the parties to avoid litigation by settling the matter, if possible; and enable court time to be used more effectively if proceedings are necessary</p> <p>The Council must also comply with the Regulator of Social Housing’s Rent Standard, which sets the required outcomes for how registered providers of social housing set and increase rents for all their social housing stock in line with government policy as outlined in their Policy Statement on Rents for Social Housing.</p> <p>Within the legislative framework, rent arrears recovery is based on a staged escalation procedure set out in the policy; however, discretion is exercised where vulnerable tenants fall into arrears. Extra visits/contact and support, including referrals into the Housing Inclusion Service and signposting to external support services may be organised. Discretion is also used in reaching affordable repayment plans, which are based on the tenant’s ability to pay taking into account their disposable income in proportion to the level of debt.</p>

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Step 2: Information collection				
<p>5. What do you know about the groups of people who will be affected? (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race, sex, sexual orientation, gender reassignment, marriage and civil partnership)</p>	Information in relation to profile of Council tenants (Tenant 1 data) is captured by the Council’s Housing Service, as follows:			
	Category	All tenants	Tenants in rent arrears	
			23.86% of tenants are in rent arrears of which:	
	Sex	Male	33.85%	27.60%
		Female	66.03%	72.30%
		Unknown	0.12%	0.10%
	Age	18-24	1.59%	2.73%
		25-39	20.41%	33.67%
		40-59	38.22%	44.79%
		60+	39.78%	18.81%
	Race	White	67.72%	66.43%
		Asian or Asian British	1.45%	1.11%
		Black or Black British	1.47%	1.52%
		Mixed	2.00%	2.63%
		Chinese or other ethnic group	0.24%	0.30%
Unknown/ prefer not to say		27.12%	28.01%	
Disability/ vulnerability	No disability/ vulnerability	79.16%	84.23%	
	Disability/ vulnerability	20.84%	15.77%	
Universal credit			Where tenants claim Universal Credit to pay their rent, this is paid five weeks in arrears as a single monthly household payment. The tenant then has the responsibility to pass the housing cost element of Universal Credit onto the Council to pay the rent. Whereas, with Housing Benefit payments, these are made to the Council directly on a weekly basis.	
Of all tenants who have a Universal Credit claim in, over one third (39.44%) are in rent arrears. Of this, three quarters (75.91%) are female tenants and 87.52% of tenants are aged 25-59 years.				

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Step 2: Information collection	
<p>6. What consultation has taken place with affected groups? Please describe who was consulted and the key findings</p>	<p>Consultation on the policy has been undertaken internally within the Housing Service.</p>
<p>7. Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</p>	<p>The Council is committed to ensuring the voice of its residents is heard on matters that affect them. The Regulator of Social Housing places a requirement on social housing landlords to comply with the Transparency, Influence and Accountability Standard 2024, by ensuring that residents are given a wide range of opportunities to influence and be involved in the formulation of their landlord’s housing-related policies and strategies. Consultation with Council tenants will be undertaken on the Rent Arrears Policy, as follows:</p> <ol style="list-style-type: none"> 1. All Council tenants will be invited to comment on the Rent Arrears Policy. 2. The Dartford Tenants’ and Leaseholders’ Forum (DTLF) will be invited to comment on the Rent Arrears Policy. The DTLF aims to ensure that the services delivered by the Council are accessible to all. The Forum works as a group to ensure that the views and housing needs of residents are recognised and addressed by the Council, and that those needs and views are placed at the centre of housing services delivery. 3. The Housing Advisory Board (HAB) will be invited to comment on the Rent Arrears Policy. The HAB considers reports on proposed policy, strategy and performance in relation to housing issues and makes recommendations to Cabinet as appropriate. The HAB includes representation from Council officers, elected Members and DTLF members.

Step 3: Assessing the equality impact

<p>8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:</p> <p>a) tackling unlawful discrimination b) promoting equality of opportunity c) promoting good relations</p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> • The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration • For existing activities, consider how they are working in practice for each relevant protected group • For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group
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Step 3: Assessing the equality impact

- If there is no identified equality impact, please tick the 'No Impact' box and explain why in question 9
- If the equality impact is unclear, please tick the 'Unknown' box and explain why in question 9

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
Age	<p>Vulnerable adults</p> <p>If the Council is aware that a tenant has difficulty in reading or understanding information given regarding their rent account and arrears, reasonable steps will be taken to ensure that the tenant understands any information given. This may include carrying out additional home visits, signposting to appropriate advocacy and support services and providing information in alternative formats.</p> <p>Referrals may be made to the Council's Housing Inclusion Service. This service takes a holistic and practical approach to resolving problems and preventing homelessness by improving outcomes in a range of areas, including:</p> <ul style="list-style-type: none"> • housing options • managing money, claiming benefits and debt, including rent arrears 		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<ul style="list-style-type: none"> • registering with a doctor, or getting help from other services • accessing education, training or work opportunities. <p>The Council may apply for Alternative Payment Arrangements for tenants who cannot manage their single monthly payment where they are claiming Universal Credit.</p> <p>Under the Pre-Action Protocol for Possession Claims by Social Landlords, if the Council is aware that the tenant is particularly vulnerable, it will consider at an early stage:</p> <ol style="list-style-type: none"> 1) whether or not the tenant has the mental capacity to defend possession proceedings to the extent to which CPR 21 applies; 2) whether or not any issues arise under the Equality Act 2010; and 3) in the case of a local authority landlord, whether or not there is a need for a community care assessment in accordance with the Care Act 2014. <p>The Tenancy Services Team will refer complex cases that are becoming at risk of homelessness to the Complex Case Panel.</p>			

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>This is joint panel between the Tenancy Services and Housing Solutions Teams that meets monthly to work together to put in place plans for households at risk of homelessness.</p> <p>State pension age tenants and tenants in housing scheme accommodation claiming Housing Benefit; and working age tenants claiming Universal Credit</p> <p>The Council aims to maximise tenant’s income by informing them of benefits they are entitled to, including Housing Benefit, Universal Credit and Discretionary Housing Payments. The Council will work with tenants to assist in resolving any benefit problems, and will apply for direct payments, where necessary.</p> <p>For benefit application forms, new and existing tenants who require assistance when applying for Housing Benefit and Universal Credit online or in a paper format can contact the Tenancy Services Team and arrange an interview at the Civic Centre or a visit at home.</p>			

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>The officer will show the tenant how to apply online and if on Universal Credit can offer them an appointment to come into the Civic Centre to be shown how to use their online Universal Credit Journal.</p> <p>The Council will not take possession proceedings where the tenant has provided all the evidence required to process a claim for Housing Benefit or Universal Credit; there is a reasonable expectation of eligibility of Housing Benefit or Universal Credit; and, they have paid sums due that are not covered by Housing Benefit or Universal Credit.</p>			
Disability	<p>Vulnerable disabled adults As outlined under 'vulnerable adults' in the 'age' category.</p> <p>Communication needs In accordance with the Council's Equality & Diversity Document Framework, the Rent Arrears Policy and information about the services provided by the Council in response to preventing and managing rent arrears, can be provided in alternative formats, including: Braille, audio tape and large print versions of documents.</p>		<input type="checkbox"/>	<input type="checkbox"/>

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Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	Sign Language interpreting services can be provided upon request. Calls can also be received via Relay UK.			
Sex			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<p>Communication needs In accordance with the Council's Equality & Diversity Document Framework, the Rent Arrears Policy and information about the services provided by the Council in response to preventing and managing rent arrears, can be provided in alternative formats, including documents translated into other languages. Telephone and face-to-face language interpreting can also be provided upon request.</p>		<input type="checkbox"/>	<input type="checkbox"/>
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership*	Not applicable as the policy does not apply in the context of employment.	Not applicable as the policy does not apply in the context of employment.	<input type="checkbox"/>	<input type="checkbox"/>

* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

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Step 3: Assessing the equality impact	
<p>9. If 'no impact' or 'unknown' was selected, please explain</p>	<p>There are no known circumstances where the Rent Arrears Policy will have relevance to and/or a disproportionate equality impact on the protected characteristics groups of sex, gender reassignment; religion/belief; pregnancy and maternity; and, sexual orientation.</p> <p>This assessment does not apply in the context of employment, therefore the protected characteristic group of marriage and civil partnership has not been subject to this assessment.</p>
<p>10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups</p>	<p>The Tenancy Services Team, who is responsible for delivery of the Rent Arrears Policy, makes every effort to establish effective ongoing liaison with the Housing Benefit department and the Department for Work and Pensions (DWP). The Council is a Trusted Provider and signed up to the DWP's Landlord Portal. With the tenant's consent, the Tenancy Services Team will make direct contact with the Housing Benefit department or DWP before taking enforcement action.</p> <p>The Tenancy Services Team works in partnership with various third sector agencies to maximise the support available to tenants.</p> <p>The Tenancy Services Team works closely with the Housing Solutions Team to provide support to tenants in rent arrears and in the prevention of homelessness, for example, through making referrals to the Housing Inclusion Service, Complex Case Panel, and referrals under the homelessness duty to refer.</p> <p>There are no known circumstances where these working arrangements will have a disproportionate impact on the protected characteristic groups other than to positively resolve problems in paying the rent and arrears and preventing homelessness.</p>
<p>11. Any other comments</p>	<p>In conclusion, the Rent Arrears Policy aims to promote transparency in the Council's approach to preventing and managing rent arrears. The policy sets out how tenants, who are in rent arrears, should be treated fairly, sensitively and sympathetically. Tenants are supported, wherever possible, to prevent and resolve problems in paying their rent. Where action is taken to recover rents arrears, this should be proportionate and taken in accordance with the escalation procedure and the level of arrears.</p>

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Step 3: Assessing the equality impact

Step 4: Action plan

12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:
a) any gaps in information and consultation
b) how any negative impacts on equality will be mitigated or eradicated

a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from all Council tenants on the Rent Arrears Policy	Carry out consultation with tenants	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	May/June 2024	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Dartford Tenants' and Leaseholders' Forum on the Rent Arrears Policy	Carry out consultation with the Dartford Tenants' and Leaseholders' Forum	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	May/June 2024	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Housing Advisory Board on the Rent Arrears Policy	Carry out consultation with the Housing Advisory Board	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	May/June 2024	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer

b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
None					

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Step 5: Decision making and future monitoring	
13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?	Director of Housing & Public Protection
14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
15. How will you continue to monitor the activity or proposal on protected characteristic groups?	Rent arrears are monitored on a weekly basis and the Council uses a number of performance indicators to measure rent arrears (as outlined in Step 1, Question 3).
16. When will you review this Customer Access Review?	The Rent Arrears Policy and Customer Access Review will be reviewed every three years or earlier to address legislative, regulatory, best practice or operational issues.

Step 6: Final steps	
17. Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer	
18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded	

Reviewed by Legal Services:

Reviewed by Director of Housing & Public Protection:

Approved:



17.5.2024