



AUDIT COMMITTEE - 16TH OCTOBER 2018

SUBJECT: WHQS – ACCEPTABLE FAILS UPDATE

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

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- 1.1 The attached report was circulated to the Policy and Resources Scrutiny Committee as an information item ahead of its meeting on 2nd October 2018, having been previously discussed by the Caerphilly Homes Task Group on 20th September 2018. There were no comments arising from the Policy and Resources Scrutiny Committee.
 - 1.2 The Audit Committee are asked to consider the report recommendation and take into account the views expressed at the meeting of the Caerphilly Homes Task Group.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix A Report to the Policy and Resources Scrutiny Committee – For Information – WHQS – Acceptable Fails



POLICY AND RESOURCES SCRUTINY COMMITTEE – FOR INFORMATION

SUBJECT: WHQS – ACCEPTABLE FAILS UPDATE

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

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- 1.1 The attached report is presented to the Policy and Resources Scrutiny Committee as an information item having been previously discussed at Caerphilly Homes Task Group on 20th September 2018.
 - 1.2 The report sought the views of Members on the application and volume of Welsh Housing Quality Standard (WHQS) elements classified as “Acceptable Fails” and the process for managing incidences of No Access on the programme for the surveying of properties and the completion of works on site. It will subsequently be considered by the Audit Committee on 16th October 2018.
 - 1.3 Officers provided Members with a definition of an ‘Acceptable Fail’ as set out in the Welsh Government’s WHQS revised guidance document (2008) which recognises that it may not be possible to bring all elements within a property up to the required standard offering one or a combination of the following criteria for an ‘Acceptable Fail’ – cost of remedy, timing of remedy, residents choice and physical constraints.
 - 1.4 Members were advised that in addition to the ‘Acceptable Fail’ criteria there are properties which may have elements categorised ‘Previously Achieved’ where improvements were undertaken prior to the commencement of WHQS which were to the WHQS standard, and ‘No Access’ where every attempt is made to gain access to the property if the tenant opts out of the improvement programme. It was explained to Members that the ‘opt out’ option is not available when the upgrade was an electrical installation improvement on the basis of health and safety and an Electrical No Access procedure is followed in those cases.
 - 1.5 Officer’s highlighted to Members that the total expenditure on the WHQS capital programme for 2017/18 was £42.m, of which £18m related to internal works and £17.5m related to external works. The remainder of the spend was in relation to fees, large scale voids, adaptations and garages and to date there had not been any borrowing for WHQS.
 - 1.6 Members sought clarification from Officers on the difference between the ‘Acceptable Fail’ criteria ‘cost and timing of remedy’, in circumstances where the cost effectiveness of some works such as undertaking structural changes to a property may result in a delay, with the criteria ‘physical constraint’ where the age, layout or location of some properties means the standard cannot be met due to physical constraints. Officers explained that the criteria are very similar in that there are some circumstances where the ‘Acceptable Fail’ could be a combination of both and in most cases it would be classed as a ‘physical constraint’.
 - 1.7 Discussion took place regarding circumstances when access is refused by a tenant on the grounds of ill health and the rescheduling of works. Concerns were raised that other than in circumstances where the work is of an immediate electrical nature, those unable to allow for work to be done during the usual schedule of works would be missed out. Officers explained

that it is a challenge to reschedule missed works. However new Housing Repair Response Teams are in the process of being established and a 'mop-up' programme formed for these teams to go into individual properties to carry out elements of the WHQS improvements.

- 1.8 Members asked whether data was collected on the reasons for refusing access on external works, particularly when refusing specific improvements. Following this, a lengthy discussion took place in regards to replacement fencing types. Members raised issues with the installation of chain link fencing to replace deteriorated fencing over the installation of bow-top fencing. Officers explained that although data on the reasons for refusing external works was not held, they had received complaints both in regards to chain link fencing and bow-top fencing. Officers clarified that the replacement fencing used, was according to the street scene and the type of fencing used would be replaced 'like for like'. It was felt by the Task Group that tenants should be given a choice as to the fencing type used.
- 1.9 Following consideration of the report and in noting the details of the WHQS – Acceptable Fails Update, Caerphilly Homes Task Group unanimously recommended that the Policy and Resources Scrutiny Committee note its contents.
- 1.10 The Scrutiny Committee are asked to note the report as an information item.

Author: K. Houghton, Committee Services Officer, Ext. 4267

Appendices:

Appendix Report to the Caerphilly Homes Task Group on 20th September 2018 – Agenda Item 5



CAERPHILLY HOMES TASK GROUP – 20TH SEPTEMBER 2018

SUBJECT: WHQS – ACCEPTABLE FAILS UPDATE

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide members with information on the application and volume of Welsh Housing Quality Standard (WHQS) elements classified as “Acceptable Fails”, and
- 1.2 To also explain the process for managing incidences of No Access on the programme for the surveying of properties and the completion of works on site, prior to presentation to the Policy and Resources Scrutiny Committee and Audit Committee.

2. SUMMARY

- 2.1 The WHQS is intended to ensure that all local authority and housing association homes are improved and maintained to achieve specified standards.
- 2.2 The WHQS guidance document also recognises that it may not be possible to bring all elements within a property up to the required standard. Such elements can be recorded as “acceptable fails”. This report provides details on the individual classification of acceptable fails and volumes of those for both internal and external elements.
- 2.3 Whilst the Council’s main WHQS programme commenced following the ballot on housing stock transfer in 2012, a number of properties benefitted from improvements prior to this date which met the standard. In addition, elements have also been renewed outside of the main WHQS programme by our Housing Repairs Operations team, either as a response repair or when a property became void. Any elements which met the standard separately to the main programme, therefore will be reassessed and if still in a satisfactory condition, are classed as “previously achieved”, and recorded as being compliant.
- 2.4 This report provides members with clarification on the Council’s application of previously achieved and acceptable fail elements and the impact they are having on the programme, the report also confirms the process followed where access cannot be obtained into properties.

3. LINKS TO STRATEGY

- 3.1 The delivery of the Welsh Housing Quality Standard (WHQS) programme is coterminous with the aims of the Wellbeing of Future Generations (Wales) Act 2015 which requires public bodies to work towards a shared vision comprising 7 goals and adopt 5 “Ways of Working”. The 7 goals and the 5 Ways of Working will underpin the delivery of the programme and include planning and acting for the long term, integration, involvement, collaboration and prevention.

- 3.2 The Welsh Housing Quality Standard (WHQS) is intended to ensure that all local authority and housing association homes are improved and maintained to achieve specified standards. It is a Welsh Government requirement that the WHQS is achieved by 2020. The WHQS identifies 7 specific aims (Welsh Assembly) Government – Revised Guidance for Social Landlords – July 2008.
- 3.3 The Caerphilly Delivers - Single Integrated Plan 2013-2017 had a priority to “improve standards of housing and communities, giving appropriate access to services across the County Borough”.
- 3.4 Caerphilly County Borough Council 2013/17 Corporate Priorities included: CP7 - Invest in our Council homes and their communities to transform lives.
- 3.5 Caerphilly County Borough Council’s Well-being Objectives in 2017/18 included: WBO5 – Investment in Council homes to transform lives and communities.

4. THE REPORT

- 4.1 The Council has a housing stock of 10,775 properties and is investing approximately £220m in bringing homes up to the Welsh Housing Quality Standard by 2020. At the end of July 2018 77% of properties were compliant in relation to internal works and 53% compliant for external works. Overall 41% of properties are WHQS compliant.
- 4.2 The delivery of the programme is following the WHQS revised guidance document (2008) issued by Welsh Government. Whilst the aim of WG is to bring all social homes in Wales up to the specified standard, the guidance document recognises that this may not be possible for all elements of work in all properties.

Acceptable Fails

- 4.3 Section 8 assessment of the guidance document sets out the use of “acceptable fail” criteria for individual elements of work within the standard. Furthermore, it states that an “acceptable fail” is only possible on individual elements and not the dwelling as a whole. In reality it is extremely unlikely that a whole property would be classed as an acceptable fail, as each property would be expected to receive an element of internal or external work.
- 4.4 An acceptable fail may only be used in one or a combination of the following:-
 - a) Cost of remedy
 - b) Timing of remedy
 - c) Residents choice
 - d) Physical constraint

Cost and Timing of Remedy

- 4.5 The landlord may deem it necessary to consider the cost effectiveness of some works such as undertaking structural changes to the property in order to enlarge living spaces/kitchen, or major civil engineering works to create the required level access areas to gardens. Due to the extent of work required, consideration may also be given to delaying the work for a more suitable time to undertake major improvements, e.g. when the property becomes void. The tenant’s circumstances will also be taken into account, e.g. where a tenant has significant health issues, the work may be delayed by mutual agreement.

Residents Choice

- 4.6 From the outset of the programme, tenant’s choice was a key factor for its successful delivery. Therefore, as part of this choice, if a tenant did not wish to have an element of work undertaken which did not compromise their health and safety, this would be recorded as an acceptable fail. In line with the guidance document, any element of work not carried out due to resident’s choice, would be addressed if/when the property became void.

Physical Constraint

- 4.7 Due to the age, layout and location of some of the Council's housing stock, the standard may be unable to be fully met due to physical constraints e.g. the kitchen may be too small to achieve the required storage capacity, a garden may not lend itself to providing the required level amenity area due to its topography.
- 4.8 The Council is required to report on acceptable fails to WG on an annual basis and also submit its WHQS Compliance Policy which is reviewed on an annual basis. The Compliance Policy sets out how Caerphilly Homes is interpreting and applying the WHQS standard to ensure the principles of the guidance document are being adhered to.
- 4.9 It needs to be acknowledged, however, that whilst an element may be classified as an acceptable fail, a property may still have benefitted from other component improvements which were completed to the required standard. Also, even though an element may be classified as an acceptable fail, partial works or a complete renewal may have been carried out, but the standard may not have been achievable, e.g. a property may have benefitted from a complete new kitchen, but it may not achieve the required storage capacity.
- 4.10 Appendix 1 provides a detailed breakdown of the number of acceptable fails, recorded since the commencement of the programme. The information and process for recording acceptable fails will also be reviewed independently by our Internal Audit Service this financial year as a means of validating the data. Clearly the situation is constantly changing as we progress with the delivery of the programme and also as a result of tenants' circumstances and properties becoming void. The number of acceptable fails recorded for external works is lower than internals due to less properties having been completed and also as a result of such works not being affected by the 'resident choice' classification.

Previously Achieved

- 4.11 Prior to the commencement of the main WHQS programme in 2014 a significant number of improvements were undertaken to properties which were to the WHQS standard by the Planned Maintenance scheme. Such works included bathrooms, kitchens, heating, electrical rewires, roofing, doors and windows, etc. In addition, individual elements/components are being renewed outside of the main programme by HRO either as a response repair or when the property becomes void.
- 4.12 These individual elements/components are being reassessed as part of our main programme, and this has determined that some meet the standard with no work being required. These elements are recorded as previously achieved and contribute to our overall compliance reports.
- 4.13 There are also instances where an element/component is in good condition, but may fall short of meeting the standard. This can be rectified by carrying out partial works, e.g. rather than fit a full heating system, a boiler only may be required. Also a kitchen may be in good condition but may fall short of meeting the standard due to the lack of storage capacity. This may be overcome by fitting the required number of additional kitchen units. Where such works are undertaken, these are recorded as physically completed properties and not "previously achieved" and also contribute towards our overall compliance.
- 4.14 Appendix 2 provides information on the numbers and types of work items which have been classed as "previously achieved", which is based on properties surveyed to date and information currently recorded within our asset management database.

No Access

- 4.15 It is important that all attempts at gaining access to properties is undertaken to ensure the required works are completed in order that the maximum amount of properties meet the requirements of the WHQS. In the process of arranging for the WHQS works, tenants will receive a combination of various officer visits, e.g. TLO, Building Surveyor, Heating Surveyor, Electrical Surveyor, as well as letters and text messages.

- 4.16 Tenants have the choice to opt out of the improvement programme in relation to improvements to their kitchens, bathroom and heating system where these elements will be treated as an acceptable fail. However there is no option of refusing to upgrade the electrical installation within the property on the basis of health and safety. Access to every property is therefore essential to undertake a survey to establish if electrical works are required even though it is recognised that the majority of tenants allow access.
- 4.17 There are two stages of the Electrical No Access procedure, the first stage is for the surveying of the property and the second stage is for the completion of works on site. Both stages were initially reviewed in March 2018, were implemented in July 2018, and now incorporate a recharge for a missed appointment along with the issuing of a Notice Seeking Possession (NOSP) for any non compliance (See Appendix 3 No Access Procedure). At the time of writing this report there are approximately 390 properties being dealt with through the Electrical No Access procedure which equates to approximately four percent of the housing stock.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 The delivery of the WHQS improvement programme is coterminous with the aims of the Wellbeing of Future Generations (Wales) act 2015, in particular the 5 ways of working:-
- **Long Term:** the report includes continued investment and performance to achieve WHQS by 2020. This investment provides long term improvements to the property, community and to the tenants' health and wellbeing.
 - **Integration:** The programme looks to integrate property and environmental improvements that will benefit and transform lives and communities throughout the county borough. It further brings together a variety of stakeholders to deliver long term sustainable benefits for lives and communities.
 - **Involvement:** Tenants and local residents are being consulted on the proposed property improvements and environmental works along with various initiatives that are part of the WHQS programme delivery.
 - **Collaboration:** The programme delivery is focused on internal collaboration, wider partnership arrangements with suppliers and contractors, joint working with the community and various other groups. The delivery of community benefits and tenant engagement by all involved with the WHQS programme is a key focus and is clearly demonstrable within its delivery.
 - **Prevention:** The works to improve lives and communities will help tackle local unemployment. It will further improve the look and feel of the environment and help prevent anti-social behaviour. Improving standards and quality, will aid future programmed maintenance and potentially reduce reactive maintenance schedules.

6. EQUALITIES IMPLICATIONS

- 6.1 An Equalities Impact Assessment is not required as the report is for information.

7. FINANCIAL IMPLICATIONS

- 7.1 The total expenditure on the WHQS capital programme for 2017/18 was £42.2m, of which £18m related to internal works and £17.5m related to external works, the remainder of the spend was in relation to fees, large scale voids, adaptations and garages. £32.1m of this spend was funded from the HRA as a revenue contribution. A further £7.3m was funded from Welsh Government in the annual Major Repairs Allowance (MRA), and £2.7m was received in environmental grants from Arbed and VVP.

- 7.2 Whilst forecasting future costs, historical information on previously achieved, partial works, and refusals are incorporated within the average cost for each internal element. These costs are fed into the business plan that is submitted to WG annually.
- 7.3 There has been no borrowing undertaken for the WHQS programme to date.
- 7.4 The 2017/18 HRA business plan was approved by WG in May 2017 as part of the annual MRA application, which evidences that the WHQS programme is financially viable and borrowing will not be required until 2018/19. As an update the 2018/19 business plan has also been submitted and approved by WG in July 2018 with a proposed programme of some £55.8m

8. PERSONNEL IMPLICATIONS

- 8.1 The timetable pressure is increasing and there has to be the capacity within the staff resources to cope with the volume of work. Staff movement and recruitment difficulties remain a risk to the programme and have continued to be an issue during 2017/18.
- 8.2 Continued close management and monitoring of performance of the programme is essential to ensure that its delivery is not compromised in any way. The workload for the in-house team is increasing due to the sheltered housing schemes commencing and there is the possibility of them undertaking some of the work previously planned for Contract Services. Additional resources will be required to ensure performance in achieving the objective is maintained.

9. CONSULTATIONS

- 9.1 All responses from consultations have been incorporated in the report

10. RECOMMENDATIONS

- 10.1 Members are asked to note the content of the report, prior to presentation to the Policy and Resources Scrutiny Committee.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To advise Members of the application and volume of WHQS elements classified as “acceptable fails” or “previously achieved” along with explaining the process for managing No Access on the programme.

12. STATUTORY POWER

- 12.1 Housing Acts 1985, 1996, 2004, Local Government Measures 2009 and the Well-being of Future Generations (Wales) Act 2015.

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Consultees:

Cllr L Phipps	- Cabinet Member for Homes and Places
Dave Street	- Director of Social Services and Housing
Shaun Couzens	- Chief Housing Officer
Robert Tranter	- Head of Legal Services & Monitoring Officer
Jane Roberts-Waite	- Strategic Co-ordination Manager
Fiona Wilkins	- Public Sector Housing Manager
Lesley Allen	- Principal Accountant, Caerphilly Homes

Rhys Lewis	- Performance and Systems Manager
Ros Roberts	- Performance Manager
Ian Raymond	- Performance Management Officer
Alan Edmunds	- WHQS Project Manager
Steve Greedy	- WHQS Project Manager
Colin Roden	- WHQS Project Manager

Background Papers:

Welsh Housing Quality Standard (WHQS)

WHQS Compliance Policy

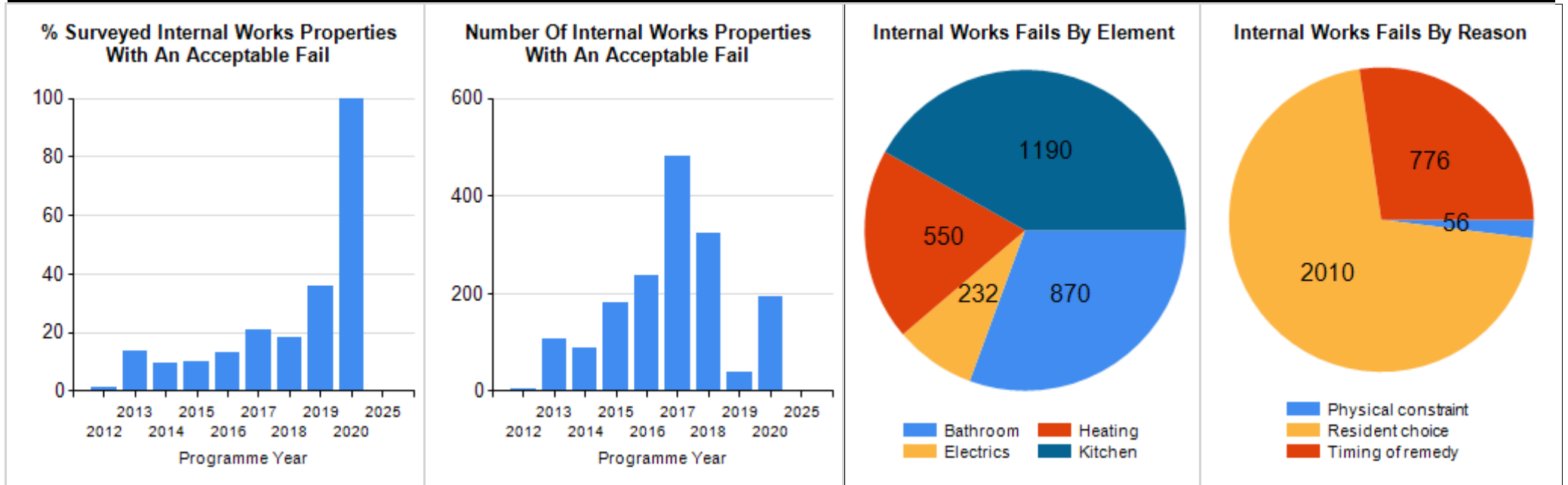
Appendices:

Appendix 1 – Acceptable Fails Data

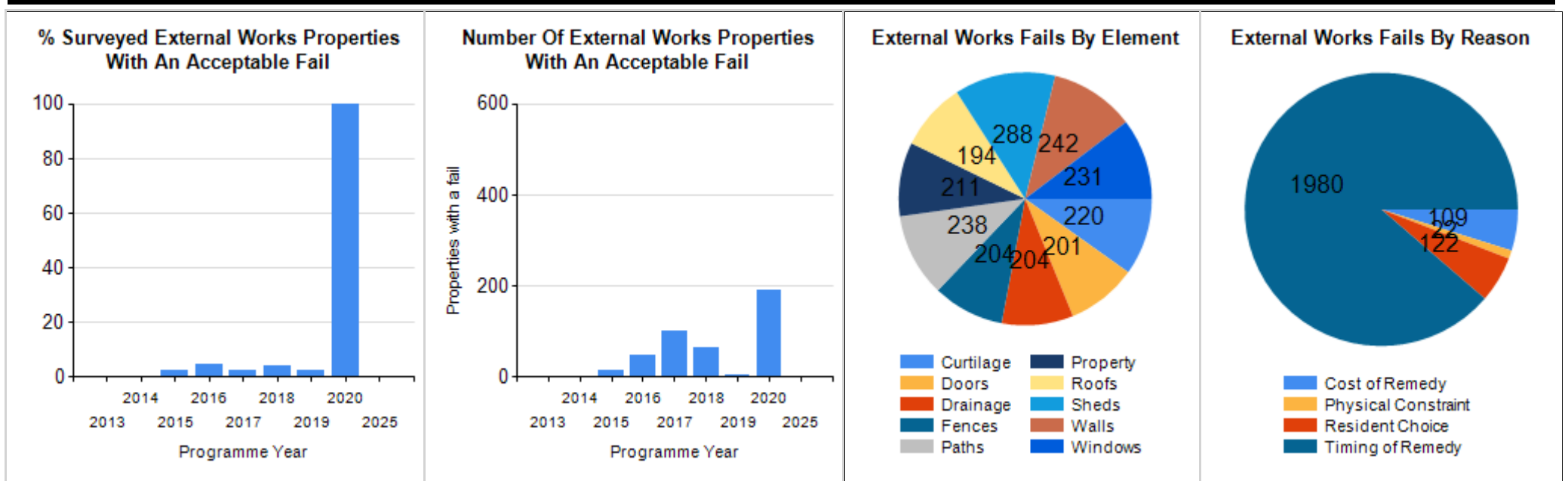
Appendix 2 – Previously Achieved Data

Appendix 3 - Electrical No Access Procedure

Internal Works Fails for whole stock (10,775 properties)



External Works Fails for whole stock (10,775 properties)



Appendix 2

Internal Works Achieved Previously for Properties Surveyed to date									
External Elements	Financial year								Grand Total
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	
Internal – Bathroom	8	161	98	113	296	460	315		1451
Internal – Electrics		309	361	192	27	48	37		974
Internal – Heating	7	545	648	1379	1378	1630	1475	349	7411
Internal – Kitchen	9	161	175	320	398	637	339		2039
Grand Total	24	1176	1282	2004	2099	2775	2166	349	11875

External Works Achieved Previously for Properties Surveyed to date						
External Elements	Financial Year					Grand Total
	2014/15	2015/16	2016/17	2017/18	2018/19	
External – Boundary walls	2	631	889	967	430	2919
External – Doors	50	404	464	343	327	1588
External – Drainage works	52	858	1208	1273	446	3837
External – Fences Railings Gates		163	136	93	49	441
External – Misc works within curtilage	50	791	879	976	306	3002
External – Paths Hardstandings Drives	18	386	347	255	106	1112
External – Roofs and associated components		85	19	222	4	330
External – Stores (sheds and outbuildings)	52	216	460	121	90	939
External – Windows		494	522	735	226	1977
External – Works to property		334	348	538	136	1356
Grand Total	224	4362	5272	5523	2120	17501



Caerphilly Homes

Electrical No Access Procedure for Staff

Version: 3	Date: July 2018	Review Date: July 2020
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Lead Officer:	Debbie Bishop/Alan Edmunds/Steve Greedy/Gareth Harris
Approved By:	Shaun Couzens/Fiona Wilkins
Responsible Staff:	Planned Maintenance Planner Area/Neighbourhood Housing Office

Purpose:

- To ensure a consistent approach across all areas in relation to managing the process when dealing with 'No Access' to a property to undertake an electrical survey as part of planned maintenance works or to gain access to undertake the works once the survey has been completed.
- To ensure a joined up approach between Planned Maintenance and Area/Neighbourhood Housing Offices

Also refer to:

Recharge Procedure
Non-Occupation Procedure
No Access Procedure
Abandoned Property Procedure
Asbestos No Access Procedure

The Welsh Government (WG) has introduced the Welsh Housing Quality Standard (WHQS), which requires all Councils to bring its homes up to a required standard. The WHQS means that all Council homes need to be:

- In a good state of repair
- Safe & secure
- Adequately heated, fuel efficient & well insulated
- Contain up-to-date kitchens & bathrooms
- Well managed
- Located in attractive & safe environments
- Suit the specific needs of the household

It is important that Caerphilly Homes make all attempts at gaining access to properties to ensure the required works are completed so the maximum amount of properties meet the requirements of the Welsh Housing Quality Standard (WHQS).

However tenants can opt out of the improvement programme in relation to improvements to their kitchens, bathroom and heating system but there is no option of refusing to allow Caerphilly Homes to upgrade the electrical installations, due to the health and safety implications. Therefore access to every property is essential to undertake a survey to establish what electrical work is required.

It is recognised that the majority of tenants do allow access. However in cases where either the tenant has refused access or where the tenant fails to contact us in relation to making an appointment, the following procedure must be followed.

1. PROCEDURE – SURVEY

1.1 The Planner is responsible for arranging the initial appointment by sending **ELEC APP 1** letter which informs the tenant of the date of the appointment and giving either an AM or PM time slot. The tenant has 10 days to contact the Planner if the date or time is not suitable in order for other arrangements to be made.

1.2 At the same time that the letter is sent out to the tenant an appointment for the Surveyor is made in Total. This will automatically create a text message if a mobile phone number is logged into the system, and will again repeat the message the day before the appointment.

1.3 If the tenant contacts the Planner to make alternative arrangements **ELEC APP2** letter must be sent to confirm the new agreed appointment time.

1.4 If the tenant is not at home at the appointed time Planner to **consult with the Asbestos Team** to establish if access is required for an asbestos survey. If so any further legal action must include both surveys.

1.5 Planner to send **ELEC APP 3** letter and an email to the Area/Neighbourhood Housing Office (Housing office inbox) requesting that a **NOTICE OF SEEKING POSSESSION (NOSP)** be issued. A/NHO to also raise recharge for the no access appointment – refer to Recharge Procedure.

It is important that if at any time the tenant provides access that the A/NHO is advised so that any action can be suspended or cancelled.

1.6 On receipt of the e-mail from the Planner, A/NHO to make all appropriate checks on the housing system i.e. tenancy basic notepad, rents diary pages, with Social Services etc. to establish any vulnerability or disability which must be taken into account prior to any action being taken. Where there are concerns or a Support Worker involved all attempts must be made to engage the tenant to allow access. Where there appears no other involvement with support services a **NOSP** is to be prepared which is to be served by hand to the property.

- 1.7 No legal action can take place until the 28 days notice expires. Therefore if the tenant makes contact an appointment is to be made which **must** be within the 28 day notice period. Providing access is given on the appointment date no further action is required and the NOSP becomes redundant. It is important that the Planner notify the A/NHO of the appointment details confirming if the appointment has been kept or not.
- 1.8 In the event that access remains unavailable following the [ELEC APP3](#) letter and expiry of the 28 days [NOSP](#) being served Planner to email the Area/Neighbourhood Housing Office to advise and must provide copies of all letters sent, together with any notes of other attempts to contact the tenant i.e. telephone calls, visits to property etc.
- 1.9 A/NHO to send all correspondence to Legal to proceed to court for no access.
- 1.10 It is normal for the Court to award a 28 day postponed possession order to allow the tenant a further opportunity to make an appointment and allow access. If the tenant does not attend Court a copy of the Court Order is sent to the Tenant giving clear instructions on how to prevent further legal action. Following the Court Hearing the planner will be responsible for arranging an appointment by sending [ELEC APP4](#) letter. If the tenant allows access no further action is taken, and the possession order is redundant.
- 1.11 If the tenant fails to allow access during the postponed period, the Planner to advise the A/NHO who will present the case to the Tenancy Review Panel for permission to seek an eviction notice from the Court.
- 1.12 When the tenancy ends the electrical survey and works will be undertaken during the void period.

2. PROCEDURE – WORKS

- 2.1 TLO issues Pre-Commencement letter to tenants
- 2.2 Foreman/Site Supervisor visits tenant, approximately 10 days prior to works starting. An agreed start date is discussed with tenant
- 2.3 If No Access on agreed date, and where electrical work is required,, TLO/Foreman to update No Access information in Keystone
- 2.4 Admin Support Officer to run a weekly Keystone report to identify all No Access relating to Electrical Work
- 2.5 The Admin Support Officer (ASO) is responsible for arranging an appointment with the tenant, and will issue [ELEC WORKS 1](#) letter which informs the tenant of the date of the appointment. The tenant has 10 days to contact ASO if the date or time is not suitable in order for other arrangements to be made.
- 2.6 If the tenant contacts ASO to make alternative arrangements [ELEC WORKS 2](#) letter must be sent to confirm the new agreed appointment time.
- 2.7 If access is not available at the appointed time ASO to send [ELEC WORKS 3](#) letter and an email to the Area/Neighbourhood Housing Office (Housing office inbox) requesting that a

NOTICE OF SEEKING POSSESSION (NOSP) be issued. A/NHO to also raise recharge for the no access appointment – refer to Recharge Procedure.

It is important that if at any time the tenant provides access that the A/NHO is advised so that any action can be suspended or cancelled.

- 2.8 On receipt of the e-mail from ASO, A/NHO to make all appropriate checks on the housing system i.e. tenancy basic notepad, rents diary pages, with Social Services etc. to establish any vulnerability or disability which must be taken into account prior to any action being taken. Where there are concerns or a Support Worker involved all attempts must be made to engage the tenant to allow access. Where there appears no other involvement with support services a NOSP is to be prepared which is to be served by hand to the property.
- 2.9 No legal action can take place until the 28 days notice expires. Therefore if the tenant makes contact an appointment is to be made which **must** be within the 28 day notice period. Providing access is given on the appointment date no further action is required and the NOSP becomes redundant. It is important that the ASO notify the A/NHO of the appointment details confirming if the appointment has been kept or not.
- 2.10 In the event that access remains unavailable following the [ELEC WORKS 3](#) letter and expiry of the 28 days [NOSP](#) being served ASO to email the Area/Neighbourhood Housing Office to advise and **must** provide copies of all letters sent, together with any notes of other attempts to contact the tenant i.e. telephone calls, visits to property etc.
- 2.11 A/NHO to send all correspondence to Legal to proceed to court for no access.
- 2.12 ASO to advise the Contracts Manager that Legal action is being taken, and that the property is to remain on the contract for the works to be completed on conclusion of the legal action.
- 2.13 It is normal for the Court to award a 28 day postponed possession order to allow the tenant a further opportunity to make an appointment and allow access. If the tenant does not attend Court a copy of the Court Order is sent to the Tenant giving clear instructions on how to prevent further legal action. Following the Court Hearing the Planner will be responsible for arranging an appointment by sending ELEC APP4 letter. If the tenant allows access no further action is taken, and the possession order is redundant.
- 2.14 If the tenant fails to allow access during the postponed possession period, ASO to advise the A/NHO who will present the case to the Tenancy Review Panel for permission to seek an eviction notice from the Court.
- 2.15 When the tenancy ends the electrical survey and works will be undertaken during the void period.