

Public Document Pack

Cherwell District Council

Executive

Minutes of a meeting of the Executive held as a virtual meeting, on 1 March 2021 at 6.30 pm

Present:

Councillor Barry Wood (Chairman), Leader of the Council
Councillor George Reynolds (Vice-Chairman), Deputy Leader of the Council and Lead Member for Leisure and Sport
Councillor Colin Clarke, Lead Member for Planning
Councillor Ian Corkin, Lead Member for Customers and Transformation
Councillor John Donaldson, Lead Member for Housing
Councillor Tony Ilott, Lead Member for Financial Management and Governance
Councillor Andrew McHugh, Lead Member for Health and Wellbeing
Councillor Richard Mould, Lead Member for Performance
Councillor Lynn Pratt, Lead Member for Economy, Regeneration and Housing
Councillor Dan Sames, Lead Member for Clean and Green

Also Present:

Councillor Sean Woodcock, Leader of the Labour Group
Councillor Ian Middleton

Officers:

Yvonne Rees, Chief Executive
Steve Jorden, Corporate Director Commercial Development, Assets & Investment
Lorna Baxter, Director of Finance & Section 151 Officer
Anita Bradley, Director Law and Governance & Monitoring Officer
Gillian Douglas, Assistant Director: Social Care Commissioning and Housing
Chris Hipkiss, Investment Consultant
Louise Tustian, Head of Insight and Corporate Programmes
Natasha Clark, Governance and Elections Manager

Declarations of Interest

13. Notification of Urgent Action.

Councillor Dan Sames, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

Councillor Ian Corkin, Non Statutory Interest, as a CDC appointed non-Executive Director on Graven Hill Management Company and Graven Hill Development Company and would leave the meeting for the duration of the item.

102 **Petitions and Requests to Address the Meeting**

There were no petitions.

The Chairman advised the meeting that he had agreed to Councillor Middleton addressing the meeting at exempt item 12, Lease for Waterside Development.

103 **Minutes**

The minutes of the meeting held on 1 February 2021 were agreed as a correct record, to be signed by the Chairman in due course.

104 **Chairman's Announcements**

There were no Chairman's announcements.

105 **Homelessness and Rough Sleeping Strategy 2021-2026**

The Assistant Director, Housing and Social Care Commissioning submitted a report to set out the key points from the consultation on the draft Homelessness and Rough Sleeping Strategy 2021-2026 and the main changes to the strategy and action plan made in response to the feedback received. In addition, the report requested Executive approval of the amended strategy and action plan.

In response to comments from the Leader of the Labour Group, Councillor Woodcock, regarding the need for additional social rent housing, the Lead Member for Housing confirmed that increasing social housing was a priority.

Resolved

- (1) That the changes to the draft Homelessness and Rough Sleeping Strategy 2021-2026 and Action Plan following public consultation be noted.
- (2) That the amended Homelessness and Rough Sleeping Strategy 2021-2026 and Action Plan (annexes to the Minutes as set out in the Minute Book) be approved in order to ensure that the Council meets statutory requirements and complies with good practice.

- (3) That authority be delegated to the Assistant Director, Housing and Social Care Commissioning in consultation with the Lead Member, to make any minor editorial amendments to the strategy as needed and to undertake a review and update of the Action Plan on an annual basis.

Reasons

To ensure the Council can meet its statutory duties, it is recommended that the amended strategy and action plan be approved by the Executive at its meeting on 1 March 2021 with delegated authority to the Assistant Director, Housing and Social Care Commissioning in consultation with the Lead Member, to make any minor editorial amendments to the strategy as needed and to undertake a review and update of the Action Plan on an annual basis. The Strategy and Action Plan will subsequently be published as the final version on the Council's website with a hard copy being made available to anyone on request.

Implementation of the Strategy and Action Plan will be monitored by the Housing Strategy team, and the first review and update of the action plan will be undertaken in March 2022 to ensure that it remains effective and responsive to the changing circumstances and needs of customers and stakeholders. The Equality and Climate Impact Assessment will also be reviewed and updated in line with the aims of the Council's 'Including Everyone: Equalities, Diversity and Inclusion Framework' to ensure continued delivery of inclusive services.

Alternative options

Option 1: Not having a strategy at all - This would result in the Council not meeting its statutory obligations under the Homelessness Act 2002, therefore this option is rejected.

Option 2: A single countywide strategy and no local strategy - A draft countywide Homelessness and Rough Sleeping Strategy has been published for consultation and provides an overarching vision for Oxfordshire, however there is no statutory requirement for it. CDC Homelessness and Rough Sleeping Strategy 2021-2026 already aligns with, and will contribute towards achieving, the overarching aim and objectives set out in the countywide strategy and vision. Each local authority area has different geographic, economic, social and political structures which require a more granular strategy aimed at meeting specific local needs. A countywide strategy alone will not provide this local detail and would also result in the Council not meeting its statutory obligations. On this basis, this option is rejected.

Disabled Adaptations Policy

The Assistant Director, Housing and Social Care Commissioning submitted a report to consider and approve the Disabled Adaptations Policy.

Resolved

- (1) That the Disabled Adaptations Policy (annex to the Minutes as set out in the Minute Book) be approved as the replacement for the current Disabled Facilities Policy.

Reasons

Although the current *Disabled Facilities Grant Policy* remains compliant, has served the Council well, and much of it has 'stood the test of time', a new policy is required to reflect the changes that have taken place since it was introduced, including changes in the Council's operating environment, budget growth, the increased use of discretionary grants and the need to simplify decision making processes to facilitate service delivery. The proposed *Disabled Adaptations Policy* will ensure that the Council's Grants Team can continue to deliver the current high level of services to disabled residents in a clear and consistent manner.

Alternative options

Option 1: Not introduce a new policy and continue with the existing *Disabled Facilities Policy*. This option was rejected because of the need to reflect the extended use of discretionary grants to complement provision of adaptations and to update process and decision making.

107

Nominations Agreement for Housing Allocations

The Assistant Director Housing and Social Care Commissioning submitted a report to set out the purpose and content of a new Nominations Agreement that determines how Cherwell District Council ('CDC') works with registered providers ('RP') to nominate households from the housing register to social housing for rent.

Resolved

- (1) That the revised Nominations Agreement 2021 (annex to the Minutes as set out in the Minute Book) be approved and it be noted that it will replace the 2017 Nominations Agreement.
- (2) That authority be delegated to the Assistant Director Housing and Social Care Commissioning, in consultation with the Lead Member for Housing, to agree and enter in to any future amendments to the Nominations Agreement that are deemed to be necessary and do not constitute a major policy change.

Reasons

The Nominations Agreement is an important document which sets out the terms and procedures that both CDC and the Registered Providers owning or managing rented accommodation in the district will work to when making or

receiving nominations of eligible households to take up occupancy of a vacant home.

The revised Nominations Agreement brings the document up to date and enables charging to be introduced from 1 April 2021. The associated delegation ensures that officers are able to respond quickly to operational demands.

Alternative options

Option 1: To not revise the Agreement. This is rejected on the grounds that we would not be able to introduce charging which is a necessary step in terms of the budget reductions that need to be made.

108 Monthly Performance, Finance and Risk Monitoring Report

The Director of Finance, and Head of Insight and Corporate Programmes submitted a report which summarised the Council's Performance, Risk and Finance monitoring position as at the end of January 2021.

Resolved

- (1) That the monthly performance, finance and risk monitoring report be noted.

Reasons

The Council is committed to performance, risk and budget management and reviews progress against its corporate priorities on a monthly basis.

Alternative options

Option 1: This report illustrates the Council's performance against the 2020-2021 business plan. As this is a monitoring report, no further options have been considered. However, members may wish to request that officers provide additional information.

109 Urgent Business

There were no items of urgent business.

110 Exclusion of the Press and Public

Resolved

That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the ground that, if the public and press were present, it would be likely that

exempt information falling under the provisions of Schedule 12A, Part 1, Paragraphs 1, 2, 3 and 4 would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

111 **Lease for Waterside Development**

The Corporate Director Commercial Development, Assets and Investment submitted an exempt report in relation to a lease for the Waterside Development.

At the discretion of the Chairman, Councillor Middleton addressed Executive. The Chairman undertook to provide a detailed response in writing to the points raised by Councillor Middleton.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.
- (4) As set out in the exempt minutes.

Reasons

As set out in the exempt minutes

Alternative options

As set out in the exempt minutes

112 **Notification of Urgent Action**

The Corporate Director – Commercial Development, Assets and Investment submitted an exempt report to inform Executive of an exempt decision taken under urgency powers by the Corporate Director – Commercial Development, Asset and Investment.

Resolved

- (1) That the decision taken under urgency powers by the Corporate Director – Commercial Development, Asset and Investment in consultation with the Leader of the Council, as set out in the exempt minutes be noted.

Reasons

In line with the Constitution this report is informing the Executive of a decision that was taken under urgency powers as detailed in the exempt minutes.

Alternative options

Option 1: Not to note the report. This is not recommended as the urgent action has been taken and it is a constitutional requirement for it to be reported to the Executive

The meeting ended at 7.37 pm

Chairman:

Date:



Appendix 1

Homelessness and Rough Sleeping Strategy 2021-2026

Accessibility

If you need a copy of any part or all of this document in a different format i.e. large print, audio, Braille or translated into a language you will understand better, please contact the Housing Strategy and Development Team at Cherwell District Council, through our Customer Contact Centre.

Email: Housing.Strategy@Cherwell-DC.gov.uk

Telephone: 01295 227001

Contents

Executive Summary	3
1. Introduction	4
2. Challenges and opportunities	5
National challenges	5
Preventing and reducing homelessness in Oxfordshire	5
Preventing and reducing homelessness and rough sleeping in Cherwell	7
3. Homelessness Strategy 2021-2026 - Priorities	10
Priority 1:	10
Priority 2	11
Priority 3	12
Priority 4	12
Priority 5	13
Priority 6	13
4. Homelessness Service Review 2020 - summary	14
Strengths of the homelessness service	14
Areas for development	15
Future Challenges	16
5. Resources	17
6. Action plan and governance	19
7. Consultation	20

Executive Summary

Our strategy sets out our vision and commitment to prevent and resolve homelessness and rough sleeping over the next 5 years. We recognise that a system-wide approach is needed in order to address the underlying causes of homelessness that affect people in our community.

The strategy aims to address the environmental and structural issues that impact on levels of homelessness as well as the personal - such as vulnerability, poor health, loss of income or relationship breakdown. Our strategy recognises the important role and skills that the council, its partners and stakeholders have in delivering sensitive, person-centred, strengths-based solutions to reduce homelessness and end rough sleeping. When people are at risk of homelessness we will work cooperatively and non-judgementally to find homes for them, recognising the housing, healthcare, care and support that each person needs in order to resolve their homelessness and build personal resilience. The golden thread throughout this strategy is to have customers at the heart of what we do and to understand, involve and resolve their housing issues to the best of our ability. Our partnership with Oxfordshire County Council presents opportunities for us to maximise the use of skills and pool resources where this will benefit Cherwell and the wider Oxfordshire communities.

In response to Covid-19 and 'Everyone In' campaign in 2020, the council and partner agencies have worked more collaboratively to successfully deliver innovative housing solutions to meet the local needs. We need to ensure partnership working and service delivery remain flexible in order to respond to any future emergencies, the resulting economic impact and emerging risk of homelessness in our community, and to ensure that rough sleepers are able to quickly move into settled accommodation.

Our Vision is: To work in partnership, with customers at the heart of our approach, to understand, prevent and resolve homelessness so that no one has to sleep rough in Cherwell

The six strategic priorities for our Homelessness and Rough Sleeping Strategy 2021-26 are:

- Priority 1** Work with the County, City and District Councils and partner organisations across Oxfordshire to identify the causes of homelessness in our area, facilitate early interventions and responses to increase successful homelessness preventions, and make sure that no one has to sleep rough.
- Priority 2** Proactively identify, engage with and assist households who have difficulty accessing and receiving homelessness services.
- Priority 3** Proactively engage with and support households to develop housing resilience and when needed, to access suitable accommodation to meet their longer-term needs.
- Priority 4** Engage and work collaboratively with people with lived experience of homelessness and commission the right support to reduce, prevent and ultimately end homelessness and rough sleeping.
- Priority 5** Make sure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency.
- Priority 6** Work in partnership to increase supply of affordable housing and make sure that accommodation in the private sector is good quality, that tenants are treated lawfully and fairly, and there is improved access to affordable private sector accommodation for homeless households.

1. Introduction

This 5-year Homelessness and Rough Sleeping Strategy sets out our aim to tackle homelessness and end rough sleeping across the district. It details how we will provide open and effective access to a range of housing services, support and other opportunities for any person affected by homelessness, to help them rebuild their lives. The golden thread throughout this strategy is to have customers at the heart of what we do and to understand, involve and resolve their housing issues to the best of our ability.

The strategy has been shaped by national policy, significant events caused by the Covid-19 pandemic and a closer working relationship with Oxfordshire County Council. Whilst the expected outcomes are challenging and aspirational, the strategy has been informed by a review of homelessness in the district, delivery of actions against the previous strategy, a comprehensive health check and an understanding that to tackle homelessness and end rough sleeping within the government timescale of 2027, we must work in partnership with Oxfordshire County, City and District Council partners, Health, and voluntary and community sector partners to collectively address local homelessness and rough sleeping issues. In 2019, Cherwell commissioned Shelter to conduct a health check of our services. The results were positive and provided helpful recommendations for some further improvements. An action plan was developed and successfully delivered through 2019/2020. The review inspired a way of working, putting the customer central to decision making and solutions.

The council's Homelessness Strategy 2018-20 dealt with the changes and implementation of the Homeless Reduction Act 2017. The Act brought in new duties and a comprehensive overhaul of the way in which homelessness preventions were actioned and recorded. The new way of working has now been embedded by the Housing Team and we are committed to delivering the service to a high level in line government guidance and good practice, however we can always improve. The focus of this strategy is to increase homelessness prevention, improve health, wellbeing and housing outcomes for people affected by homelessness, and to provide support to rough sleepers so that they do not need to return to sleeping on the streets. The strategy also recognises the unprecedented circumstances presented by the Covid-19 pandemic and how we can be flexible to meet the challenges of similar emergencies in the future. Importantly, the strategy also recognises the opportunities presented by the strong collaboration and partnership between Cherwell District Council and Oxfordshire County Council to maximise resources and expertise, and take actions forward to make a real difference to reducing homelessness, rough sleeping and improving the lives of vulnerable people in Cherwell and across the county who are traditionally hard to reach.

We will make sure that everyone who is homeless or at risk of homelessness has access to meaningful help, advice and/or assistance irrespective of their priority need status or eligibility for housing in Cherwell District.

This strategy should be read along with Cherwell District Council's Housing Strategy and the Oxfordshire Homelessness and Rough Sleeping Strategy.

Defining homelessness

Homelessness does not just affect people visibly sleeping rough but includes those living in a range of temporary accommodation, including bed and breakfast, hostels and refuges as well as people staying temporarily with family or friends (e.g. sofa-surfing) when they have no accommodation of their own. It can also apply to households who are living in such poor-quality accommodation it may not be reasonable for them to occupy it.

2. Challenges and opportunities

National challenges

Nationally, local authorities are experiencing significant budget pressures and increasing challenges to delivering housing and support services to meet the high demand for homelessness services, including the demand from an increasing number of people with high and complex needs and a peak in the number of people rough sleeping. The demand for social housing continues to outstrip supply. There is an increased pressure on mental health, health, social care, criminal justice, and addiction services and the welfare benefits system is complex to navigate. The impact of the Covid-19 pandemic on employment and the rate of national economic and social recovery, is not fully known.

The government has launched a range of funding streams to help meet short-term demand for accommodation and other support services i.e. Homes England Affordable Homes Programme funding, Rough Sleeping Initiative and Next Steps Accommodation Programme funding. However, funding is time-limited and, due to the competition for it, organisations are likely to design services to match the funding criteria. This approach does not always address the underlying root causes of homelessness (up-stream) for the individuals who receive the service.

During the Covid-19 pandemic, the government introduced temporary protections from eviction but as protections are lifted, there is likely to be a national (and local) increase in homelessness. The Rented Homes Bill 2021, proposes to abolish Assured Shorthold Tenancies which removes the fast track administrative court approach to evictions, substantially increasing the security of tenure for private renters. The Bill is due for enactment in 2021.

The proposed national planning policy changes and increased focus on promoting home ownership, as set out in the consultation documents launched in August 2020: 'Planning for the Future' and 'Changes to the current planning system', if introduced, are likely to reduce the number of social and affordable rented homes being delivered in future.

The Homelessness Reduction Act 2017 and government's Rough Sleeping Strategy 2018, prescribe how we must intervene at earlier stages to prevent homelessness and provide appropriate services to every household who is homeless or threatened with homelessness, not just to those households who are considered to be in priority need. To do this, and navigate the complexities described above, it is essential for us to enhance our partnership work with statutory, voluntary and community agencies to deliver positive outcomes for people and to change our current ways of working.

More detail about the national policy and legislative context, the impact on our service provision or customers and the relevance to our Homelessness Strategy 2021 – 2026, is set out in later sections of this document and in the Homelessness Service Review 2020 document.

Preventing and reducing homelessness in Oxfordshire

We are working with the County Council, City and District Councils across Oxfordshire to identify the gaps in our service provision and make joint funding bids for government funding to support the delivery of projects that will provide innovative solutions to improve homelessness prevention services and reduce homelessness and rough sleeping across the county.

In 2019, the five local housing authorities in Oxfordshire, coordinated by Cherwell District Council, submitted a joint bid and attracted funding from the MHCLG to create a new post of County-wide Strategic Lead Officer. The role of this Officer is to progress a county wide strategy and a

coordinated and embedded approach to preventing and tackling homelessness, with a focus on single homeless people and rough sleepers.

Joint homelessness prevention approach – our partnership with Oxfordshire County Council

Cherwell District Council and Oxfordshire County Council are in a partnership with shared senior leadership and operational roles across the two organisations. This presents opportunities for us to maximise the use of skills and pool resources where this will benefit Cherwell and the wider Oxfordshire communities. We are working together with the City and Oxfordshire District Councils to deliver a countywide Homelessness and Rough Sleeping Strategy to 2025 and facilitate a shared understanding and collaborative approach to supporting households to prevent homelessness and end rough sleeping. The countywide approach supports a Housing First and housing-led approach. We are already working at a small scale to deliver Housing First model accommodation in Cherwell however, to expand this further and deliver a housing-led approach, we will need to look at the whole system to identify and address any gaps in our service provision, and any policy or system barriers that prevent households from joining the housing register or being offered housing to meet needs.

Work is ongoing to integrate Housing with Adult Social Care services, including safeguarding, Family Solutions Plus and the joint working to recommission adult homelessness services (accommodation based and floating support), and Young People's Accommodation Services. The work of Vulnerable Adults Panel, Families at Risk and other multi-agency panel arrangements ensure that vulnerable individuals and families in Cherwell receive the necessary support to prevent or relieve their homelessness, even where there may be no formal duty to accommodate them. Combining expertise and resources can lead to tangible and positive resolutions for the individuals and families involved. This is supported by the research discussed below.

Joint commissioning of research to inform a housing-led approach to tackling homelessness

In 2020, Crisis, Oxfordshire County Council and the five city and district councils jointly funded and commissioned independent research consultants to explore the feasibility of moving to a housing-led approach to tackling single homelessness across Oxfordshire. The focus of the study was on single households because more than half of the homelessness presentations across Oxfordshire in 2018/19 were from this group, and this is reflected in data at our district level too. Family homelessness is also of concern, but prevention rates are slightly higher for families and the redesign of Children's Services aims to improve housing solutions for vulnerable families.

A housing-led or 'rapid rehousing' approach aims to end someone's homelessness by moving them into their own home as soon as possible. It operates under the guiding principle that everyone has a right to a home and does not rely on the condition that someone must be 'tenancy ready' before being offered their own home. The recommendations from this research will inform commissioning, design and delivery of services across Oxfordshire to end homelessness for single people. Importantly, it will place greater emphasis on the role that people with lived experience of homelessness will have in helping us to transform our services and expand housing choices, particularly for rough sleepers.

Joint Strategic Needs Assessment (JSNA), Health and Wellbeing

The JSNA produced at county level, also provides us with local district data. This emphasises the differences in life expectancy, health inequalities, educational attainment and local indices of deprivation across Cherwell. Three wards within Banbury fall within the top 10% most deprived areas in the Multiple Indices of Deprivation. We will continue to work with Adult Social Care and Public Health departments to facilitate early identification of homelessness and ensure that people who are homeless or threatened with homelessness, can be referred to services and have access to health care and support as needed, and safeguarding measures are in place to protect vulnerable people in our communities.

Preventing and reducing homelessness and rough sleeping in Cherwell

Delivering the priorities within this Homelessness and Rough Sleeping Strategy 2021-2026 will enable us to meet our statutory obligations and contribute to delivery of ambitions set out in several other inter-linked local and national work programmes listed here:

Our Strategy's impact and influence:

National

'Everyone In' Campaign
Care Act 2014
Homelessness Reduction Act (2017) and
Housing Legislation
National Rough Sleeping Strategy (2018)
Welfare Reform

County

Oxfordshire 2030 Plan
Oxfordshire County Council Adult Services
Oxfordshire County Council Children Services
Oxfordshire Homeless Pathway
Oxfordshire Joint Strategic Needs
Assessment
Oxfordshire's Health and Wellbeing Board
Young People's Supported Accommodation
Service

District

Armed Forces Covenant
Cherwell District Council Allocation
Scheme
Cherwell District Council Annual Business
Plan
Cherwell District Council Housing Strategy
2019-2024
Cherwell District Council Tenancy Strategy
Empty Homes
Housing First
Private Rented Sector Housing Standards
Registered Providers of Social Housing
Registered Providers of Supported
Accommodation
Rough Sleeper Count
Verification and Outreach Services

The Cherwell District Council Business plan 2020/21 sets out 4 strategic priorities, one of which is 'Housing that Meets Your Needs'. This demonstrates the continued commitment of the council to deliver more affordable homes, prevent homelessness and rough sleeping, and deliver innovative housing solutions to meet local needs.

Extract from the Business Plan 2020/21 showing housing-related priorities:

The objectives of the 'Housing that meets your needs' priority are:

- Find new innovative ways to prevent homelessness
- Support the most vulnerable
- Deliver affordable housing
- Raise standards in rented housing
- Promote innovative housing scheme

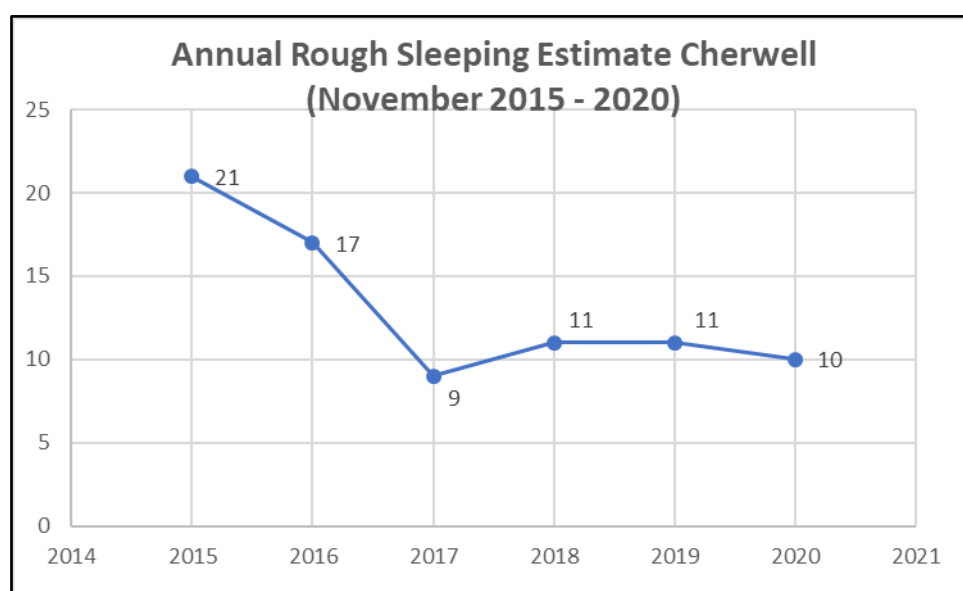
The objectives of the 'Healthy resilient and engaged communities' priority are:

- Working with partners to address the cause of health inequality and deprivation
- Promote health and well-being in the community

Rough sleeping and future housing-led approach

Historically, the number of rough sleepers counted annually in Cherwell have been low. However, over the course of a year (2019/20) a total of 24 people were estimated to sleep rough at some point and we have a small number of people who have been sleeping rough long-term, and for whom bespoke solutions need to be found. We are clear that no one should have to sleep rough and, as explained earlier, we are taking a countywide approach to achieve this aim but we will also examine our own Allocations Scheme, practices and procedures to make sure our services are accessible and households who are homeless or threatened with homelessness, and need to join our housing register to access accommodation, are assisted to do so.

All local authorities are required to carry out either an annual estimate or count and report the figures back to central Government about the number of people known to be rough sleeping on a given night. We have seen the numbers of people reported as sleeping rough, gradually reduce since 2015, in the last two years the rough sleeper estimate on the given night remained the same with a total of 11 people. In November 2020 the estimated number of people sleeping rough in the district was 10 (see chart below):



In March 2020 the outbreak of the Covid-19 pandemic saw the number of identified rough sleepers rise dramatically. Nationally, as part of the 'Everyone In' initiative during the COVID-19 pandemic, around 15,000 people were placed into emergency accommodation. These people had been sleeping rough, were living in unsafe communal settings or were at imminent risk of rough sleeping. In Cherwell, there were 13 known rough sleepers at the start of lockdown, however 78 individuals were helped into accommodation in response to the *Everyone In* initiative, of which 38 individuals were helped to move on once the lockdown ceased. This is a significant success in a period of unprecedented circumstances. However, it highlights the 'hidden' homelessness in the district.

Countywide the records indicate that around 20% of those accommodated within county under Everyone In had No Recourse to Public Funds (NRPF) or were EEA workers who had lost their Worker Status. These are people who would usually be prevented by law from accessing mainstream housing, welfare benefits and employment. In Cherwell, customers who do not have recourse to public funds, will continue to receive statutory assistance and advice from Council officers. This can be in the form of referrals to specialist immigration hostels, referrals to the DWP, Citizens Advice or Oxfordshire Social Services depending on circumstances. All customers without statutory housing rights, will receive enhanced housing advice or assistance in repatriation.

The Next Steps Accommodation Programme (NSAP) was launched in July 2020, making government funding available to support local authorities and their partners to prevent people from returning to the streets. Cherwell District Council was successful with a bid for NSAP funding and the £120,400 award will be used to provide additional accommodation with support for single homeless people.

We know that many people sleeping rough require more support than just somewhere to live and need help from other services to help manage issues such as mental health and substance abuse. It is critical that we make sure vulnerable people are not at risk of homelessness or rough sleeping and can access the help and support they need, when they need it. We have put in place additional resources such as: access to support/advice via the drop-in services across the district; an enhanced Outreach Service; and the Single Homeless Specialist officer, to ensure that households who are traditionally 'hard to reach', are offered additional support to access and engage with housing solutions. However, we will need to secure resources to continue this work in future.

The council's Housing Team offer a full package of support and assistance to all households, with over 50% of cases (2018/19 and 2019/20) being single people. Our approach embraces the principals under the Homelessness Reduction Act, and we are committed and focussed on early intervention and 'upstream' prevention. This is reflected in the number of homelessness prevention cases recorded and few cases progressing to formal homelessness decisions.

We are focusing on strength-based assessments and taking a person-centred approach when considering suitable housing options, particularly for the most complex cases. This enables us to put the customer at the heart of service delivery. It will be important, if we are to implement a whole system approach to reducing homelessness and rough sleeping countywide, to make sure a shared vision is adopted and the workforce skills to embed the approach are developed locally.

Our small-scale Housing First project in Cherwell has worked well as an alternative housing offer for households who have been reluctant to enter or been excluded from existing pathway provision. We will need to extend this provision and continue to develop enough resources locally to avoid households having to take up accommodation outside of our district, where it is not their wish to do. This could be challenging within an environment of reduced budgets. However, we will maximise the opportunity to secure Rough Sleeping Initiative (RSI) and other government grant funding for all new or extended housing initiatives.

More information on what we plan to do, is set out in [Section 3](#) with supporting narrative and evidence provided in [Section 4](#) and in the separate Homelessness Service Review 2020.

Oxfordshire Homeless Movement (OHM)

The Oxfordshire Homeless Movement (OHM) is a charitable organisation and a partner of the many organisations working to ensure that nobody has to sleep rough on the streets of Oxfordshire. OHM has a homelessness [charter](#) and aims to raise awareness of all the work in the Oxfordshire area and guide new and existing volunteers, supporters and people who are homeless or experiencing housing difficulties, to the actions or services they are looking for. This is a recent partnership with Cherwell District Council, and we will work with OHM to ensure that their information and guidance includes the work we are doing to reduce homelessness and end rough sleeping locally.

Further partnerships may be developed over the life of this strategy to facilitate new housing initiatives and longer-term housing solutions. The input of groups such as the Lived Experience Advisory Forum and other groups who support and facilitate service users to express their opinion will be key to success. In addition, we can explore the opportunities to work with local authorities in areas outside of Oxfordshire to share best practice.

3. Homelessness Strategy 2021-2026 - Priorities

Our previous Homelessness Strategy 2018-2020 set out four priorities:

- | | |
|------------|---------------------------------------------------------------------------------------|
| Priority 1 | Prevent and relieve homelessness in the district |
| Priority 2 | Prevent single homelessness |
| Priority 3 | Ensure vulnerable people can access appropriate help and support. |
| Priority 4 | Ensure homeless households can access suitable temporary and permanent accommodation. |

Delivery of the Strategy Action Plan has been monitored and the majority of actions completed. A summary of the achievements can be found in the separate Homelessness Service Review 2020.

We have considered the findings from: the Homelessness Service Review 2020; the recommendations from the Shelter Health Check 2019; the independent research to inform a housing-led approach in Oxfordshire 2020; alongside the response required for local housing and economic recovery post Covid-19 pandemic, and the trends seen in national, county and local data. This has informed our vision for prevention, reduction and ending of homelessness and rough sleeping:

Our Vision is: To work in partnership, with customers at the heart of our approach, to understand, prevent and resolve homelessness so that no one has to sleep rough in Cherwell

To achieve this, we have identified six priorities to drive our service development and delivery forward over the next five years. The priorities, which will require significant partnership working to achieve, are explained below. More details about the reasons why these are priorities and the supporting evidence can be found throughout this strategy and in the separate Homelessness Service Review 2020 document:

Priority 1: Work with the County, City and District Councils and partner organisations across Oxfordshire to identify the causes of homelessness in our area, facilitate early interventions and responses to increase successful homelessness preventions, and make sure that no one has to sleep rough.

To deliver this priority, we will:

Work with partners countywide to explore the opportunities to implement an early intervention hub with locally accessible provision in Cherwell, to enable rapid access for all those sleeping rough or at immediate risk of rough sleeping, to a psychologically informed assessment of their specific needs.

Continue to facilitate provision of accommodation with support for people who are homeless or rough sleeping and have complex needs (including emergency and cold weather provision during winter months).

Engage in the commissioning and delivery of services to accommodate and support Young People (including care leavers) and to help them to move on to and sustain (including work to avoid eviction from), settled accommodation at the right time for them.

Engage in the commissioning and delivery of Adult Homeless Accommodation and county wide floating support services to ensure that the right housing choices and a range of support options are available to prevent (including work to avoid eviction) and assist recovery from homelessness.

Review our Allocations Scheme and Nominations Agreements to make sure they do not create barriers to housing, and that monitoring arrangements are robust to enable challenges to any inequity in social housing allocations.

Increase our homelessness prevention rates and improve our housing offer to single homeless customers by expanding the provision of Housing First and by building on a housing-led approach to meeting customer needs.

Support and expand the Cherwell Homelessness Network to ensure new representative groups e.g. Oxfordshire Homeless Movement, Lived Experience Adults Forum and others, are able to participate in the design and delivery of local housing solutions and share the learning to inform future delivery of services.

Proactively work with each of our partner organisations to emphasise and promote how they can improve identification of customers with early indications of homeless (nudge theory) and improve inter-agency referrals (through improved communication) to relevant advice services such as Debt and Money Advice Service and the council under the 'duty to refer'.

Improve monitoring data from delivery of existing service contracts, Personal Housing Plans, successful prevention cases, and obtain input from people with lived experience of homelessness, to identify what works locally to prevent homelessness and rough sleeping and deliver successful outcomes for the longer-term.

Priority 2: Proactively identify, engage with and assist households who have difficulty accessing and receiving homelessness services.

To deliver this priority, we will:

Make sure our commissioning process includes a contractual requirement to support service user engagement in the design and delivery of homelessness prevention and housing-related support services.

Engage with service providers, statutory and voluntary sector organisations and faith groups to explore how the council can better engage and gain the trust of households who are homeless or at risk of homelessness (including sofa-surfers and others who may be 'hidden homeless'), and to deliver a strengths-based, person-centred approach to identify and resolve housing issues.

Carry out an equality audit on the council's housing service to identify improvements and actions to ensure the service and policies are fully inclusive and made more easily accessible to those who need them.

Build improved protocols and procedures with our statutory and non-statutory partner agencies to ensure that access to housing, health, social care and support services (including those providing mental health and substance misuse support) are interlinked and referrals made between organisations are efficient, and the services are responsive to customer needs at the point of contact (including early interventions that will prevent or eliminate the risk of eviction and homelessness).

Review and update the Homeless Pocket Guide and ensure this is widely promoted.

Priority 3: Proactively engage with and support households to develop housing resilience and when needed, to access suitable accommodation to meet their longer-term needs.

To deliver this priority, we will:

Continue to invest in the provision of effective floating support and outreach services that will support households, not only to access and sustain accommodation, but to enable them to build personal resilience and independence from support in the longer term.

Expand our provision of Housing First and develop a housing-led approach to resolving housing crisis in Cherwell district.

Provide additional 'Tenancy Prepared' courses and, work with Registered Providers and private landlords to assign tenancies to homeless households that have appropriate support in place and are 'tenancy supported'.

Use a strengths-based and person-centred approach to personalised housing plans that puts the person at the centre of their housing solution. This personalised approach will help the individual to understand what support they can expect and the actions they can take themselves to build confidence and resilience in a way that meets their housing needs, and within an agreed and reasonable timescale. Outcomes will be measured using feedback from customers, service users and achievements of key outcomes.

Ensure households in the private rented sector are able to receive early advice and money management support from the Debt and Money Advice Service provider, and support from the council's housing advice service to sustain their tenancy and avoid unnecessary evictions. Clear communications will be essential to support this to happen.

Evaluate the Cherwell pilot of Family Solutions Plus and implement the embedded housing worker into this service model to support early housing intervention with vulnerable families.

Work in partnership with Cherwell Homeless Network partners to improve communications to all households about the housing information, advice and support available so that they can access it at the earliest point and avoid housing crisis.

Priority 4: Engage and work collaboratively with people with lived experience of homelessness and commission the right support to reduce, prevent and ultimately end homelessness and rough sleeping.

In addition to the work undertaken to meet Priority 2 and Priority 3, to deliver Priority 4 we will:

Maximise the opportunity to secure MHCLG and other funding to support the commissioning of services that will help to prevent and end rough sleeping in the district.

Design feedback mechanisms for customers to comment on our services and engage with people with lived experience of homelessness and rough sleeping to ensure that we understand their experience of our services and use this to co-produce new responses.

Participate in the county wide workforce transformation initiative that will support our staff to undertake training and develop their skills, engage with people who have lived experience of homelessness, and adopt a person-centred approach to service delivery.

Monitor the support provided by council services and voluntary groups to ensure the correct housing advice and information is being provided, and opportunities to signpost to complementary services are being maximised.

Embed learning from the Shelter Health Check and refresh the 'Lean Review' of end to end homeless processes, working with service users to identify opportunities for improvements and efficiencies.

Priority 5: Make sure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency.

To deliver this priority, we will:

In partnership with other Oxfordshire Councils and stakeholders, we will undertake a 'lessons learned' review of our housing and support response to Covid-19. We will implement changes to ensure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency, as well as monitoring the ongoing impact of Covid-19 on homelessness levels.

Refresh the business continuity plan and demonstrate how we keep staff and our customers safe, particularly customers in emergency and supported accommodation.

Priority 6: Work in partnership to increase supply of affordable housing and make sure that accommodation in the private sector is good quality, that tenants are treated lawfully and fairly, and there is improved access to affordable private sector accommodation for homeless households.

It is important to note that delivery of affordable housing, including housing to meet Oxford's unmet housing need, and making best use of existing social and private rented sector housing stock in the district, are key priorities in CDC's adopted Housing Strategy 2019-2024. **However, to specifically deliver Priority 6 in this Homelessness and Rough Sleeping Strategy, we will:**

Maximise opportunities to attract Homes England, Growth Deal and other public subsidy to deliver a range of additional affordable homes – including more social rent tenure and suitable accommodation to meet the needs of single homeless households.

Maximise the opportunity to attract HMCLG and other funding to provide the appropriate support services and housing solutions in Cherwell to meet a range of housing and support needs, including move-on accommodation from supported living.

Widen accommodation options across Cherwell by capitalising on opportunities within the private market for Registered Providers or Build! to acquire additional affordable homes, or for the council to secure nomination rights.

Work with private sector landlords to maximise opportunities to accommodate refugees who are to settle in Cherwell area as part of the Global Vulnerable Persons Resettlement Scheme.

Work with private sector landlords to secure more good quality properties to let to households who are working or receiving benefits, and to let them on longer-term tenancies through the Cherwell Bond Scheme, and to promote access to this viable housing option to households on our housing register or those who may not qualify for social housing but need to live in Cherwell district.

Continue the work of the Housing Options and Housing Standards Teams to reduce risk of homelessness due to poor housing standards.

4. Homelessness Service Review 2020 - summary

To inform the six strategic priorities within this Homelessness and Rough Sleeping Strategy, we undertook a review of our Homelessness Services in 2020. The review considered the:

- Council's achievements during the lifetime of the previous strategy.
- Actions outstanding from the previous strategy action plan (this has been done through the action plan monitoring process)
- Demand on homelessness services
- The Council's current provision of homelessness services
- Unmet demand for council homelessness services
- Future challenges facing the councils' homelessness service.
- Feedback from customers, stakeholders and partners, including the Shelter Health Check and the commissioned research into the feasibility of a housing-led approach in Oxfordshire.

In summary, the Review findings are as follows:

Strengths of the homelessness service

- **Quality of service via experienced staff** – The Shelter Health Check 2019 stated there was a good quality of advice and an excellent level of working with the spirit of the Homelessness Reduction Act 2017, not just “working by the numbers”. Experienced staff who work with a high level of integrity in challenging circumstances.
- **Provision of service beyond statutory housing duties** – e.g. Relief Plus; Housing First; extended Winter Beds provision, enhanced links with County Council Adult Social Care that enables responsive housing and support solutions; additional resources through Tenancy Support Officers; Cherwell Bond Scheme; commissioned services for debt and money advice, outreach services etc.
- **It is an inclusive service that aims to deliver service to all in need** – e.g. Personal Housing Plans; housing advice to all, not just those in priority need; housing and support for Syrian and UK Resettlement Scheme Families; cross-team working to secure adapted accommodation to meet specific customer needs.
- **Strong relationships with Registered Providers, support providers and effective countywide partnerships with Oxfordshire local authorities** to deliver responsive, innovative services and pool resources to maximise the benefit to meet customer and organisational needs e.g. funding for Adult Homeless Pathway, support services for people experiencing domestic abuse.
- **Private Rented Sector Offer** – Cherwell Bond Scheme (including the Keyworker Bond Scheme) provides opportunities for households on the council's housing register to access good quality homes in the private rented sector. Working across the various teams in Housing Service, officers are able to provide an attractive package for private landlords, including property inspections, contributions to gas and/ or electrical safety certificates and Bonds to guarantee the rent.
- **Accessible housing** – Officers across the Housing Service working together to secure new-build accessible properties and suitable adaptations to existing social and private rented sector homes to enable a return from hospital or to support continued independence of people with disabilities.

- **Specialist officers in Housing Needs Team** to support the work to accommodate armed forces personnel, rough sleepers, older people, young people leaving care. As part of our commitment to the Armed Forces Covenant, officers have conducted housing advice surgeries in the Banbury Job Centre and for Armed Forces Veterans at the Upper Heyford base. In addition, officers consistently apply the reasonable preference categories as set out in the adopted Allocations Scheme.

Areas for development

- **Improve partnership working with the private rented sector, DWP, mediation and health services** to establish long-term accommodation and support solutions as early as possible – upstream prevention and promotion of the Duty to Refer and how referrals can be made.
- **Improving our understanding of different cultures and society needs** so that we can effectively engage with customers and promote early contact with our service to prevent homelessness. Improve our data collection, data analysis, and engage more with our service users.
- **Access to services** – ensure we maintain a flexible but accessible service to meet needs. Not everyone will be able to access digital information or access our services face to face within normal office hours. Promotion of our Enhanced Housing Options online service and support offered via the commissioned drop-in services may help.
- **Housing people locally** without the need for them to go out of our area where that is not their wish. Ideally, we need to provide a range of housing options within the district, including households with complex and/or support needs.
- **Maximise the use of social housing in the prevention of homelessness** – deliver more homes and work with partners to make best use of assets for this purpose.
- **Review our approach to service delivery** - Further develop the psychologically informed and strengths-based approach to how we work with people affected by homelessness and make sure our end to end services are efficient and effective. Supporting and developing the homelessness workforce both in-house and across our partners will be key to reducing and eliminating homelessness and rough sleeping countywide.
- **Undertake a collaborative approach to designing our services** - gain feedback and valuable input from people with lived experience of homelessness so that we can continuously improve our services, and effectively commission others.
- **Supporting and developing the homelessness workforce** – internally and across the system to develop the skills and knowledge to effect positive and inclusive change.
- **Review our Allocations Scheme and Nominations Agreements** – to be completed in partnership with Registered Providers to make sure there is some flexibility to house rough sleepers (Housing First or Rapid Re-housing solution) or those who have complex needs but need independent accommodation. The policies and practices between organisations need to be aligned to avoid rejections of households nominated for social housing. Setting annual lettings targets and improved monitoring of the delivery against the Allocations Scheme and Nominations Agreements (including reasons for rejections) will provide robust evidence of success or the need for further review.

Future Challenges

- **Security of resources – staff and finance.** Reductions in available council budgets whilst supporting post-Covid recovery in the community will have an impact on the available resources. Commissioned service providers need security of income. We need to find more ways of pooling resources, gaining economies of scale and of benefiting our communities by working cross-county to deliver joint outputs. We also need to maximise the opportunity presented by government funding announcements to provide more accommodation for those who are currently homeless, at risk of homeless or rough sleeping.
- **Provision of more affordable homes and move-on accommodation in suitable locations** – With limited available council-owned land, if the proposed changes (2020) to the planning system are introduced, there are likely to be fewer social and affordable rented homes delivered in future, as traditionally there has been a reliance on affordable homes delivered via S.106 obligations. More self-contained smaller accommodation is required in order to move away from shared supported accommodation. This will facilitate a housing-led approach to operate more effectively. Registered Providers and public bodies will need to support the council to deliver the additional homes through new-build and regeneration/best use of existing assets.
- **Provision of accommodation for younger people to prevent homelessness** – There is a gap in youth support provision and the young person supported pathway requires review.
- **Ageing population** - provision of accommodation for older people/people requiring Extra Care housing on discharge from hospital – formal agreements will need to direct routes to Social Care and provider landlords to secure a prompt response and access to suitable accommodation to prevent homelessness.
- **Challenges presented by increasing unemployment and impact of Covid-19 on economic recovery** – It will be important to maximise the opportunities presented through commissioning and partnership working to signpost customers to relevant debt and money advice, benefits advice, access to training, education and employment. An increase in demand is expected for tenancy support services in both social housing and private sector housing.
- **Reinstatement of eviction proceedings** – increase in the need for customer support after the government's ban on evictions (post Covid-19) is lifted. Whilst work is ongoing with identified customers, those who have not yet approached the council will require intense support to prevent their homelessness. An effective communications plan is required to promote early engagement with the council.
- **Affordability of accommodation** – rising house prices, unemployment rates, potential rise in debts, rise in rents in the private rented sector, and lack of social rented housing supply, will impact on the affordability of homes for many people, not only the 1300 households on our housing register. The highest cause of homelessness in Cherwell is the loss of an Assured Shorthold Tenancy in private rented properties, followed by family/friends no longer able to accommodate.
- **Improving standards in private rented sector accommodation** – the lack of social housing supply places a greater demand on the private rented sector (PRS). In an environment of low median income and high housing demand, it will be important to take enforcement action on landlords who do not keep up the property maintenance standards. Otherwise there will be very few suitable private sector housing options available.

- **Provision of accommodation to meet the needs of Gypsy and Traveller Communities** – as part of Cherwell District Council's Local Plan Review 2040, a Gypsy and Traveller Accommodation Assessment will be completed to identify additional needs for sites/pitches in Cherwell district. It will be important to ensure that the Communities are kept informed of all housing options available to them.

5. Resources

Cherwell District Council is planning ahead for the possibility of budgetary challenges in future. The challenges stem from local government funding reductions across the nation and the long-term impact of Covid-19. The council estimates that it may have to make around £9.5m of savings in 2021/22 with the final figure determined by the outcome of the Comprehensive Spending Review in November 2020, and updates from central Government on how business rates, the New Homes Bonus and other grants will be re-configured nationally. Given the significant savings to be made, it will be essential to work in partnership to undertake effective commissioning of services, and focus on joint bids with other Oxfordshire Councils to secure government funds and other investments to deliver our strategic priorities over the next five years. The dedicated resources to prevent and reduce homelessness and rough sleeping in the district are set out below.

Staff Resources

The Housing Needs Team is responsible for housing and homelessness advice, and the allocation of social housing. The team comprises:

1 x Housing Services Manager who manages the:

Homelessness and Housing Options Team comprising of:

- 1 x Senior Housing Officer
- 4 x Housing Options Officers
- 1 x Housing Options Officer (Single Homeless Specialist)
- 3 x Tenancy Support Officers
- 1 x Housing Options Officer (Temporary Accommodation)
- 1 x Assistant Housing Options Officer

Allocations and Cherwell Bond Scheme Team comprising of:

- 1 x Senior Housing Officer
- 5 x Housing Officers
- 2 x Assistant Housing Officers
- 1 x Housing Officer (Bond Scheme)

The Housing Service also includes the Housing Strategy and Development Team, Access and Grants Team and Private Sector Housing Standards Team. The teams work in collaboration with each other and across wider council and county partnerships to deliver the most suitable housing solutions to meet individual customer needs.

Flexible Homelessness Support Grant

Central Government allocates funding to local housing authorities for homelessness prevention work. The Flexible Homelessness Support Grant (FHSG) funding has been used by the Housing Needs Team to support a range of community and voluntary sector groups who provide services within the district that are focused on supporting the prevention of homelessness. For example, the provision of drop-in centres for people who are homeless or unsuitably housed, outreach and

verification services for rough sleepers and outreach support for victims of domestic abuse. The Flexible Homelessness Support Grant allocation for each year since 2018 is as follows:

In 2018/2019: £178,538

In 2019/2020: £205,425

In 2020/2021: £265,225

Homelessness Reduction Act: New Burdens Funding

The government has provided funding to local authorities to help meet the cost of implementing the new burdens and additional duties set out in the Homelessness Reduction Act 2017. To date, Cherwell District Council has received the following and is awaiting confirmation on 2021/22 budget:

In 2018/2019: £43,277

In 2019/2020: £45,747

In 2020/2021: £142,826

Total Allocation: £231,850

In the winter of 2019, the Council was successful in attracting £25,000 Cold Weather Funding from MHCLG which was used to provide five temporary bedroom spaces with support services in Banbury, for rough sleepers who had higher level support needs. The scheme was extended during the Covid-19 lockdown period and subsequently all residents have been supported into longer-term accommodation or Housing First units with support. In October 2020, the government announced a £10 million Cold Weather Fund to support councils get rough sleepers off the streets during the winter by helping them to provide more self-contained accommodation. In addition to this, £2 million was made available to faith and community groups to help them provide secure accommodation for rough sleepers. We will maximise the opportunity to secure additional funds such as these to ensure that rough sleepers are safe, off the streets and have opportunities to build personal resilience that will enable them to end their rough sleeping cycle.

Service commissioning

Using FHSG, New Burdens funding and our own budgets, we commission a range of services to support our aim of reducing and preventing homelessness and rough sleeping. Where appropriate we have contributed to a pooled budget with other Oxfordshire councils to commission services that are countywide. The commissioned services are listed below:

- Debt and Money Advice c.£215,000 per annum to November 2022.
- Faithworks (furniture recycling project) (£15,000 in 2020/21)
- The Beacon drop-in centre supports people who are homeless or rough sleeping (£15,000 in 2020/21).
- The Salvation Army for homeless support (£15,000 in 2020/21)
- Cherwell DC contribution towards countywide domestic abuse services (£25,000 in 2020/21)
- Assertive Outreach and Verification Service was commissioned in 2020 using the council's allocated budget (c.£49,000 per annum to 2022)
- Pooled budget: Cherwell District Council's contribution towards the Single Homeless Pathway (£62,700 in 2020/21); Young People Supported Housing Pathway (£59,811 in 2020/21 then £119,000 per annum from April 2021 onward).

Additional services have been commissioned using Rough Sleeper Initiative Funding secured following joint funding bids made to MHCLG in 2019 and 2020. The RSI funding has been used as follows:

- Enhanced Floating Support Service that was commissioned with RSI 3 funding of £45,000. This service will be provided up until May 2021 with the current funding.
- RSI 3 funding was also secured to enable the council to fund a Single Homeless Options Officer (Rough Sleeping) role in the Housing Team, which will specialise in supporting rough sleepers and single homeless households and working with partner agencies to step up the outreach work. The funding awards are shown in the table:

Rough Sleeper Initiative funding round 2 (RSI2) in 2019/20 was £136,000

Purpose	Amount
Countywide Strategic Coordinator Post (2 years)	£46,000
Enhanced floating support to complement the Outreach and Verification Service in Cherwell	£40,000
Housing First (HF) 6 units in Cherwell	£35,000
Housing First Personalisation Fund	£15,000

Rough Sleeper Initiative funding round 3 (RSI3) in 2020/21 was £236,061

Purpose	Amount
Housing First 8 units in Cherwell	£50,000
Housing Options Officer Single Homeless Specialist	£48,561
Enhanced floating support to complement the Outreach and Verification Service in Cherwell	£45,000
10 beds for complex needs	£92,500

In response to the launch of the Next Steps Accommodation Programme (NSAP) in July 2020, the council has been awarded £120,400 part of which will enable extended provision of emergency accommodation to March 2021 for the homeless households accommodated through the 'Everyone in' initiative. It will also cover staffing costs for one year, to provide housing-related support to settle single homeless households into new accommodation.

We have also secured £28,764 capital and £124,000 revenue from NSAP funding to refurbish 9 flats and use them as move on accommodation with support for single homeless households up until 2024.

6. Action plan and governance

We have developed a Housing and Homelessness Strategy Action Plan for the first two years of this strategy.

The action plan will be reviewed and updated annually with input from our stakeholders, partners and customers who use our service and who have lived experience of homelessness, to make sure the future actions we are planning to take, remain responsive to emerging local need, Government legislation and guidance.

We will report to our Homelessness Network of relevant stakeholders and Cherwell District Council Scrutiny Committee annually on the progress made in delivering the Homelessness and Rough Sleeping Strategy Action Plan to ensure we remain on target.

7. Consultation

A Review of Homelessness Services in 2020 and a workshop with Registered Provider partners on 30 September 2020, informed the priorities for this Homelessness and Rough Sleeping Strategy 2021-2026.

Between 30 November 2020 and 17 January 2021, the public, service users, stakeholders and partner organisations were consulted on the draft Housing and Homelessness Strategy 2021-2026 and associated action plan. Feedback received during the consultation was used to inform amendments to the draft strategy and action plan and also to update the Equality and Climate Change Impact Assessment.

This final strategy has been published following approval by the Council's Executive in March 2021.

Appendix 2: Homelessness and Rough Sleeping Strategy 2021-2026 Draft Action Plan to 2023

Our Vision is: To work in partnership with customers at the heart of our approach, to understand, prevent and resolve homelessness so that no one has to sleep rough in Cherwell.

This Action Plan sets out the key objectives to be achieved over the first two years of the strategy. The plan will be reviewed with our stakeholders and with service users, and a new plan will be developed for the period from 2023. This ensures that the plan remains responsive to national, countywide or local policy context and available resources.

Contents

Priority 1: Work with the County, City and District Councils and partner organisations across Oxfordshire to identify the causes of homelessness in our area, facilitate early interventions and responses to increase successful homelessness preventions, and make sure that no one has to sleep rough.2

Priority 2: Proactively identify, engage with and assist households who have difficulty accessing and receiving homelessness services6

Priority 3: Proactively engage with and support households to develop housing resilience and when needed, to access suitable accommodation to meet their longer-term needs.8

Priority 4: Engage and work collaboratively with people with lived experience of homelessness and commission the right support to reduce, prevent and ultimately end homelessness and rough sleeping. 10

Priority 5: Make sure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency 11

Priority 6: Work in partnership to increase supply of affordable housing and make sure that accommodation in the private sector is good quality, that tenants are treated lawfully and fairly, and there is improved access to affordable private sector accommodation for homeless households..... 12

Priority 1: Work with the County, City and District Councils and partner organisations across Oxfordshire to identify the causes of homelessness in our area, facilitate early interventions and responses to increase successful homelessness preventions, and make sure that no one has to sleep rough.

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
1	Work with partners countywide to explore the opportunities to implement an early intervention hub with locally accessible provision in Cherwell, to enable rapid access for all those sleeping rough or at immediate risk of rough sleeping, including a psychologically informed assessment of their specific needs.	<p>Participate to establish a project steering group, Terms of Reference and project scope and risk assessment.</p> <p>Establish what staff resources and budgets would be needed to progress with the project and where needed, proactively support joint funding bids for external funding to support a project feasibility study, and if supported, project development and implementation (including costs for additional staff resources to manage the project)</p>	Assistant Director Housing and Social Care Commissioning	<p>Participation and commitment of all councils</p> <p>Available external funding Strategic Countywide Co-ordinator resources</p> <p>CDC staff capacity to support the project Steering Group work.</p>	<p>Staff time</p> <p>External funding to resource the project</p>	December 2021
2	Continue to facilitate provision of accommodation with support for people who are homeless or rough sleeping and have complex needs (including emergency and cold weather provision during winter months).	<p>Monitor and review contract arrangements to provide up to 14 beds of supported accommodation in Cherwell district that provides a psychologically informed support service for people with complex needs.</p> <p>Operate a local Severe Weather Emergency Protocol in the district.</p> <p>Bid for available MHCLG Cold Weather Funding.</p> <p>Use Cold Weather Funding (or other available CDC funds) to facilitate provision of accommodation and support for rough sleepers during the extended winter months.</p>	Housing Options and Allocations Manager with support from Housing Strategy	<p>Suitable accommodation continuing to be available.</p> <p>MHCLG or CDC homelessness funding availability.</p> <p>Continued need for (winter beds) service</p>	Staff time	March 2022
3	Engage in the development and delivery of services to accommodate and support Young People (including care leavers) and to help them to move on to, and sustain (including work to avoid eviction from), settled accommodation at the right time for them.	<p>Work with Oxfordshire County Council, City and District councils to:</p> <ul style="list-style-type: none"> Evaluate existing provision Work with providers to get the best outcomes for young people Implement the care leaver protocol to prevent and resolve homelessness for this vulnerable group 	Assistant Director Housing and Social Care Commissioning	<p>All partners' available resources.</p> <p>Support to facilitate service user involvement.</p>	<p>Staff time</p> <p>Long term housing options being available for care leavers and young people</p>	September 2021

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
4	Engage in the commissioning and delivery of Adult Homeless Accommodation and county wide floating support services to ensure that the right housing choices and a range of support options are available to prevent (including work to avoid eviction) and assist recovery from homelessness.	<p>Work with Oxfordshire County Council, City and District councils and Oxfordshire Clinical Commissioning Group to:</p> <ul style="list-style-type: none"> Evaluate existing provision. Develop specifications for a new service with feedback from service users to inform design. Jointly commission services (OCC leading) 	Assistant Director Housing and Social Care Commissioning	<p>All partners' available resources.</p> <p>Support to facilitate service user involvement.</p>	<p>Staff time</p> <p>Pooled funding to commission services from April 2022</p>	April 2022
5	Review our Allocations Scheme and Nominations Agreements to make sure they do not create barriers to housing and prioritise households most in need. Ensure monitoring arrangements are in place to identify and address any inequalities.	<p>Work with stakeholders to review the council's Housing Allocations Scheme and use of 'reasonable preference groups' to ensure that scheme criteria do not create barriers to accessing social housing in the district.</p> <p>Review Nomination Agreements with Registered Providers and ensure robust monitoring arrangements are in place to demonstrate the equity of allocation of social housing in the district (new and re-lets) and rejection of suitable nominations are challenged.</p> <p>As part of a countywide steering group, consider the opportunities to develop a countywide allocations scheme for the future.</p>	Housing Options and Allocations Manager with support of Housing Strategy	<p>Staff resources.</p> <p>Engagement of partners and Oxfordshire councils.</p>	Staff time	September 2021
6	Increase our homelessness prevention rates and improve our housing offer to single homeless customers by expanding the provision of Housing First and by building on a housing-led approach to meeting customer needs.	<p>Increase homelessness prevention rates annually from those recorded in 2020/21.</p> <p>Monitor delivery of existing Service Level Agreements and contracts on a quarterly cycle to make sure 16 Housing First units are provided in the district.</p> <p>Explore funding and delivery options and, subject to available funding, prepare a service specification with costs to deliver a more Housing First (higher support needs) units and a housing-led approach to preventing homelessness and rough sleeping.</p>	Housing Options and Allocations Manager with input from Housing Strategy	<p>Staff resources</p> <p>Timely referrals to the service and engagement of customers</p> <p>Housing First and housing-led units being made available by RP partners</p> <p>MHCLG funding being made available after July 2021</p>	Staff time	July 2021

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
7	Support and expand the Cherwell Homelessness Network to ensure new representative groups e.g. Oxfordshire Homeless Movement, Lived Experience Advisory Forum and others, are able to participate in the design and delivery of local housing solutions and share the learning to inform future delivery of services.	<p>Hold regular engagement meetings with existing and new partners to promote the aims of the Homelessness and Rough Sleeping Strategy and identify how they are able to support delivery of it.</p> <p>Facilitate workshops and focus groups to enable participation in designing and delivering specific services or projects. Use this to inform commissioning of services and developing internal communications across CDC and OCC departments to improve the customer journey.</p>	Housing Strategy and Housing Options and Allocations Manager	<p>Engagement of partners and individuals who have lived experience of homelessness</p> <p>Suitable venues and inclusive methods for engagement</p>	Staff time including CDC and OCC departments	March 2021 onwards
8	Proactively work with each of our partner organisations to emphasise and promote how they can improve identification of customers with early indications of homeless and improve inter-agency referrals (through improved communication) to relevant advice services such as Debt and Money Advice Service and the council under the 'duty to refer'.	<p>Hold regular liaison meetings or information sharing sessions with each of the partner organisations (and internal departments) to understand processes and challenges they face and how they can identify early warning signs of the risk of homelessness; change working practices if needed; participate in the referral process (duty to refer); and where needed, establish information sharing agreements.</p> <p>Work with external partners to ensure protocols/ arrangements are in place, and build strong relationships with relevant co-ordinators within prisons, hospitals, mental health, substance misuse and domestic abuse services, and Social Care services to ensure a referral for housing advice and homelessness prevention services is made at the earliest point.</p> <p>Maximise the opportunity to promote, through the Network, the opportunity for partners to refer households to access debt and money advice services and other local support provided e.g. Brighter Futures, Salvation Army, Faithworks, Beacon Centre etc.at the earliest point to prevent homelessness.</p>	Housing Options and Allocations Manager with support from Housing Strategy	<p>Engagement of partners</p> <p>Staff resources</p> <p>Information sharing agreements</p>	Staff time	March 2021 onwards

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
9	Improve monitoring data from delivery of existing service contracts, Personal Housing Plans, successful prevention cases, and obtain input from people with lived experience of homelessness, to identify what works locally to prevent homelessness and rough sleeping and deliver successful outcomes for the longer-term.	<p>Review findings from the countywide research into the feasibility of a housing-led approach in Oxfordshire, conducted by Crisis.</p> <p>Undertake quarterly quality assessments or reviews of Personal Housing Plans and prevention cases and seek individual feedback from customers on their experience of the service and identify what worked well or not.</p> <p>Use the findings from the individual reviews to promote quality standards and best practice approaches for staff (and where appropriate, provide feedback to external parties involved) and monitor the impact this has on homelessness prevention and relief statistics.</p>	Housing Options and Allocations Manager	<p>Staff resources</p> <p>Engagement of customers to give feedback</p> <p>Engagement of external partners.</p> <p>Good quality data recording.</p>	Staff time	March 2021 and ongoing

Priority 2: Proactively identify, engage with and assist households who have difficulty accessing and receiving homelessness services

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
10	Make sure our commissioning process includes a contractual requirement to support customer engagement in the design and delivery of homelessness prevention and housing-related support services.	Review existing wording of standard contracts and Service Level Agreements and work with CDC legal team to draft appropriate clauses for use within any new agreements.	Housing Strategy	Staff resources	Staff time Legal expertise	March 2021 onwards
11	Engage with service providers, statutory and voluntary sector organisations and faith groups to explore how the council can better engage and gain the trust of households who are homeless or at risk of homelessness (including sofa surfers and others who may be 'hidden homeless'), and to deliver a strengths-based, person-centred approach to resolve housing issues.	Facilitate individual discussions or focus groups with Cherwell Homelessness Network of partners to establish what needs to change to build service users' trust and their engagement in council services and identify a clear action plan for change with regular communications with service users and partner agencies on implementation of the action plan e.g. 'You said, we did..', case studies of positive outcomes through engagement. Use feedback from the above to inform how Personal Housing Plans are put together in a way that maximises a strengths-based, person-centred approach to housing solutions and helps to develop a culture of mutual trust.	Housing Strategy with input from Housing Options and Allocations Manager	Staff resources Participation of partners Suitable method of engagement.	Staff time	March 2021 onwards
12	Carry out an equality audit on the council's housing service to identify improvements and actions to ensure the service and policies are fully inclusive and made more easily accessible to those who need them.	Identify resources required and scope of the audit and either commission relevant external support/ expertise to undertake the review, or, subject to available staff resources, work with internal departments to undertake an internal audit of services and prepare a report with recommendations for change.	Housing Strategy and Housing Options and Allocations Manager	Staff resources Input from other departments within CDC and OCC	Staff time Potential funding to commission independent review / relevant expertise.	March 2022
13	Build improved protocols and procedures with our statutory and non-statutory partner agencies to ensure that access to housing, health, social care and support services (including mental health and substance misuse services) are interlinked and referrals made between organisations are efficient, and the services are responsive to customer needs at the point of contact (including early interventions that will prevent or eliminate the risk of homelessness).	Work with countywide partners to review success of existing protocols and agree amendments or develop new ones to ensure there is a focus on access to: housing, health, social care services and support; and effective systems are in place to refer customers to appropriate services (with follow up) to effectively reduce or eliminate homelessness or the risk of future homelessness. This includes: hospital and prison discharge protocols; pre-eviction protocols; social prescribing to services and support; referrals to and from health and social care professionals.	Countywide project with Assistant Director Housing and Social Care Commissioning as CDC Lead	Staff resources Engagement of partners	Staff time	March 2022

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
14	Review and update the Homeless Pocket Guide and ensure this is widely promoted.	Review and update the 2019 Homeless Pocked Guide, publish and distribute along with appropriate communications to promote its use.	Housing Strategy Team	Staff resources	Staff time Funding to cover the cost of graphics, printing of hard copies and distribution.	December 2021

Priority 3: Proactively engage with and support households to develop housing resilience and when needed, to access suitable accommodation to meet their longer-term needs.

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
15	Continue to invest in the provision of effective floating support and outreach services that will support households, not only to access and sustain accommodation, but to enable them to build personal resilience and independence from support in the longer term.	<p>Monitor and evaluate impact, outcomes and cost effectiveness of existing service provision 2020/21 - with input from people with lived experience.</p> <p>Identify future service needs and changes to the service that would enable customer personal resilience and independence and future commissioning.</p> <p>Explore opportunities to make efficiencies and to jointly commission services with countywide partners.</p>	Housing Strategy and Housing Options and Allocations Manager	<p>Staff resources</p> <p>Engagement of partners and people with lived experience of homelessness.</p> <p>Availability of funding to support future commissioning.</p>	Staff time	March 2022
16	Expand our provision of Housing First and develop a housing-led approach to resolving housing crisis in Cherwell district.	See Actions set out in Item 6.	Housing Options and Allocations Manager with input from Housing Strategy	<p>Staff resources</p> <p>Timely referrals and engagement of customers</p> <p>Availability of accommodation and funding</p>	Staff time	July 2021
17	Provide additional 'Tenancy Prepared' courses and, work with Registered Providers and private landlords to assign tenancies to homeless households that have appropriate support in place and are 'tenancy supported'.	<p>Review success of previous 'Tenancy Prepared' programmes via case studies.</p> <p>Work in partnership with Registered Providers, other Oxfordshire councils and voluntary sector organisations to identify opportunities to deliver additional courses or deliver tenancy support programmes.</p> <p>Work with Registered Providers across the district to secure agreements to accept nominations from the council where the tenant would have access to tenancy support services post occupation.</p>	Housing Options and Allocations Manager	<p>Staff resources</p> <p>Appropriate venues or technology required to deliver the programmes to vulnerable people.</p> <p>Available funding to support delivery.</p>	<p>Staff time</p> <p>Potential funding required to facilitate delivery and course materials.</p>	December 2022

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
18	Use a strengths-based and person-centred approach to personalised housing plans that puts the person at the centre of their housing solution.	<p>Review of 'on the day' presentations to the service to establish approach taken and quality of service from all partners involved with supporting the customer.</p> <p>Review Housing staff training and skill sets and provide update training to enable them to embed to ensure consistency and confidence in using a strengths-based approach to resolving housing crisis.</p> <p>Monitor implementation and quality of service - including feedback from customers.</p>	Housing Options and Allocations Manager	<p>Staff resources</p> <p>Cost-effective, quality training being available</p>	<p>Staff time</p> <p>Funding for staff Learning & Development</p>	March 2021 and ongoing
19	Ensure households in the private rented sector are able to receive early advice and money management support from the Debt and Money Advice Service provider, and support from the council's housing advice service to sustain their tenancy and avoid unnecessary evictions.	Develop a comprehensive communications plan to promote access routes to the housing advice and options services provided by the council and the commissioned Debt and Money Advice service.	CDC Communications Team with input from CDC Housing Service	<p>Staff resources</p> <p>Engagement of service provider</p>	<p>Staff time</p> <p>Potential costs of promotional materials</p>	March 2021 and ongoing
20	Evaluate the Cherwell pilot of Family Solutions Plus and implement the embedded housing worker into this service model to support early housing intervention with vulnerable families.	Complete the evaluation Work with countywide partners to establish funding and resources to implement embedded housing worker into the model.	Housing Options and Allocations Manager	<p>Staff resources</p> <p>Engagement of partners</p> <p>Availability of funding</p>	Staff time	March 2022
21	Work in partnership with Cherwell Homeless Network partners to improve communications to all households about the housing information, advice and support available so that they can access it at the earliest point and avoid housing crisis.	<p>Work with Partners to establish preferred methods of communication and agree any joint communications.</p> <p>Work with CDC internal departments to design communications.</p> <p>As part of the wider communications plan, launch communications and monitor responses / impact on service i.e. any trend in early presentations to services.</p>	Housing Strategy and Housing Options and Allocations Manager with input from CDC Communications Team	<p>Staff resources</p> <p>Engagement of partners</p> <p>Potential cost of communications (design costs, distribution)</p>	<p>Staff time</p> <p>Potential cost of communications</p>	March 2021 and ongoing

Priority 4: Engage and work collaboratively with people with lived experience of homelessness and commission the right support to reduce, prevent and ultimately end homelessness and rough sleeping.

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
22	Maximise the opportunity to secure MHCLG and other funding to support the commissioning of services that will help to prevent and end rough sleeping in the district.	Build on existing relationships with MHCLG and proactively pursue and bid for all available funding to support homelessness initiatives to be realised in the district.	Housing Strategy and Housing Options and Allocations Manager	Staff resources Funding being available	Staff time	March 2021 and ongoing
23	Design feedback mechanisms for customers to comment on our services and engage with people with lived experience of homelessness and rough sleeping to ensure that we understand their experience of our services and use this to co-produce new responses.	Establish a focus group to include CDC Customer Services, stakeholders and people who have lived experience of homelessness and rough sleeping to design a scheme to effectively obtain feedback from customers and use their experiences to design new or improve existing service delivery.	Housing Strategy	Staff resources Technology available to easily support collation of feedback.	Staff time	March 2022
24	Participate in the county wide workforce transformation initiative that will support our staff to undertake training and develop their skills, engage with people who have lived experience of homelessness, and adopt a person-centred approach to service delivery.	Enable staff to attend any countywide training arranged and ensure that there are opportunities for service providers to participate. Ensure training covers: enhanced open interview techniques and strengths-based interviewing; understanding the needs of customers who have mental ill-health or have a history of substance misuse; other relevant training to enhance the person-centred and trauma-informed approach. Review case work (post training) to ensure learning is being implemented effectively.	Housing Options and Allocations Manager	Staff resources Availability and cost of suitable training Opportunity to secure MHCLG or other funding to roll out the training.	Staff time Cost of training	December 2021
25	Monitor the support provided by council services and voluntary groups to ensure the correct housing advice and information is being provided, and opportunities to signpost to complementary services are being maximised.	See Items 8, 18, and 24 above. In addition, monitoring of general customer contact with the council, commissioned services, case studies and feedback from customers will enable a full picture of the quality of service being provided by all.	Housing Strategy and Housing Options and Allocations Manager with input from Customer Services	Staff resources Engagement of partners	Staff time	March 2022
26	Embed learning from the Shelter Health Check and refresh the 'Lean Review' of end to end homeless processes, working with service users to identify opportunities for improvements and efficiencies.	Complete actions identified following the Shelter Review of CDC Housing Services and: Refresh the lean review, focussing on end to end customer journey to receive services through Housing Options, ensuring the process is accessible, streamlined and accurate data is recorded with clear outputs (homelessness preventions, relief and duty), to enable monitoring of service effectiveness and identify service efficiencies.	Housing Options and Allocations Manager	Staff resources	Staff time	December 2021

Priority 5: Make sure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
27	In partnership with other Oxfordshire Councils and stakeholders, we will undertake a 'lessons learned' review of our housing and support response to Covid-19 and implement changes to ensure that our service is flexible and equipped to deal with any future local Covid-19 outbreak or emergency, as well as monitoring the ongoing impact of Covid-19 on homelessness levels.	<p>Establish scope of the review and resources to complete it.</p> <p>Explore how we can further support people at risk of homelessness caused by job losses and income reduction as a result of the pandemic.</p> <p>Produce a report with recommendations for any proposed changes to housing services.</p> <p>Identification of resources needed and business case to support implementation of recommendations</p>	Assistant Director Housing and Social Care Commissioning	<p>Staff resources</p> <p>Engagement of other Councils and partners to complete the review and implement actions, including employment help and support</p> <p>Ongoing impact of Covid-19 on housing services.</p>	Staff time	July 2021
28	Refresh the business continuity plan and demonstrate how we keep staff and our customers safe, particularly customers in emergency and supported accommodation.	Business continuity plan updated	Assistant Director Housing and Social Care Commissioning	Staff resources	Staff time	July 2021

Priority 6: Work in partnership to increase supply of affordable housing and make sure that accommodation in the private sector is good quality, that tenants are treated lawfully and fairly, and there is improved access to affordable private sector accommodation for homeless households

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
29	Maximise opportunities to attract Homes England, Growth Deal and other public subsidy to deliver a range of additional affordable homes – including more social rent tenure and suitable accommodation to meet the needs of single homeless households.	<p>Work with Registered Provider partners to identify new development opportunities or remodelling of existing accommodation to increase the supply of affordable housing.</p> <p>Provide strategic support of RP funding bids for Homes England Affordable Homes Programme or Growth Deal funding to deliver the homes to meet a range of needs, and particularly to provide accommodation that meets the needs of single homeless households, Extra Care or Supported Living accommodation for vulnerable groups.</p> <p>Proactively work with Registered Providers to secure funding to provide more social rent tenure in the district - enabling at least 30 new social rented homes in the life of the strategy.</p>	Housing Development and Standards Manager and Housing Strategy	<p>Staff Resources</p> <p>Availability of land, assets and opportunity.</p> <p>Engagement and investment of Registered Provider Partners</p> <p>Planning permission</p> <p>Available funding.</p>	Staff time	March 2026
30	Maximise the opportunity to attract MHCLG and other funding to provide the appropriate support services and housing solutions in Cherwell to meet a range of housing and support needs, including move-on accommodation from supported living.	Bid individually or jointly with other councils, to secure MHCLG funding such as Rough Sleeper Initiative, Cold Weather Fund, Next Steps Accommodation Programme or other programme of funding available that will enable the council to implement initiatives within this action plan to provide sufficient and suitable move-on accommodation from supported living as well as any other new initiatives that will support the council's aim of homelessness prevention, reduction and ending rough sleeping.	Housing Development and Standards Manager and Housing Strategy	<p>Staff Resources</p> <p>Availability of land, assets and opportunity</p> <p>Engagement and investment of Registered Provider Partners.</p> <p>Planning permission.</p> <p>Available funding.</p>	Staff time	March 2023

Item	Objectives	Actions	Lead Responsibility	Dependencies	Resources Required	Target Date
31	Widen accommodation options across Cherwell by capitalising on opportunities within the private market for Registered Providers or Build! to acquire additional affordable homes, or for the council to secure nomination rights.	Proactively explore all opportunities to deliver more affordable accommodation and in particular, move-on accommodation for people leaving supported accommodation or care including: <ul style="list-style-type: none"> New-build units secured via S.106 Agreements Registered Provider-owned or leased assets Council-owned or leased assets Assets owned by other public bodies Consider the most suitable option for use and length of term, and the opportunity to secure nomination rights for the council i.e. Options such as guardianship schemes, temporary conversion, upgrade/improvements and refurbishment etc.	Housing Development and Standards Manager and Housing Strategy	Staff Resources Availability of land, assets and opportunity Engagement and investment of Registered Provider Partners Planning permission Available funding.	Staff time	March 2023
32	Work with private sector landlords to maximise opportunities to accommodate refugees who are to settle in Cherwell area as part of the Global Vulnerable Persons Resettlement Scheme.	Proactively promote the package of support available to private sector landlords to secure additional suitable accommodation for refugee families in the Cherwell area. Gain feedback from existing landlords to demonstrate their experience of the scheme and if any improvements could be made. Ensure effective support is provided to refugee households to help them develop housing resilience and reduce the risk of homelessness in future.	Housing Development and Standards Manager and VPRS Officer	Staff resources Participation of private sector landlords Timely arrival of refugee households in the country (post covid)	Staff time	December 2021
33	Work with private sector landlords to secure more good quality properties to let to households who are working or receiving benefits, and to let them on longer-term tenancies through the Cherwell Bond Scheme, and to promote access to this viable housing option to households on our housing register or those who may not qualify for social housing but need to live in Cherwell district.	Proactively pursue opportunities to secure new lets and keep Cherwell Bond Scheme (CBS) offer attractive to landlords. Complete all residency and property checks on time. Proactively promote CBS and increase uptake of households on the housing register as an alternative housing option to social housing.	Housing Options and Allocations Manager	Staff resources Participation of private sector landlords	Staff time Bond/Rent guarantee scheme continuing to be available.	March 2021 and ongoing
34	Continue the work of the Housing Options and Housing Standards Teams to reduce risk of homelessness due to poor housing standards.	Investigate all housing standards concerns promptly and provide appropriate advice or take enforcement action to resolve the issue. Record actions and outcomes to assess effectiveness i.e. homelessness prevention; successful referrals to other advice and support agencies; reduced debt etc.	Housing Development and Standards Manager	Staff resources Participation of private sector tenants and landlords. Legal resources for enforcement action if required.	Staff time Legal resources	March 2021 and ongoing



Disabled Adaptations Policy

1 February 2021

Disabled Adaptations Policy

1. Introduction to the policy

- 1.1 Home adaptations help disabled people of all ages remain safe and independent. Demand for suitable adaptations is expected to increase as our population ages and life-expectancy increases. The scale and range of disabilities for which assistance is being sought is also growing.
- 1.2 Cherwell District Council is committed to helping disabled residents. We shall use our resources and administer available grants and grant budgets to help them achieve homes which meet their needs wherever we can.
- 1.3 However, both practical resources and budgets are finite, which means that the help the Council provides must be kept under review and decisions must be made about how we can best help disabled residents. Those decisions are underpinned by two principle requirements: - that help must be delivered according to need and public money must be used effectively. We also have to take into account the eligibility tests prescribed for mandatory DFGs, help which may be available through any discretionary grants the Council can provide, and the budget available.
- 1.4 This policy follows from our successful *Disabled Facilities Grant Policy*, which has been operational since 2010, and which it replaces. It takes account of evolving practice and changes to grant funding which have taken place since 2010. The change in title is intended to reflect those changes but the new policy is essentially an evolutionary development. It sets out the approach the Council will take in the provision of assistance to disabled residents and the principles it will apply. It is not a procedure guide and, subject to the principles established here, practical delivery and administrative issues will continue to be matters for the Council's managers.
- 1.5 The new policy will help the Council deliver on the strategic priorities it has set out in its Business Plan and its Housing Strategy, most specifically: supporting our most vulnerable residents and helping them achieve a home where they can live independently. It recognises the joint working that has been established with Oxfordshire County Council (OCC) and reflects both Oxfordshire Health and Wellbeing Board's vision '*to work together in supporting and maintaining excellent health and wellbeing for all the residents of Oxfordshire*' and the ambition, set out in OCC's Adult Social Care Market Position Statement, to '*Increase the number of people supported at home*'.
- 1.6 The Policy has been developed with input from our key service delivery partners and has been subject to consultation.

2. Background to disabled adaptations

- 2.1 Disabled Facility Grants (DFGs) were first introduced in 1990. They are now the only housing-related grant local authorities are required to provide; although discretionary grants are increasingly being used both to support and, in some situations, to substitute for mandatory DFGs.
- 2.2 There have been two important changes since the original *Disabled Facility Grant Policy* was introduced in 2010:
 - 2.2.1 The first was that from April 2015, funding ceased to come to local authorities directly from the Government and was instead included in Better Care Fund (BCF) budgets¹ for

¹ The Better Care Fund is essentially a single pooled budget intended to ensure health & social care services worked more closely together in local areas. It is based on a plan agreed between the NHS & local authorities (at county level).

distribution to Housing Authorities², albeit that monies intended for adaptations were still subject to specific, ongoing governmental direction as to allocation levels. Although no changes were made to the rules surrounding mandatory DFGs, funding through the Better Care Fund was associated with an expectation that, in addition to providing DFGs, local authorities would take advantage of their discretionary powers and use the budget to help in other ways as well³. The significance of that change was not immediately or fully appreciated by many local authorities, particularly where all the available funding was still required to meet demand for mandatory DFGs.

2.2.2 The second change was the level of funding has increased significantly since 2016⁴. In response, the Council has continued to review and revise its services and has introduced a suite of discretionary grants to make best use of the available funding through extending and improving the help we deliver to disabled residents⁵.

2.3 Whereas the *Disabled Facility Grant Policy 2010* was principally concerned with mandatory DFGs, this *Disabled Adaptations Policy 2020* encompasses the wider range of assistance the Council provides to disabled residents by means of both DFGs and discretionary disabled adaptation grants⁶, and how it will integrate them. It does not however deal with how discretionary grants are set; that is dealt with in the Council's *Grants and Assistance Policy*.

3. The legal framework

3.1 Although introduced in 1990, the legal provisions covering DFGs are now contained in the *Housing Grants, Construction & Regeneration Act 1996* (HGCRA) and regulations made under it. DFGs are mandatory grants and the Council must approve applications when the required tests are met. A summary of the key legal provisions is provided in Appendix 1, and an explanation of the eligibility tests in Appendix 2.

3.2 However, the *Regulatory Reform Order (Housing Assistance) (England and Wales) Order 2002*, provides the Council with wide discretion as to how it can use its powers to improve living conditions in its area. The only stipulation being that the Council must adopt and publish a policy setting out how it will use its powers. The Council's *Grants and Assistance Policy* fulfils that requirement. It provides a framework under which the Head of Service, in consultation with the Lead Member for Housing, can introduce, vary and withdraw discretionary grants.

3.3 The Council is making increasing use of its powers under the *Regulatory Reform Order* to introduce discretionary grants and use them to deliver adaptations. Although these discretionary grants are specific to the Council and reflect the Council's requirements and circumstances, they are similar in many respects to grants provided by other Oxfordshire authorities. Where possible we seek a common approach, which is intended to help establish consistency across the county in order to assist residents, support agencies and our County Council partner (which must operate across the five Oxfordshire districts).

² Essentially the districts in two-tier counties.

³ See explanation of the Regulatory Reform (Housing Assistance) Order 2002 powers in section 3.2

⁴ The BCF allocation increased from £475k in 2015-16 to £1.09M in 2019-20, an overall increase of 139%.

⁵ The Government does periodically provide additional capital funding for adaptation work. This funding can be used towards the delivery of additional DFGs, additional discretionary grants of approved types or associated projects agreed with OCC.

⁶ The Council may introduce, vary and cease providing particular discretionary grants at any stage (as provided for in its Grants & Assistance Policy). The term 'discretionary disabled adaptation grants', is used in this Policy as a collective reference to that range of discretionary grants, funded from the Council's DFG budget, which is available at any particular point in time.

Information about currently available discretionary grants is provided in the Council's Grants & Assistance Policy available on the website.

4. **The grant process**

- 4.1 Grant processes are not set out in any detail in this policy although some aspects require explanation and are included below. A step-by-step guide: *Oxfordshire Grant Aided Home Adaptations* has been produced to explain how the grant process works and the respective roles of the Council and of Oxfordshire County Council⁷. That Guide explains our jointly agreed approach and how we shall assist disabled service users to carry out adaptations to their homes. The awarding of a grant is however a legal process which means that there are certain formal steps which we must complete. In the case of DFGs, some of those steps are required by law.
- 4.2 The last policy was principally concerned with the DFG process and how we intended to ensure it was made as fair and effective as possible. Much of that work has been successfully completed in the period since 2010 and continues to be reflected in our current practices and procedures. This Policy establishes how we shall integrate our continuing responsibilities for the administration of mandatory DFGs with the ability to meet the needs of some clients by means of discretionary grants, either in place of a mandatory DFG or to supplement it.
- 4.3 The use of discretionary grants to help provide adaptations has not changed the way in which clients' needs are assessed; that remains unchanged: All clients' needs for adaptations are assessed by the County Council. OCC's determinations include whether a client requires provision of equipment (which is covered by the County) or may need a home adaptation because of a long-term disability. Cases of the latter sort are passed to an Occupational Therapist (OT) for assessment. If the OT determines that an adaptation can meet the client's need, a referral is sent to the Council⁸.
- 4.4 The receipt of an OT's referral remains the established starting point for the Council's disabled adaptations grant work⁹. At that point the Council knows it has a disabled client requiring assistance, knows what works are considered appropriate by the County Council (the Welfare Authority) and can set about determining how best to meet that need¹⁰.

(Note: The DFG legislation is written in a way which suggests the starting point for a grant case is receipt by the Council of a completed application which, subject to eligibility being confirmed and to the outcome of the statutory test-of-resources, then requires approval by the Council. Although that can happen, it is very infrequent. In Oxfordshire, current practice is that the grant process starts with an assessment of needs by OCC, with adaptation enquiries either being made directly to them or being re-routed to them by the Council for that to take place. In effect OCC triage clients' needs before a case comes to the Council's Grants Team as a referral. This alternative approach to the process envisaged at the time the legislation was written, has developed in large part because of the establishment of Home Improvement Agencies (HIAs). Part of their role is to help

⁷ Specifically, OCC's Social and Health Care service which employs the Occupational Therapists (OTs) who undertake on-site assessment of clients' needs.

⁸ Referrals are now submitted through the Case Manager software system in use across the county to record, help process and track cases.

⁹ Although our working arrangement is that any case perceived as being complex, extensive or out of the ordinary should be flagged-up at the earliest opportunity and a joint visit carried out prior to referral if possible.

¹⁰ Note that when the larger part of the Council's housing stock was transferred to Charter Community Housing in 2004, that company entered into a Deed of Covenant in which it undertook to fund disabled adaptations for its tenants (subject to funding levels set out in the Deed). Sanctuary Housing is now responsible for that work in relation to what was Charter's stock. (Although the Council deals with adaptations in the rest of Sanctuary's local stock.)

clients with the pre-application aspects of the process, such as the preparation of plans, specification writing and tendering, all of which must be completed before a formal DFG application can be made. In addition to the process starting with OCC rather than the Council, the making of an application also takes place later in the process when an HIA is acting for a client.)

Investigation, information gathering and advice

- 4.5 One of the important principles established in the *2010 Policy* was that the full range of possible options for meeting a client's needs must be explored at the outset. That principle is repeated here. The options explored will include consideration of alternative accommodation in appropriate cases, such as when adapting a client's existing home may be impractical, excessively expensive or inappropriate for other reasons (e.g. a landlord's failure to provide consent to the works, overcrowding or an inability to further adapt in future to meet expected changes in the client's health).
- 4.6 In order that the Council can make decisions about eligibility, about the help we can give and, if the client is eligible for a grant, about the works that are most appropriate, we need to gather and consider a range of information. In addition to the OTs recommendations (their 'referral') we shall to need to take appropriate account of information such as:
- the client's express wishes and aspirations
 - the client's financial circumstances
 - the cost of works
 - the time it is likely to take to deliver the adaptation(s) proposed
 - the extent of any family or other practical support
 - the requirements and safety of any carers
 - the suitability of the client's home for adaptation (including the extent of any under-occupation or over-occupation)
 - the practicalities of adapting the client's home (taking into account both the site on which it sits and its wider location)
 - the length of time for which the client is likely to be able to take advantage of the adaptation(s)
 - the likely need for future adaptations
 - the availability of, and eligibility for, suitable alternative accommodation
 - the extent to which the adaptation(s) are an appropriate use of the funding available to the Council.

Choice of appropriate grant

- 4.7 One we have this information we can determine how best to provide assistance. Those decisions will take into account the discretionary grants the Council has in place at the time, the specific conditions which apply to them and whether the client is eligible¹¹.
- 4.8 In cases where a discretionary grant is **not** available as an alternative to a mandatory DFG, we shall rely upon a mandatory DFG and will undertake the statutory eligibility tests.
- 4.9 If a client is eligible for a DFG as well as any discretionary grant intended to supplement or support the DFG, we shall explore that option in parallel with the DFG.
- 4.10 The principles included in this policy as the basis for assessment and decision making (see section 5) are intended to apply in all cases. For DFGs certain decisions take the form of statutory tests but we intend to apply the same principles in relation to our discretionary grants to ensure consistency of approach and decision making.

¹¹ The range of available grants may vary from time to time as we seek to ensure they remain effective and appropriate. Our ability to do that would be restricted if we were to include details of particular discretionary grants here. Information is available on the Council's website.

Progressing cases

- 4.11 We shall respond to all requests for advice, enquiries arising from referrals and decisions about grant availability and eligibility at the earliest possible opportunity and will progress adaptation cases with the minimum of delay¹².
- 4.12 The Council has not needed to operate a waiting list for adaptation cases and that is something we remain committed to avoiding if at all possible. We are usually able to respond directly to referrals (and any of the occasional applications) we receive although the speed at which a case can be progressed is largely dependent upon its complexity. We aim to ensure all cases are given appropriate priority and are progressed with the minimum of delay. Further information about delivery times and points at which some delays may occur is given in Appendix 4.
- 4.13 We shall ensure all clients are given a realistic appraisal of the time their case is likely to take at the outset and are then kept updated. We are however sometimes required to respond to urgent situations, and we reserve the right to reprioritise the work our officers are doing on a daily basis in order to ensure that we can respond appropriately when urgent needs arise.
- 4.14 Most clients choose to take advantage of the practical assistance provided by our in-house Home Improvement Agency. That help will be available to clients in connection with both DFGs and discretionary adaptation grants. We do however reserve the right not to provide HIA services in cases we judge to present a risk to the Council's staff, service delivery or reputation.

5. Decision making principles

- 5.1 As stated in section 1.2, at the beginning of this policy, the Council wants to help disabled residents achieve homes which meet their needs wherever we can, but we will determine in each case whether the proposed works are necessary and appropriate and if they are reasonable and practicable¹³
- 5.2 The Council's decision making will include consideration of the following specific expectations and presumptions¹⁴:
- Grant works should properly and fully meet the assessed needs of the client. Grants which only partially meet those needs will only be considered in exceptional cases.
 - Works funded by means of DFG will be the simplest and most cost-effective adaptations that will meet the client's assessed needs¹⁵.
 - Wherever the Council judges it to be a practicable, realistic and appropriate option, the re-ordering and/or change of use of existing rooms will be the preferred solution

¹² Additional information about the time taken for various stages of the grant process is provided in Appendix 3.

¹³ In the case of mandatory DFGs the Council is required by law to be satisfied that these tests are met but intends to apply the same tests to its discretionary adaptations grants as well. Additional information about the tests is provided in Appendix 2.

¹⁴ Which are carried over from the 2010 Disabled Facilities Policy.

¹⁵ If the client wants to proceed with a more costly approach, the Council will consider providing grant funding to the value of the simpler option only. If we agree to this, our decision will be conditional upon the works meeting the assessed need and upon agreement that no future grant funding will be available towards works which become necessary because of the client's decision to proceed with their preferred works rather than those proposed by the Council.

and will take precedence over both the construction of extensions and the installation of equipment (e.g. lifts). This solution will also take precedence if it will result in a reduction in the requirement for, or cost of, equipment.

- There will be a presumption against the refitting of any adaptations which have previously been removed by, or at the request of, the applicant¹⁶.
- Where homes are under-occupied, the Council will explore, encourage and support the option of rehousing to more suitable accommodation before approving a grant.
- There will be a presumption against the adaptation of overcrowded homes or homes which are likely to become overcrowded if potential risk to the applicant can be demonstrated.

6. **Decision making responsibility**

6.1 Decision making as to grant eligibility and choice of available grant are delegated to officers by the Head of Services but will principally fall to, and be organized by, the Grants Team Leader.

6.2 In a minority of cases, and where judged necessary by the Grants Team Leader or the Housing Development and Standards Manager, decisions will be facilitated by the meeting of an ad-hoc Assessment Panel which, in addition to the Grants Team Leader (or nominated substitute), may comprise the Allocations Team Leader, the OT specifically allocated to work with the Council and others as judged appropriate by the Council on a case-by-case basis. (An appropriate deputy may substitute for required attendees as necessary.) Following review, and having considered the views of the Assessment Panel, the Grants Team Leader (or the Housing Development and Standards Manager) will be responsible for determining whether the Council is able to approve a grant and, if a grant is available, which grant and which works are appropriate.

7. **Repayment and recovery of Grant**

7.1 The Council will recover DFG funding in the event of a breach of the mandatory grant conditions in accordance with the provisions of the relevant legislation. Conditions for mandatory DFGs apply for a period of 5 years. (Note: these provisions only apply to mandatory DFGs and not to discretionary grants.) (See also section A1.3 below.)

7.2 In order to ensure the grant budget is used as effectively and as efficiently as possible, the Council will continue to use the powers made available to it by the *Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008*, to recover mandatory DFG grant funding in specified circumstances. Further explanation is provided in Appendix 4. Where applicable, these repayment conditions apply for 10 years. (Note: these provisions only apply to mandatory DFGs and not to discretionary grants.) (See also section A1.6 below.)

7.3 The Council may determine that one or more of its types of discretionary grant is repayable in specified circumstances. Any such conditions will be included in the relevant grant-type approval (agreed by the Head of Service and Lead Member) in accordance with the Council's *Grants and Assistance Policy* (see section 3.2). (Note however that no repayment will apply if a discretionary adaptations grant is used as an alternative to a mandatory DFG in a situation where the client is also eligible for a DFG to which no repayment condition would apply.)

¹⁶ For example, an application to refit a shower in a home where a suitable shower used to exist but had been removed by the current applicant who, at that earlier time had preferred a bath, but now seeks a shower.

- 7.4 In the event that a grant applicant dies before works have commenced the application will not be pursued and any grant that has already been approved will be cancelled. If works have already commenced the Council will, in principle, and having regard to the facts of the case, provide grant funding towards those works it judges necessary to make-good. In the case of major building works such as extensions, any discretionary payment will be restricted to those works necessary to make the building safe, secure and water-tight and to provide a basic standard of internal finish only. The Council will however only contribute up to the level of the approved grant and to the cost of any relevant works which exceed the applicant's assessed grant contribution.
-

Appendix 1

A1. Key legal provisions of Disabled Facilities Grants¹⁷:

- A1.1 DFGs are mandatory grants and are available to disabled people when works to adapt their home are judged *necessary and appropriate* to meet their needs, and when it is *reasonable and practicable* to carry them out having regard to the age and condition of the dwelling or building¹⁸.
- A1.2 DFGs are also subject to a means-test (except in the case of works for children), which means that applicants' income and savings must be assessed to determine the amount of any contribution they are required to make towards the cost of the required work, and hence the amount of grant available to them. The way in which the means-test is carried out is set by regulations and the Council does not have any discretion in applying it. Applicants in receipt of certain specified benefits are however exempted ('passported'). (See also Appendix 2, sections A2.5-7 regarding means-testing.)
- A1.3 All DFGs are subject to mandatory conditions intended to prevent misuse of grant funds. They apply for 5 years and allow the recovery of the whole grant if conditions are breached. DFG applications must be accompanied by a certificate of intended future use which is relevant to any enforcement of the grant conditions. (See also Appendix 4 regarding recovery of grant.)
- A1.4 Subject to the eligibility criteria being met, the Council must 'determine' (i.e. approve) properly made applications '*as soon as reasonably practicable*', but no later than 6 months from the application date¹⁹ (see also section 4.4).
- A1.5 The maximum DFG is currently set by statute at £30,000.
- A1.6 Grant can be recovered following sale of the adapted property within 10 years of payment²⁰ provided the Council '*is satisfied that it is reasonable in all the circumstances to require the repayment*'. Grants below £5,000 are however excluded and the maximum amount recoverable in any case is limited to £10,000²¹ (see Appendix 4).
- A1.7 In the event of an applicant's death before works are complete, the Council has the discretion to pay grant towards any fees incurred, works already carried out or '*other relevant works*'. (See also section 7.4 and Appendix 4 regarding recovery of grant.)

¹⁷ This is intended as a very brief overview. The legislation must be consulted for the full picture.

¹⁸ Section 24(3), Housing Grants, Construction & Regeneration Act (HGGCRA).

¹⁹ Section 34, HGGCRA.

²⁰ This ability to recover a proportion of some DFGs in certain circumstances is entirely separate from recovery in the event of a breach of conditions (see also Appendix 4).

²¹ HGGCRA 1996: DFG (Conditions relating to approval or payment of Grant) General Consent 2008

Appendix 2

A2. Eligibility criteria for Disabled Facilities Grants

A2.1 Eligibility for mandatory DFGs is set by legislation. The Council must satisfy itself that all three of the following criteria are met before it can approve a grant application:

- the works must be necessary and appropriate, and
- must be reasonable and practicable, and
- the applicant's means-tested contribution must be less than the approved value of the grant.

The criteria are further explained below:

Necessary and Appropriate

A2.2 In order that we can decide if adaptations are '*necessary and appropriate*' we need an assessment of the client and their home. This is usually carried out by an Occupational Therapist (OT) but may also involve the Council. The assessment focuses on the client's ability to continue living independently in a home of their own. Once an assessment has been carried out the OT makes a referral to the Council indicating both recommended works and an assessment of the priority for work.

A2.3 In reaching a decision as to whether works are '*necessary and appropriate*' the Council is required to '*consult the social services authority*'²². In most situations the works recommended in the OT's referral are agreed as being the necessary and appropriate adaptations, although further discussion is required in some cases, particularly if additional information comes to light during the survey-stage or if the client's circumstances change.

Reasonable and Practicable

A2.4 There are times when it is simply not reasonable and practicable to adapt a property (e.g. if there are multiple or excessive changes in level, if space is limited or where moving existing services would be impossible or prohibitively expensive). In cases where it is not possible to adapt a property to an appropriate standard or where the cost of works is considered excessive, the Council can properly take the view that the works are not '*reasonable and practicable*'.

Test of resources

A2.5 The means-test (or test-of-resources) is specified by regulations²³ and is used to determine what, if any, contribution a client must make towards the cost of the proposed work. It is prescriptive and detailed and is undertaken by trained staff using a specialist software application, which the Council uses under licence. A significant number of clients experience degrees of difficulty providing the information we need to complete their means-test, despite the assistance we are able to provide (which includes home visits). As a result, some cases encounter delays at this stage²⁴. Some clients are not prepared to provide information about their financial circumstances, and, in that small number of cases, we are unable to proceed and have to their cancel their enquiry.

A2.6 The regulations do however provide that clients' in receipt of certain benefits are not subject to means-testing and are effectively 'passported' through this eligibility test. In order to minimize the potential for any avoidable delays, our established practice is to determine whether a means-test is applicable at the earliest practicable stage. Adaptations for children are also exempt from means-testing.

A2.7 The mandatory test-of-resources is not relevant to the Council's discretionary adaptations grants and that is a particular benefit of using (substituting) a discretionary grant rather than a DFG where possible.

²² Section 24(3), HGCRA.

²³ The Housing Renewal Grants Regulations 1996 (as amended).

²⁴ See also Appendix 3 for more information on waiting-time.

Appendix 3

A3. Delivery and waiting times

- A3.1 Delays in the delivery of adaptations are periodically raised in media coverage of DFGs. The issue of waiting-time does therefore need some more explanation because waits can occur at several points in the process and for different reasons.
- A3.2 As noted in section 4, the Council provides its Home Improvement Agency (HIA) service for most clients and is therefore directly engaged with them all through the process from receipt of a referral to completion of works. The Council does not operate a waiting list.
- A3.3 The first part of the adaptations process is an assessment by an OT and is not under the control of the Council.
- A3.4 Once a referral (or an application in a minority of cases) reaches the Council, we determine whether the client is eligible for a discretionary grant. If so, there is no requirement for a means-test. However, if a mandatory DFG is likely to be required we carry out a preliminary means-test within 10 working days in order to determine the likely contribution the client will have to make towards the cost of the work. This provides a further opportunity for us to help them explore alternatives to waiting for a grant. It also means that unnecessary waiting can be avoided if, for example, the client is unlikely to be awarded a grant, or sufficient grant, to facilitate the works they require. Unless the client is exempt from means-testing (see Appendix 2, section A2.6) a full means-test is required. Delays can occur at this stage if clients' experience difficulties obtaining or providing us with the required information. Once we have that and have determined that a grant can be approved, the case is allocated to a case officer.
- A3.4 Once allocated to an officer for action, the time taken for a referral to reach the grant application/approval stage will vary according to the nature of the work involved (see below). Cases requiring relatively straightforward fitting of equipment such as a stairlift are likely to take least time. Those involving extensions and re-ordering of space are likely to take considerably longer, particularly when planning and other consents are required and where detailed plans have to be produced.
- A3.5 Once a grant has been approved, works will commence on site at the earliest opportunity, but this is dependent upon the availability of suitable contractors and their work-programme. This is a factor which is taken into careful account as part of the tendering and appointment process undertaken by the in-house HIA, but it is not under the direct control of the Council.
- A3.6 The legislation requires the Council to review and, subject to the eligibility criteria being met, to approve a mandatory DFG application within 6 months. As a result of the HIA's involvement, much of the work, and therefore most of the time involved in preparing a case, occurs before an application can be made, because an application has to include the detailed specification for the work and (usually) 2 prices (see also section 4.4). In cases which need planning consent the specification can only be produced once that permission has been given. Once the specification and prices are available, the approval is a simple administrative task taking only a short time. We remain aware however that the total time taken from the point at which a client raises an adaptation need to the completion of their installation is what matters to them.
-

Appendix 4

A4. Repayment of mandatory grant

- A4.1 The Council will continue to use the powers made available to it by the *Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008*. There will be a general presumption that mandatory DFGs should be repaid in those cases where a property adapted with grant assistance for an owner-occupier or their child is sold or transferred within 10 years of the certified date of grant completion. Each case will however be assessed to determine whether it is reasonable in all the circumstances to require the repayment. The Head of Services will specifically approve an exemption if recovery is not to take place.
- A4.2 The *General Consent*, specifies that no repayment can apply to grants of less than £5,000 and that the maximum repayment is capped at £10,000.
- A4.3 The Council previously determined²⁵ that it would apply recovery conditions to any part of a grant in excess the first £5000 up to the £10,000 maximum that can be recovered. By means of this Policy, the Council confirms that it will **not** impose recovery conditions on any DFG of up to £11,500 (which includes any applicable fees and VAT). Tables 1 & 2 below show how this will work.
- A4.4 This change is intended to ensure that recipients of DFGs are not subject to repayment conditions which do not apply to recipients of any of its discretionary grants of the same value.
- A4.5 The Head of Housing Services will have discretion to determine not to recover any very small sums where the administration costs would outweigh the value of the amount which could be recovered.
- A4.6 The amount of any grant which is repayable will be made a local Land Charge against the property at the time of payment. The Charge will remain in place for the period of 10 years from the certified date of grant completion. This will allow the Council to recover its money at the point of any applicable sale or transfer.
- A4.7 DFG capital which is repaid to the Council will be recycled; that is, credited to the DFG budget in order that it can be re-used for further DFGs.

Table 1 – summary of the Council’s approach to recovery

Grant	Recoverable sum	Comment
Up to £5,000	No Charge	Recovery not permitted
£5,001 - £11,500	No Charge	Cherwell Policy
>£11,500	Charge applies	Applicable charge is the grant amount minus £11,500 (but the maximum charge is capped at £10,000)

²⁵ In its 2010 DFG Policy

Table 2 – worked examples

Grant	Recoverable sum	Comment
£4,000	No Charge	Recovery not permitted
£11,000	No Charge	Cherwell Policy
£12,700	Charge of £1,200 applies	Applicable charge is $£12,700 - £11,500 = £1,200$
£19,300	Charge of £7,800 applies	Applicable charge is $£19,300 - £11,500 = £7,800$
£23,200	Capped charge of £10,000 applies	Applicable charge is $£23,200 - £11,500 = £11,700$, <u>but</u> the maximum £10,000 cap applies.



Appendix 1

NOMINATIONS AGREEMENT 2021

BETWEEN

CHERWELL DISTRICT COUNCIL AND REGISTERED PROVIDERS WITH
AFFORDABLE AND SOCIAL RENTED HOUSING IN CHERWELL DISTRICT

Contents

1. Introduction	3
2. Nomination Rights	4
3. Procedure for Nominations to General Needs and Sheltered Housing.....	5
4. Procedures for Nominations to Extra Care Housing	7
5. Procedures for Nominations to Rural Exception Sites	7
6. Procedures for Nominations for Low Cost Home Ownership	8
7. Choice Based Lettings (CBL) and Charging	9
8. Local Lettings Plans	10
9. Disputes	10
10. Equalities	10
11. Data Protection	11
12. Monitoring	19

1. Introduction

- 1.1 This Agreement is made on (INSERT DATE) of (INSERT MONTH) (INSERT YEAR) between (INSERT REGISTERED PROVIDER AND RP ADDRESS) (RP) and CHERWELL DISTRICT COUNCIL (CDC) of Bodicote House, Bodicote, Banbury OX15 4AA. CDC and the RP each agree to comply with and abide by this Nominations Agreement and the responsibilities contained or referred to within it.
- 1.2 This document sets out the agreed terms and procedures for both CDC and the RP owning or managing rented accommodation in the district of Cherwell, when making or receiving nominations of eligible households to take up occupancy of a vacant affordable housing property (set out in 1.3 below) in the district. Activity under the agreement will be discussed at annual performance review meetings with the RP.
- 1.3 This agreement is applicable to the nomination processes for affordable housing which includes: Affordable Rented or Social Rented General Needs Housing and Sheltered Housing. It refers to arrangements for marketing and allocating properties for shared ownership and low cost home ownership. It also covers rural affordable housing and Rural Exception Site nomination arrangements.
- 1.4 The RP will ensure that CDC is given the opportunity to nominate applicants to a minimum of 75% of any True Voids (as defined in section 2.2), or 90% of True Voids in the case of Sanctuary Housing (with whom CDC has a special relationship because of the previous transfer of CDC's housing stock) or on a rolling basis for RPs with fewer than 4 voids in the district during the financial year, in each financial year starting 1st April in accordance with CDC's Housing Allocation Scheme. The proportion of re-lets will be discussed by CDC and the RP at performance review meetings to ensure this figure is being achieved.
- 1.5 In respect of any housing development site in Cherwell's District where there is already a nominations agreement in place then that nominations agreement shall continue in full force and effect. Should the RP wish to vary that existing nominations agreement to take account of the detail of this Nominations Agreement then the parties shall agree this in writing.
- 1.6 This Nominations Agreement should be read in conjunction with CDC's Allocation Scheme which has been prepared by CDC in accordance with legislative requirements.
- 1.7 For the purpose of this document, the following definitions are used for reference:

- Choice Based Lettings (CBL) cycles: The CBL system operates in weekly cycles. Available properties are advertised on the CBL system each week, starting at 00:01 hrs on Wednesday morning. Applicants can bid for available properties between Wednesday and Monday, with shortlists compiled and nominations made to the RPs within 3 working days of the end of the cycle. When nominations are rejected (by the nominated housing applicant or the RP) new nominations shall be made within 1 working day.
- Extra Care Housing: Extra Care Housing offers a unique combination of housing, care and various support services all in one development. The aim is to enable older people to live in their own homes for as long as possible and provide an alternative to residential care homes.
- Housing Allocation Scheme: Refers to CDC's Housing Allocation Scheme which sets out in detail who is and who is not eligible under the scheme, their level of priority and how this assessment is made. It also sets out how applicants can apply for and access housing, and what service standards an applicant can expect from CDC.
- Rural Exception Sites: These are sites specifically identified for affordable housing in rural communities and where housing development would not normally be permitted.

2. Nomination Rights

2.1 CDC will have nomination rights to:

- 2.1.1 First Letting – 100% of new properties (new build or acquisition and/or refurbished properties).
- 2.1.2 Re-lets –75% on subsequent lets, or 90% of True Voids in the case of Sanctuary Housing unless there is a scheme-specific agreement to vary this (excluding Rural Exception Site nominations – see Section 5).

2.2 The calculation of CDC's entitlement to re-lets is based on the reason the property becomes vacant/void. Voids fall into two categories:

2.2.1 True Voids are created as a result of:

- A tenant moving to another landlord where no reciprocal commitment exists
- The death of a tenant where there is no statutory or contractual right of succession
- A tenant moving out to buy another property
- Abandonment of tenancy
- Eviction
- Rehousing or permanent decant
- A temporary decant returning to their former home

2.2.2 Non-True Voids are created by:

- Temporary move of the existing tenant
- Tenant transfer within the Registered Provider's own stock
- Reciprocal arrangement and moves via housing moves/mutual exchanges.
- Any other circumstances not covered by True Voids

3. Procedure for Nominations to General Needs and Sheltered Housing

- 3.1 CDC's Housing Allocation Scheme, as referred to in section 1.6, describes how CDC prioritises applicants for housing, and how it will shortlist and nominate to properties.
- 3.2 CDC will make direct offers to a very small proportion of the properties and this is done by mutual agreement between the RP and CDC, in line with CDC's Housing Allocation Scheme.
- 3.3 The RP must endeavour to give notification to CDC of all First Let and Re-let properties at least 4 weeks ahead of the expected tenancy start date to allow for the Choice Based Lettings (CBL) advert and nominations process to be completed. Properties will not be advertised earlier than 6 weeks before the expected tenancy start date to help ensure that advertised properties will be available to those with urgent housing needs within a reasonable timescale.
- 3.4 CDC shall provide a nomination to the RP within 3 working days of the end of the applicable CBL cycle, subject to the procedure in section 3.3 being followed.
- 3.5 CDC acknowledges that there may be some unforeseen circumstances which cause delays to the timeframes set out at 3.3 and 3.4. CDC will work with the RP in these circumstances to minimise delays and any frequent reasons for delays can be discussed at the CDC and RP annual performance review meetings in order to find solutions which are agreeable to both parties.
- 3.6 If there is an instance where the housing applicant refuses to accept a tenancy for the vacant property (first let or re-let), the RP shall notify CDC within 1 working day of the housing applicant's refusal, including the reasons for the decision. CDC will make another nomination to the RP within 1 working day of receipt of such notification (this timescale is subject to alteration in exceptional circumstances, such as verifying local connection).
- 3.7 On First Lets, CDC will continue to make nominations to the vacant property until it has been let, unless otherwise agreed in writing between CDC and the RP or such time as no nomination has been given after 2 consecutive CBL cycles.
- 3.8 After a 2nd consecutive unsuccessful CBL cycles the RP can choose to either nominate an eligible household to the property themselves, in line with the

RP's lettings policy, or continue to advertise the property on further CBL cycles.

- 3.9 Subject to 2.1.2, CDC will be entitled to make nominations of eligible households to Re-let properties until the property is let unless otherwise agreed in writing between CDC and the RP or such time as no nomination has been given after 2 consecutive CBL cycles, after which the RP can consider allocating the property to an eligible household, in line with the RP's lettings policy.
- 3.10 If the RP wishes to reject a nomination rather than the nominee refusing the nomination (as outlined in section 3.6), the RP will inform CDC of the reasons for this within 1 working day of the decision.
- 3.10 Unless the refusal is in the best interests of the nominee refusals will generally only be accepted in cases where the nominee was not assessed correctly in accordance with CDC's Housing Allocation Scheme. Generally, unless new information becomes available that was not considered in CDC's assessment, or that assessment is found to be flawed, the nominee will qualify for an offer of accommodation made available under section 2.1 of this Nominations Agreement.
- 3.11 If there is any dispute over the refusal of the nomination, the Disputes Protocol outlined in section 9 should be followed. If the refusal of the nomination is upheld, CDC must be allowed to make a further nomination.
- 3.12 If the RP has an urgent need to transfer one of its existing tenants because of: -
- Harassment or abuse;
 - Overcrowding;
 - Medical grounds;
 - Nuisance;
 - Under-occupation;
 - Other such priority need;
- then CDC will consider the reasons given and work with the RP in order to facilitate a move in line with CDC's Housing Allocation Scheme.
- 3.13 In order to meet the diverse needs of households on the housing register the properties made available for CDC to make nominations to will ideally include a cross-section of the types of accommodation owned by the RP, with consideration given to size, type and location. Adapted properties should also be included.
- 3.14 In rural locations (excluding Rural Exception Sites, which shall have their own nominations agreements – see section 5) not including Banbury, Bicester or Kidlington, one in every two First Let nominations and one in every three Re-let nominations should be made to applicants who have a local connection to that parish as defined by CDC's Housing Allocation Scheme

unless otherwise agreed with CDC or where there is an adopted Neighbourhood Plan that requires all affordable homes to be let to people with a local connection as defined in the Neighbourhood Plan.

- 3.15 Where it is not possible to find an eligible household on CDC's Housing Register with a local connection as described above, then the nomination will be made to another housing applicant deemed eligible according to CDC's Housing Allocation Scheme.
- 3.16 The RP will ensure that any properties let in accordance with the RP's Lettings Policy are allocated to eligible households and in accordance with the RP's obligations as a social housing landlord. Such lettings will be included in monitoring reports presented to CDC as part of the annual performance review meetings as set out in section 12. The RP will also have regard to CDC's Tenancy Strategy.

4. Procedures for Nominations to Extra Care Housing

- 4.1 Eligibility criteria and the process for allocating Extra Care Housing is set out in CDC's adopted Housing Allocations Scheme. This Nominations Agreement does not apply to any Extra Care Housing scheme which will be subject to a specific nominations agreement for each particular scheme.

5. Procedures for Nominations to Rural Exception Sites

- 5.1 Rural Exception Sites are pieces of land that would not have ordinarily been given planning permission for residential properties. They are driven by local housing needs which are evidenced through Housing Needs Surveys and other local information gathered.
- 5.2 All lets including First and Re-lets on Rural Exception Sites will be reserved for nominations from CDC in line with its current Housing Allocation Scheme, giving priority to eligible households on CDC's Housing Register who have a local connection to the immediate parish in which the homes are built (First Parish). The local connection is defined within CDC's Allocation Scheme but there may be other specific local connection criteria set out in adopted Neighbourhood Plans which should also be considered.
- 5.3 Should no bids be placed within 2 CBL cycles by eligible households with a First Parish local connection, then CDC will nominate an eligible household from the Housing Register who has a local connection to the immediately adjacent rural parishes within Cherwell District or any parishes listed in the relevant adopted Neighbourhood Plan (the Cascade Parishes).
- 5.4 Should no bids be placed within a further two CBL cycles by eligible households who have a local connection to the First Parish, nor the Cascade Parishes then CDC will nominate any housing applicant who is eligible under CDC's Housing Allocation Scheme.

5.5 In the case of refusals by the eligible housing applicant or the RP, the process outlined in Section 3 should be followed.

6. Procedures for Nominations for Low Cost Home Ownership

6.1 CDC will not require housing applicants interested in Shared Ownership or other intermediate (Low Cost Home Ownership) properties to be registered on CDC's Housing Register. However, CDC requires that they register with the Help to Buy Agent (or successor body) for the Cherwell district, and be eligible and approved under the national eligibility criteria for such properties that is published from time to time.

6.2 Therefore, CDC will not expect to make nominations to these properties.

6.3 CDC will require that any Shared Ownership or other intermediate (i.e. Shared Ownership or other Low Cost Home Ownership) property secured for affordable housing through the planning process or otherwise is advertised effectively and where possible on the relevant Help to Buy Agent website.

6.4 When allocating such properties, the RP will make sure any obligations set out in a S.106 Agreement (a Planning Agreement) which may determine other restrictions to occupancy or use of the property are adhered to and will only consider eligible and approved households as set out in 6.1. The RP will also check and verify the eligible household's circumstances and their ability to afford the purchase of the equity share and sustain repayments of any housing costs.

6.5 Wherever possible and appropriate, the RP will prioritise those eligible households that either live permanently or have full-time work within the CDC administrative area subject to sections 6.7 and 6.8 below (excluding Homes England grant funded units). The RP will provide a report to CDC on the allocations of Shared Ownership or other Low Cost Home Ownership properties as part of the CDC and RP annual performance review meetings.

6.6 All properties built for Shared Ownership or other Low Cost Home Ownership should be advertised where possible through the relevant Help To Buy Agent. They should be advertised proactively on the RP website and may also be advertised on CDC's CBL website, with estate agents or other appropriate marketing methods being used as the RP sees fit.

6.7 Rural Exception Sites

6.7.1 The RP will prioritise those eligible households described in 6.1, 6.4 and 6.5 and who have a local connection to the First Parish, Cascade Parishes or the CDC administrative area as referred to for rented properties within Section 5 when allocating and selling shared ownership or other Low Cost Home Ownership properties built on Rural Exception Sites. If there are no eligible purchasers with a local connection to the First Parish, or to the Cascade Parishes after 2 months of the date of practical completion and

proactive marketing of the specific new-build or re-sale property, the RP and/or vendor can sell to an eligible household who has a local connection to CDC's administrative area.

- 6.7.2** If, after a total of 3 months of proactively marketing the new-build or re-sale Shared Ownership or other Low Cost Home Ownership property, the RP or vendor has been unable to sell their equity share in accordance with 6.7.1, then the RP will notify CDC and request written agreement to allow a purchase by any eligible purchaser who does not have a local connection. CDC will respond within 14 days and will not unnecessarily withhold or delay agreement.

6.8 Rural Locations

- 6.8.1** In rural locations which are not classed as a Rural Exception Site, wherever possible, the RP should follow the requirements set out in 6.1 to 6.7, however they will not be obliged after 3 months of marketing to request authority of CDC (set out in 6.7.2) before selling to any eligible purchaser who does not have a local connection.

7. Choice Based Lettings (CBL) and Charging

- 7.1** CDC operates a Choice Based Lettings (CBL) system.

- 7.2** The RP shall be required to utilise CDC's CBL system for the required percentage of lets and types of accommodation as described within this Agreement.

- 7.3** More information on how the CBL system operates can be found in CDC's Housing Allocation Scheme. Access to Homechoice, the brand name of the CBL system, is via CDC's website www.cherwell.gov.uk

- 7.4** The RP shall pay to CDC charges for using CDC's CBL system within 30 days of receipt of an invoice from CDC.

- 7.5** The charge for using CDC's CBL system shall be calculated as follows :

The number of properties successfully let in the 3 years up to the year before the charge applies shall be calculated (so for charges applying in 2021/22 the calculation is based on lettings data from 2017-2020). For RPs that have let more than 50 properties over that 3 year period an average will be calculated (per annum). The lump sum charge applied will be equal to that average multiplied by £75¹ per let. Invoicing will be carried out at the beginning of the financial year in which the charge applies.

¹ £75 applies to charges from 1st April 2021 and will rise in line with the inflationary income assumptions contained within the Council's Medium Term Financial Strategy on the 1st April in each subsequent year.

For RPs that had fewer than 50 lets in the 3 year period defined above, a £75² per let charge will apply and the RP will be invoiced 6 monthly in retrospect based on the number of successful lets recorded in that 6 month period.

No charge will be made for unsuccessful or repeat adverts for the same property in consecutive cycles. Charges will be applied for successful lets only.

All charges will be reviewed annually.

7.6 In the event of any late payment then interest shall accrue at a rate of 4% above the then base rate of the Bank of England until the date of payment.

7.7 If the RP disputes the amount of any invoice, then that dispute shall be determined in accordance with the dispute process (Section 9) in this Agreement and the due date for payment shall be 30 days from the date such dispute is resolved.

8. Local Lettings Plans

8.1 Where it is deemed appropriate and necessary CDC will enter in to a Local Lettings Plan on an individual scheme/property basis.

8.2 CDC will establish a Local Lettings Plan with the RP and will agree a period that the Local Lettings Plan will cover with an established review period and will set out monitoring responsibilities and arrangements.

9. Disputes

9.1 Where disputes arise between the RP and CDC with regards to a nomination or any part of the implementation of this Agreement, there will first be the opportunity to resolve the dispute at an officer level between the Lettings Team at the RP and the Allocations Team at CDC.

9.2 Should this not resolve the dispute within 5 working days of the dispute arising, then there will be a request made for the line manager at the respective organisations to discuss and resolve the issue.

9.3 Should this still not reach a resolution within 7 working days of the dispute first arising, then the dispute will be escalated to Senior Manager or Director level within the respective organisations for a decision within 10 working days. Such occurrences will be included as part of the CDC and RP performance review meetings.

10. Equalities

² £75 applies to charges from 1st April 2021 and will rise in line with the inflationary income assumptions contained within the Council's Medium Term Financial Strategy on the 1st April in each subsequent year.

- 10.1 CDC and the RP reaffirm their commitment to promoting and facilitating equality of access to social and affordable housing regardless of a person or household's age; disability; gender reassignment; marriage and civil partnership status; pregnancy and maternity; race including ethnic or national origins, colour or nationality; religion or belief; sex; and sexual orientation. RPs will provide performance data to evidence how they meet these requirements. Where concerns arise on individual cases, the monitoring will include a CDC and RP joint review of the data or issue of concern, and an action plan agreed.

11. Data Protection

- 11.1 In addition to any other defined terms in this Agreement, the following terms shall have the meanings prescribed below:

Data Loss Event	any event that results, or may result, in unauthorised access to Personal Data held by the RP under this Agreement, and/or actual or potential loss and/or destruction of Personal Data in breach of this Agreement;
Data Protection Legislation	the General Data Protection Regulation ("GDPR"), the Data Protection Act 2018 and any supplemental Legislation in force in the UK and (i) unless and until the GDPR is no longer directly applicable in the UK, the GDPR and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 2018; and also, unless and until the same may be repealed, amended, re-enacted or replaced, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC (as updated by Directive 2009/136/EC), the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all applicable laws and regulations relating to processing of personal data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner;
Data Protection Principles	has the meaning given to it in the Data Protection Legislation;

Data Protection Requirements	any requirements, obligations, restrictions or protections imposed by the Data Protection Legislation or any other legislation or regulations in place which relate to the processing of personal information, including the obtaining, holding, use or disclosure of such information;
Data Subject	has the meaning given to it in the Data Protection Legislation;
Legislation	any Act of Parliament or subordinate legislation within the meaning of Section 21(1) of the Interpretation Act 1978, any exercise of the Royal Prerogative;
Personal Data	any information as defined in the Data Protection Legislation which is supplied to the RP by CDC or vice versa or is obtained by the RP in the course of nominating and allocating people to property in connection with this Agreement;
Staff	all persons employed by the RP to perform its obligations under this Agreement together with the RP's servants, agents, suppliers and Sub-Contractors used in the performance of its obligations under this Agreement;
Sub-Contractor	sub-contractors (of any tier) of the RP; and
Technical and Organisational Measures	Security measures to ensure Processing is in accordance with Data Protection Legislation and ensures protection of the rights of Data Subjects.

11.2 Data Processing

- 11.2.1 Each party shall comply with the requirements of the Data Protection Legislation and any equivalent or associated legislation in relation to the sharing of Personal Data in connection with this Agreement and will not knowingly do anything or permit anything to be done which might lead to a breach by them or their sub-contractors or by the other party of the Data Protection Legislation and this clause is in addition to, does not relieve, remove or replace either party's obligations under the Data Protection Legislation.
- 11.2.2 The parties acknowledge that where the RP, pursuant to its obligations under this Agreement, processes Personal Data on behalf of CDC, it shall act as a Data Controller and CDC shall act as a Data Controller (where Data Controller has the meaning as defined in the Data Protection Legislation) and this clause 11.2 applies to the processing of the data which is listed in clause 11.7.

11.2.3 Without prejudice to the generality of clause 11.2.1, each party will, when disclosing Personal Data (the **Disclosing Party**) to the other party (the **Receiving Party**):

- a) ensure they have all necessary appropriate consents and notices in place to enable the lawful transfer of the Personal Data to the Receiving Party for the duration and purposes of this Agreement; and
- b) ensure it takes appropriate steps to ensure the accuracy of the Personal Data transferred to the Receiving Party and that the Receiving Party is provided with any updates to that Personal Data; or
- c) notify the other party (within two (2) working days) if they receive:
 - (i) a request from a Data Subject to have access to their Personal Data; or
 - (i) a complaint or request relating to that party's obligations under the Data Protection Legislation, including, but not limited to, a request to rectify, block or erase the Data Subject's Personal Data;
- d) provide each other with co-operation and assistance in relation to any complaint or request made, including by:
 - (i) providing the other party with full details of the complaint or request promptly;
 - (ii) complying with a data access request within the relevant timescales set out in the Data Protection Legislation and in accordance with the Disclosing Party's reasonable instructions;
 - (iii) complying with any request by a Data Subject to rectify, block or erase that Data Subject's Personal Data and confirming such action to the other party in writing;
 - (iv) notifying the other party if it receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Agreement;
 - (v) notifying the other party if it receives a request from any third party for disclosure of Personal Data where compliance with such request is required or purported to be required by Legislation;
 - (vi) assisting the other party as requested following any Data Loss Event
 - (vii) providing assistance as requested by the other party with respect to any request from the Information Commissioner's Office, or any consultation by that party with the Information Commissioner's Office; and
 - (viii) providing the other party with any reasonable information requested by that party;

11.2.4 Without prejudice to the generality of clause 11.2.1, the RP will:

- a) collect and process Personal Data only in accordance with this Agreement, and in particular in accordance with clause 11.7, unless the RP is required by the Data Protection Legislation to otherwise process Personal Data. Where the RP is relying on the Data Protection Legislation as the basis for processing Personal Data other than in accordance with this Agreement, the RP shall promptly notify CDC of this before performing such processing, unless the Data Protection Legislation prohibits the RP from so notifying CDC; and
- b) collect and process the Personal Data only to the extent, and in such manner, as is necessary in connection with this Agreement or as is required by Legislation or any regulatory body.

11.2.5 All Processing of Personal Data undertaken by the RP in accordance with this Agreement shall at all times comply with the Data Protection Principles under the Data Protection Legislation. In particular, the RP will:

- a) ensure that it has in place appropriate Technical and Organisational Security Measures to protect against unauthorised or unlawful processing of Personal Data and against accidental loss or destruction of, or damage to, Personal Data, appropriate to the harm that might result from the unauthorised or unlawful processing or accidental loss, destruction or damage and the nature of the data to be protected, having regard to the state of technological development and the cost of implementing any measures (those measures may include, where appropriate, pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of its systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the Technical and Organisational Security Measures adopted by it);
- b) ensure that all Staff and other personnel who have access to and/or process Personal Data are aware of and understand the provisions of this Agreement and are obliged to keep the Personal Data confidential;
- c) assist CDC, at the RP's cost in responding to any request from a Data Subject and in ensuring compliance with its obligations under the Data Protection Legislation with respect to security, breach notifications, impact assessments and consultations with supervisory authorities or regulators;
- d) notify CDC without undue delay and within 24 hours on becoming aware of a Personal Data breach, including a Data Loss Event;
- e) at the written direction of CDC, delete or return Personal Data and copies thereof to CDC on termination of the Agreement, or such earlier time when the processing or retention of the Personal Data is no longer necessary, unless required by the Data Protection Legislation to store the Personal Data (with any

necessary consent received from the Data Subjects) and in such circumstances the RP undertakes to delete the Personal Data as soon as possible;

- f) notify CDC (within two (2) working days) if it:
 - (i) receives a request from a Data Subject to access to their Personal Data;
 - (ii) receives a request from a Data Subject to have their Personal Data rectified, blocked or erased;
 - (iii) receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Agreement;
 - (iv) receives a request from any third party for disclosure of Personal Data where compliance with such request is required or purported to be required by Legislation; or
 - (v) receives a complaint or request relating to CDC's obligations under the Data Protection Legislation;
- g) provide CDC with co-operation and assistance in relation to any complaint or request made, including by:
 - (i) providing CDC with full details of the complaint or request;
 - (ii) complying with a data access request within the relevant timescales set out in the Data Protection Legislation and in accordance with CDC's reasonable instructions;
 - (iii) providing CDC with any Personal Data it holds in relation to a Data Subject (within the reasonable timescales required by CDC);
 - (iv) complying with any request by a Data Subject to rectify, block or erase that Data Subject's Personal Data and confirming such action to CDC in writing;
 - (v) providing such assistance as CDC may request following a Data Loss Event;
 - (vi) providing such assistance as requested by CDC with respect to any request from the Information Commissioner's Office, or any consultation by CDC with the Information Commissioner's Office; and
 - (vii) providing CDC with any reasonable information requested by CDC;

11.2.6 The obligations of the parties to notify each other include an obligation to provide further information to the other party as details become available.

11.2.7 All Staff and temporary employees of all Sub-Contractors and the RP who have access to Personal Data for the purposes of this Agreement shall be trained in data protection to accord with the requirements of this Agreement and the Data Protection Legislation and shall undergo refresher training at regular intervals.

11.2.8 Without prejudice to the RP's general obligations to provide data and information to CDC on request, CDC shall be entitled to request, and the RP shall, within a reasonable time, provide to CDC (subject to the Data Protection Legislation), relevant employment and personal information in relation to the RP's Staff or temporary employees or any Sub-Contractor's employees (temporary or otherwise) for the purposes of anti-fraud measures to enable CDC to verify the identity of such individuals. The RP shall ensure that it takes any measures necessary pursuant to the Data Protection Legislation and any other relevant Legislation to facilitate such disclosure lawfully and fairly.

11.2.9 The RP shall maintain complete and accurate records and information to demonstrate its compliance with this Agreement.

11.3 No Disclosure

11.3.1 The RP shall not disclose Personal Data to any third parties without CDC's prior written consent (such consent not to be unreasonably withheld) other than:

11.3.1.1 to employees and Sub-Contractors to whom such disclosure is reasonably necessary in order for the RP to carry out its function in connection with this Agreement;

11.3.1.2 to the extent required under a court order or Legislation;

11.3.1.3 with the Data Subject's express written consent; or

11.3.1.4 to the extent necessary to protect the Data Subject's vital interests.

11.3.2 The RP shall give notice in writing to CDC of any disclosure of Personal Data which either the RP or a Sub-Contractor is required to make under clause 11.3.1 (a) or (b) immediately upon becoming aware of such a requirement.

11.3.3 CDC may, at reasonable intervals, request a written description of the Technical and Organisational Security Measures employed by the RP or the Sub-Contractors referred to in clause 11.3.1 within twenty (20) working days of such a request, the RP shall supply written particulars of all such measures detailed to a reasonable level such that CDC can determine whether or not, in connection with the Personal Data, it is compliant with the Data Protection Legislation and should CDC have any concerns on receipt of such written evidence it shall be entitled to inspect or audit, or arrange for an inspection or audit, of the RP's Technical and Organisational Security Measures, or those of its Sub-Contractors.

11.4 Data Protection Sub-contracting

- 11.4.1 The RP shall not sub-contract any of its rights or obligations under this Agreement without the prior written consent of CDC.
- 11.4.2 Where the RP sub-contracts its obligations in relation to this Agreement, the RP shall procure that the same provisions regarding security of the Personal Data and its processing are included in the Sub-Contract as are imposed on the RP under this Agreement.
- 11.4.3 Where the Sub-Contractor fails to fulfil its obligations in relation to data protection under any such Sub-Contract, the RP shall remain fully liable to CDC for the fulfilment of such obligations under this Agreement.

11.5 Indemnity

- 12.5.1 Each party shall indemnify the other against all liabilities, costs, expenses, damages and losses (including but not limited to any direct, indirect or consequential losses, loss of profit, loss of reputation and all interest, penalties and legal costs (calculated on a full indemnity basis) and all other reasonable professional costs and expenses) suffered or incurred by the indemnified party arising out of or in connection with the breach of the Data Protection Legislation by the indemnifying party, its employees or agents, provided that the indemnified party gives to the indemnifier prompt notice of such claim, full information about the circumstances giving rise to it, reasonable assistance in dealing with the claim and sole authority to manage, defend and/or settle it.

11.6 Revisions to Data Processing Provisions and Guidance from the Information Commissioner's Office

- 11.6.1 CDC may, at any time, on not less than thirty (30) working days' notice, revise this Agreement by replacing with any applicable controller to processor/controller standard clauses or similar terms (which shall apply when incorporated by attachment to this Agreement) by notifying the RP of such new clauses or terms in writing.
- 12.6.2 The parties agree to take account of any guidance issued by the Information Commissioner's Office. CDC may, on not less than thirty (30) working days' notice to the RP amend this Agreement to ensure that it complies with any guidance issued by the Information Commissioner's Office by notifying the RP of such amendments in writing.

12.7 Approved Data Processing

Description	Details
Subject matter of the processing	Applications for social housing support
Duration of the processing	The Agreement will remain in force in perpetuity so the processing will continue for as long as the Agreement remains in force, however in respect of each individual the data will only be processed for so long as is necessary to determine that applicant's eligibility for housing
Nature and purposes of the processing	The processing is to determine the applicant's eligibility for social housing, to assess their needs (in respect of housing, health, medical, financial, social etc.) in order to determine whether they are suitable to be placed in the RP's housing and offered a tenancy
Type of Personal Data	The processing will include the transfer of sensitive personal data relevant to housing applications and eligibility including health and medical issues, financial issues, social and criminal issues, information relating to children, the elderly and vulnerable people
Categories of Data Subject	Adults, Children, Elderly, Vulnerable
Lawful Basis of Processing	<p>Article 6(1)(c) of the GDPR – the processing is necessary in pursuit of a statutory duty of CDC</p> <p>Article 6(1)(e) of the GDPR – the processing is necessary for a public task carried out by the parties</p> <p>Article 6(1)(d) of the GDPR – the processing is necessary for the</p>

	<p>vital interest of the data subject</p> <p>Article 6(1)(f) of the GDPR – the processing is necessary in the legitimate interests of the parties</p> <p>Article 9(1)(g) of the GDPR – the processing is necessary for the substantial public interest</p>
Datasets	<p>For all household members:</p> <ul style="list-style-type: none"> • Name • Sex • Date of Birth • Address • Information relevant to assessing housing needs e.g. medical needs, support needs, risks. <p>In addition, for the main applicant only:</p> <ul style="list-style-type: none"> • NI number • Preferred language • Nationality • Ethnic origin • Disability (e.g. learning/mental or physical) • Telephone number • Email • Address • Date moved into address • Tenancy type • Landlord and landlord address • Information relevant to the customer and their needs, e.g. medical needs, support packages, any known risks.

12. Monitoring

12.1 The RP will notify CDC of every void, including those not advertised through CDC, as it becomes available to let in each year starting 1 April. Voids resulting from Shared Ownership or Low Cost Home Ownership, as stated in section 6 will need to be recorded by the RP in reports for the CDC and RP performance review meetings.

12.2 If there have been no void properties to let within the year, the RP will still advise CDC of this.

12.3 The RP and CDC will prepare relevant reports for discussion at annual performance review meetings. The RP will report on data including how many voids the RP has had in Cherwell district during the year, what percentage of voids have been let through CDC's CBL Scheme and report on the process by which allocations are made to the remaining percentage of voids. CDC will report on how many properties have been advertised by the RP and successfully let, how quickly nominations have been provided and how many have been rejected. Where monitoring reveals inconsistencies in an RP's practices or performance these will be discussed with the RP and agreement reached between both parties to establish a resolution.

12.4 CDC will liaise with the Help to Buy Agent regarding details of the Shared Ownership and Low Cost Home Ownership properties sold in the district and report on these figures twice yearly.

12.5 This agreement remains in effect runs until it is either expressly terminated (by written agreement of the parties) or replaced with a new nominations agreement (again, by written agreement of the parties).

AS WITNESS the hands of the parties the day and year first before written.

For and on behalf of Cherwell District Council:

SIGNED by [print name]

Signature

Authorised Signatory

For and on behalf of [name of RP]:

SIGNED by [print name]

Signature

Authorised Signatory