

Organisational Policy

Decant Policy

Our Commitment

Argyll Community Housing Association Group is committed to provide equal opportunities across all services and to avoid discrimination. This policy is intended to assist Argyll Community Housing Association (ACHA) and Argyll Homes for All (AHFA) to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination.

This policy can be made available in other formats, for example in large print, audio-format or Braille: the document may also be available in other languages, in full or summary form, as appropriate

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1. Section 1 – Context

- 1.1 This policy sets out how and when Argyll Community Housing Association (ACHA) will offer and decant tenants to alternative accommodation as and when required. This policy is supported by a procedure manual seeking to ensure the efficient and effective management of such situations with a clear and concise process in place.
- 1.2 Decanting – is a legal definition used to explain the process where residents are required to move from their homes for repair works to be undertaken or in other extreme circumstances. Decants can be required for a long or short term period dependant on circumstances, and on a permanent or temporary basis.
- 1.3 ACHA recognises that on occasion there will be a requirement to manage the decanting of individuals or groups of tenants. These will usually be undertaken when a property is in need of major repairs work or needs to be refurbished, modernised or demolished or due to an extreme event such as an emergency for health and safety reasons arising out of a flood or fire damage when it is not practical, safe or suitable for the occupier to remain whilst works are completed.
- 1.4 In all cases ACHA will work with our tenants and support them throughout the decant process to ensure that any disruption to their lives and that of their families is kept to a minimum.
- 1.5 Where applicable payments may be made to tenants under the following categories:
 - Home Loss Payments
 - Decant disturbance payments
 - Decant allowances and payments
- 1.6 All payments agreed to be made to a tenant may not be paid directly where there is outstanding debt, these funds will be used to offset any debt owed and outstanding to the association.
- 1.7 ACHA will, as far as reasonably possible, ensure existing residents can return or remain in the locality; however, this may not always be possible particularly when a site is being remodelled with fewer properties than the

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original layout. If this is the case ACHA will work with our tenants to provide options for rehousing ensuring all reasonable needs are recognised and considered.

2 Section 2 – The Law, Compliance and Good Practice and Links to Other ACHA Policies and Strategies

2.1 In order to effectively deliver the aims and obligations of this policy ACHA will meet the requirements of the following: -

- The Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2014
- The Land Compensation (Scotland) Act 1973
- Human Rights Act 1998
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Equality Act 2010
- The Performance Standards for Registered Social Landlords in Scotland as detailed in the Scottish Housing Charter
- Scottish Secure Tenancy Agreement, Short Scottish Secure Tenancy Agreement and Occupancy Agreement

2.2 The Scottish Social Housing Charter (SSHC) sets standards and outcomes that describe the results that our customers can expect. The following Charter standards and outcomes are also relevant:

- Outcome 1 – Equalities
- Outcome 4 – Quality of Housing
- Outcome 5 – Repairs, Maintenance and Improvements
- Outcome 7, 8, 9 & 10 – Access to housing & support
- Outcome 13 – Value for money

2.3 When referring to this policy, there are links to a number of other ACHA policies and processes which include, but are not limited to the following:

- The terms of the Scottish Secure Tenancy Agreement and any other lease or agreement in place

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- Void Management Policy
- Allocation Policy (HOME Argyll)
- Compensation and redress Procedure
- Debt Management Policy
- Group Adult Support and Protection Policy
- Group Equalities and Human Rights Policy
- Repairs & Maintenance Policy
- Damp, Mould and Condensation Process

3 Section 3 – Our Policy Aims and Objectives

3.1 The main aim and key objectives of the policy is to ensure the following:

- To meet our landlord obligations in respect of providing alternative accommodation either on a temporary or permanent basis.
- To provide clear and transparent guidance on the decant process and provide advice on any allowances customers are entitled to claim as a result of the decant process including possible disturbance and home loss payments.
- Ensure that any decants are handled in accordance with the Tenancy Agreement's legal requirements and contractual terms.
- Make sure that a decant procedure is in place and is effectively managed and monitored keeping disruption and inconvenience to a minimum for our tenants and their families and ensure regular updates and support is provided.
- Liaise with other agencies on the decanting of more vulnerable customers to ensure the necessary support is in place before, during and after the move.
- Keeping timescales to a minimum enabling the return of tenants to their home as quickly as possible.
- Delivering best value and minimising the decant costs for the Association where possible.
- Provide assistance and support to our tenants in all instances where a decant is required particularly managing removal/storage of furniture etc.
- Ensuring that any decants are carried out in compliance with our Equality and Diversity policy.

4 Section 4 – Implementing Our Policy Objectives

4.1 When a decant is required

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We recognise there may be times when decants are required to enable major works or refurbishment, or in the event of an emergency for health and safety reasons i.e. flood or fire and on occasion where repairs to essential services may take longer than deemed reasonable, as a responsible and caring landlord we will ensure that no tenant is left without essential services or basic amenities for more than 48 hours.

4.2 Notification of decant

Once we are notified that a decant is required whether it be for a short or long term, temporary or where required on a permanent basis, we will liaise with our tenants and discuss the requirements and source suitable alternative accommodation. In the event of an emergency it may be necessary to source immediate accommodation dependant on availability with a view to moving to more suitable accommodation when possible.

4.3 Payments and entitlements

We will cover all reasonable costs to ensure our tenants are not financially disadvantaged, and provide clear advice on the costs that will be covered by the association, and what payments or refunds tenants will be entitled too.

4.4 Rent payments and Tenancy Changes

We will ensure that any adjustments are made in regards to rent charges where required and ensure all paperwork or tenancy details changes are updated and recorded accurately.

4.5 Partnership working

We recognise there are vulnerabilities to be considered (whether it be elderly or otherwise) and that some of our tenants have a need for adaptations or have differing health and housing needs, and in these circumstances we will endeavour to liaise with partner agencies, Argyll and Bute Social Work department or care homes in order to secure suitable respite accommodation.

4.6 Monitoring

We will effectively manage all decants monitoring timescales and provide our tenants with regular updates to ensure all repairs are completed as quickly as possible in order for our tenants to return to their homes and keep disruption to a minimum

5 Section 5 – Roles and Responsibilities

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- 5.1 The roles and responsibilities of staff are as follows:
- 5.1.1 The **Director of Customer Experience** is responsible for ensuring that this policy is reviewed and in accordance with the schedule for review of policies, or sooner if required.
 - 5.1.2 The **Regional Manager** is responsible for review of the policy, and for ensuring that relevant measures are put in place in order to implement its requirements.
 - 5.1.3 **Operational Managers** will be responsible for the effective implementation of this policy, and the procedure which supports it, within their area of responsibility. They must also ensure that each member of their staff, through induction and e-learning, is made aware of this policy and participants in relevant training where applicable.

All **ACHA employees** are required to familiarise themselves with this policy, and the associated procedure which supports it, and comply with its provisions, as well as undertake any training implemented in association with this policy

6 Section 6 – Performance management

We will regularly analyse data in order to monitor the effectiveness of our decant policy and procedures

- 6.1 We report each year to the Scottish Housing Regulator on the following:

Indicator 1 - Percentage of tenants satisfied with the overall service provided by their landlord.

Indicator 6 - Percentage of homes meeting the Scottish Housing Quality Standard (SHQS) at the reporting year end.

Indicator 7 - Percentage of existing tenants satisfied with the quality of their home.

Indicator 8 & 9 - Average length of time taken to complete emergency and non-emergency repairs.

Indicator 12 - Percentage of tenants who have had repairs or maintenance carried out in last 12 months satisfied with the repairs and maintenance service.

- 6.2 We carry out a regular tenant satisfaction survey which measures our tenants' levels of satisfaction in many areas including the overall service provided by their Landlord and how good their Landlord is at keeping them informed about the services they provide and the decisions they make. The

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outcomes of this are reported to all our customers and to the Scottish Housing Regulator.

7 Section 7 - Development and Training

- 7.1 ACHA is committed to training and developing staff in order that they have a good knowledge of the procedures and systems in place for dealing with decants.
- 7.2 Awareness sessions are made available to governing body members on request as part of their development plan.

8 Section 8 – Equality and diversity

- 8.1 Tenants, owners and other customers will have their individual needs recognised, are treated fairly, with respect and receive fair access to housing services, regardless of age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (collectively referred to as 'protected characteristics' in the Equality Act 2010). ACHA opposes, and shall adopt a zero tolerance stance towards, all forms of unlawful discrimination, harassment and victimisation.
- 8.2 We will deliver accessible services that take account of the needs of individual tenants, owners and service users by making information available in plain language and/or other languages as appropriate; providing interpreting and signing services; and making reasonable adjustments to services, as appropriate

9 Section 9 - Dealing with Complaints

- 9.1 We value complaints and endeavour to use information from them to help us improve our services. We will actively seek feedback by monitoring customer compliments, complaints and appeal outcomes relating to debt management to identify and respond to emerging trends.
- 9.2 Complaints relating to how we have applied this Policy will be dealt with in line with our complaint handling procedure. Complaints can be made if we fail to apply this policy properly or do not meet our organisational standards.

10 Section 10 – Consultation and Review

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- 10.1 This policy will be reviewed every five years or earlier if required due to changes in legislation or regulatory requirements.
- 10.2 The Policy will be reviewed in consultation with ACHA tenants and wider stakeholder partners.

11 Section 11 – Confidentiality and Data Protection

- 11.1 All information provided by tenants and residents will only be used for the purpose provided. We will ensure that we meet the requirements of the Data Protection Act 2018 and UK GDPR (General Data Protection Regulation). We will process and retain personal information in compliance with current data protection legislation and regulations.

Draft

Policy Owner
Author
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Melony MacLean
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