

To:
All members of the
Council

Please reply to:
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Service: Committee Services
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Date: 22 April 2022

Supplementary Agenda

Council - Thursday, 28 April 2022

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 28 April 2022:

12. Referral of decisions of the Community Wellbeing and Housing Committee on 29 March 2022 **5 - 84**

To consider the referrals made by Councillors O Rybinski, H Harvey and C Barnard in accordance with the Council's Reservation Scheme, in relation to the following items:

- Tenancy Strategy
- Key Worker Policy Review

A procedure note for this item is attached. A paper responding to the reasons for the referrals is attached. The documents as considered by the Community Wellbeing and Housing Committee on 29 March 2022 are attached.

13. Leisure Centre Operator Procurement

This item has been withdrawn from the agenda for this meeting.

15. Calendar of Meetings 2022-2023 **85 - 96**

To agree the proposed schedule of Council and committee meetings for the period from May 2022 to July 2023.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

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16. Refurbishment of Ground Floor Offices and Reception at 3 Roundwood Avenue 97 - 140

This report seeks to recommend approval for the tendering of a design and build contract covering the refurbishment of the ground floor offices and reception area at 3 Roundwood Avenue, Stockley Park.

This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006 Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in any lease, contract or other type of negotiation with the tenant or developer, who could then know the position of the Council.

18. Member Mental Health Champion 141 - 144

To appoint a member champion for mental health.

20. Report from the Chair of the Administrative Committee 145 - 146

To note the work of the Administrative Committee.

The Committee met on 21 April 2022.

28. Report from the Chair of the Standards Committee 147 - 148

To note the work of the Standards Committee.

The Committee met on 16 March 2022.

Yours sincerely

Gary Lelliott
Committee Services

To the members of the Council

Councillors:

I.T.E. Harvey (Mayor)
S.M. Doran
M.M. Attewell
C.F. Barnard
C.L. Barratt
R.O. Barratt
C. Bateson
I.J. Beardsmore
M. Beecher
J.R. Boughtflower
A. Brar
S. Buttar
J. Button

R. Chandler
J.T.F. Doran
R.D. Dunn
S.A. Dunn
T. Fidler
N.J. Gething
M. Gibson
K.M. Grant
A.C. Harman
H. Harvey
N. Islam
T. Lagden
V.J. Leighton

A.J. Mitchell
S.C. Mooney
L. E. Nichols
R.J. Noble
O. Rybinski
D. Saliagopoulos
J.R. Sexton
R.W. Sider BEM
V. Siva
R.A. Smith-Ainsley
B.B. Spoor
J. Vinson

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Referrals made under the Council's reservation scheme

The Council's reservation scheme provides a mechanism for councillors to refer decisions to Council for determination. Referrals must be made in writing, shortly after the notice of committees' decisions have been published.

Details of the referred decisions are stated later in this paper.

Recommendation

The Council is requested to agree one of the following resolutions:

- **Note the decision of the committee/sub-committee (i.e. the decision stands)**
- **Refer the decision back to the committee/sub-committee for further consideration**
- **Withdraw the decision of the committee/sub-committee (i.e. the decision is not taken)**

In order to provide a structured approach to considering the referred decisions, the following process applies:

1. A representative of the councillors who have referred the decisions to speak on the reasons for their referral. New reasons may not be introduced. Time limit of five minutes.
2. Chair of the committee/sub-committee that made the decisions to respond to the reasons for the referral. Time limit of five minutes.
3. Views from councillors, made in accordance with the rules of debate.
4. A representative of the councillors who have referred the decisions to make closing remarks on the referral. Time limit of five minutes.
5. Closing remarks from the chair of the committee/sub-committee. Time limit of five minutes.
6. Votes on the options listed above. Separate votes for each of the referred decisions will be held.

Details of the decisions

Meeting: Community Wellbeing and Housing Committee, 29 March 2022

Items: Tenancy Strategy; Key Worker Policy Review

Resolutions

Tenancy Strategy

The Committee resolved to approve the Tenancy Strategy.

Key Worker Policy Review

The Committee resolved to approve the revised Key Worker Policy.

Reasons for referrals

Councillors O Rybinski, H Harvey and C Barnard have provided the following reasons for referring the decisions of the Community Wellbeing and Housing Committee:

We wish to call in the decisions of the Community Wellbeing committee of the Tenancy Strategy (11) and the Key Worker Policy Review (13), specifically regarding the policy and the wording 'Affordable rents across the borough to be at a maximum of 80% of a market rent, or LHA rate, whichever is the lowest.' This is a significant specific change in council policy which has not been proposed or directed to the officers by the housing committee and appears to have been slipped in.

I believe this needs to be called into Full Council because:-

1. It was held in Part 2 and shouldn't have been, the public should have heard this debate. For some unexplained reason the Chair choose to bring forwards the last item which resulted in the meeting going into part 2. But failed for some reason to bring the meeting back into part 1.
2. In my questioning used the example that Thameside House penthouse apartments should not be "given" away at the LHA but if affordable at 80% of locally assessed market rent. Furthermore I was told that this would not happen as it would be a mixed scheme. Which apparently is not the case.
3. This is a major policy change and should have been Cllr led, instead it appears that has been slipped in to a policy document by officers
4. This will have major implications on the income of our prime location of our future council schemes, where we are already concerned about the cost of our assets.
5. KGE have not been questioned and we have not heard from them in regards to whether we can afford to do this (as we did when we questioned the 70%)
6. This policy is at odds with the expressed wishes of the policy and resources committee that our council developments will be 80% market rent.
7. There has not been provided financial implications of this policy decision – implications on the council, private developers of interfering in the market.

Attachments:

1. Response to the reasons for the referral
2. Tenancy Strategy documents considered by the Community Wellbeing and Housing Committee on 29 March 2022
3. Key Worker Policy Review documents considered by the Community Wellbeing and Housing Committee on 29 March 2022

Referral in of the decision of the Community Wellbeing and Housing Committee from 29 March 2022, in regard to the approval of the revised Tenancy Strategy and the revised Keyworker Policy

I. Background

1.1 The Community Wellbeing and Housing Committee considered the proposal of a revised Tenancy Strategy and a revised Keyworker Policy on 29 March 2022.

1.2 Both the revised Tenancy Strategy and the revised Keyworker Policy were voted on at the Committee and were unanimously approved.

1.3 On the 4th of April 2022, the Principal Committee Manager and the Interim Group Head of Corporate Governance received a request from Cllr Rybinski to refer the Tenancy Strategy and the Keyworker Policy into the full Council for the following reasons:

1. *It was held in Part 2 and shouldn't have been, the public should have heard this debate. For some unexplained reason the Chair choose to bring forwards the last item which resulted in the meeting going into part 2. But failed for some reason to bring the meeting back into part 1.*
2. *In my questioning used the example that Thameside House penthouse apartments should not be "given" away at the LHA but if affordable at 80% of locally assessed market rent. Furthermore I was told that this would not happen as it would be a mixed scheme . Which apparently is not the case.*
3. *This is a major policy change and should have been Cllr led, instead it appears that has been slipped in to a policy document by officers*
4. *This will have major implications on the income of our prime location of our future council schemes, where we are already concerned about the cost of our assets.*
5. *KGE have not been questioned and we have not heard from them in regards to whether we can afford to do this (as we did when we questioned the 70%)*
6. *This policy is at odds with the expressed wishes of the policy and resources committee that our council developments will be 80% market rent.*
7. *There has not been provided financial implications of this policy decision – implications on the council, private developers of interfering in the market.*

II. Officers' response to the reasons

2.1 Response for Tenancy Strategy

No	Reason	Response
1	It was held in Part 2 and shouldn't have been, the public should have heard this debate. For some unexplained reason the Chair choose to bring forwards the last item which resulted in the meeting going into part 2. But failed for some reason to bring the meeting back into part 1.	<p>This part of the meeting was held in Part 1 i.e. open session.</p> <p>An exempt item was moved to earlier in the meeting. This necessitated the pausing of the stream which was then restarted upon re-entering a public session. There were technical issues with restarting the stream, although the audio has since been recovered and the full stream (part audio/visual, part audio only) is now available on YouTube.</p> <p>Public minutes for this item, which are the statutory record of the meeting, will be prepared in accordance with existing processes. These minutes will be made available as soon as is reasonably practicable.</p>
2	In my questioning used the example that Thameside House penthouse apartments should not be "given" away at the LHA but if affordable at 80% of locally assessed market rent. Furthermore I was told that this would not happen as it would be a mixed scheme. Which apparently is not the case.	<p>Terry Collier, Deputy Chief Executive, responded to this question at the Committee meeting, explaining that it would not be viable for KGE to have high levels of market rental at Thameside House as KGE would not be able to afford the repayments to the Council. The proposed approach therefore represented the most viable approach for KGE and the Council if we wish to retain units on a rental basis.</p> <p>It is also worth noting that a significant number of those offered affordable tenancies are in employment, but due to the level of their income and the cost of living, cannot afford full market rent</p>
3	This is a major policy change and should have been Cllr led, instead it appears that has been slipped in to a policy document by officers	<p>This isn't a major policy change as the existing Tenancy Strategy includes the same percentage of market rent and refers to the rent being applied for affordable rental units as being the lower of 80% of market rent or Local Housing Allowance. The revised Tenancy Strategy is a more detailed document in comparison to the original document, detailing the types of tenancies permissible in the borough and the circumstances when those can be</p>

		awarded, across all Registered Providers in Spelthorne. The revised version seeks to have a uniform approach across all providers, and to add some certainty for tenants about the type of tenancy they can expect. However, the level of affordable rent has not changed, and it remains at up to 80% of market rent or LHA, whichever is lower. It is therefore unclear what is the major policy change the referral is referencing.
4	This will have major implications on the income of our prime location of our <u>future</u> council schemes, where we are already concerned about the cost of our assets.	The viability of schemes is calculated based on affordable rent of up to 80% of market rent. The Tenancy Strategy applies to all Registered Providers in Spelthorne, it is not KGE specific.
5	KGE have not been questioned and we have not heard from them in regards to whether we can afford to do this (as we did when we questioned the 70%)	KGE have not been questioned by the Cllrs, because there is no change in the percentage of affordable rent from the previous position. KGE Board did receive a copy of the draft revised Strategy which it considered and confirmed it had no issues with the proposed amendments. KGE Directors did attend a meeting of Corporate Policy and Resources Committee in 2021 when they confirmed that they were comfortable from a company viability view point with the current (and unchanged) reference to lower of 80% market rent or LHA
6	This policy is at odds with the expressed wishes of the policy and resources committee that our council developments will be 80% market rent.	Terry Collier explained at the Committee meeting that some developments will be at the maximum level of 80% of market rent, depending on viability, but it gives the RPs the option to charge less than 80% of market rent, where viability allows. As highlighted above this element of the Policy has not changed and CPRC in 2021 confirmed that it wish to maintain the current percentage. So this is consistent with the most recent expressed wishes of CPRC. An example is Benwell Phase 1, where some rents were set at 80% of market rent and some at LHA as the relationship in that instance varied accruing to the size of the units.

7	There has not been provided financial implications of this policy decision – implications on the council, private developers of interfering in the market	There is no change of the percentage of market rent charge for affordable tenancies, therefore no financial implications. This was discussed at the CPRC meeting in 2021 at which KGE Directors attended. The Chief Accountant’s analysis confirmed that by sticking to the current policy the 50 year model did not suggest an issue with the viability of KGE (and therefore in turn for the Council).
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2.2 Response for Keyworker Policy

No	Reason	Response
1	It was held in Part 2 and shouldn’t have been, the public should have heard this debate. For some unexplained reason the Chair choose to bring forwards the last item which resulted in the meeting going into part 2. But failed for some reason to bring the meeting back into part 1.	Please refer to the earlier response.
2	In my questioning used the example that Thameside House penthouse apartments should not be “given” away at the LHA but if affordable at 80% of locally assessed market rent. Furthermore I was told that this would not happen as it would be a mixed scheme . Which apparently is not the case.	Terry Collier, Deputy Chief Executive, responded to this question at the committee meeting, explaining that it would not be viable for KGE to have high levels of market rental at Thameside House as KGE would not be able to afford the repayments to the Council due to the higher interest rates applicable for private rental compared to affordable rental..
3	This is a major policy change and should have been Cllr led,	This isn’t a major policy change as the existing Keyworker Policy includes the same percentage of market rent for affordable tenancies for

	instead it appears that has been slipped in to a policy document by officers	keyworkers. The revised Keyworker Policy expands on the definition of a keyworker to enable more keyworker nominations to be made from the Housing Register. This will help improve the chances of KGE being able to fill keyworker units and minimise the risk of voids. However, the level of affordable rent has not changed, and it remains at up to 80% of market rent or LHA, whichever is lower.
4	This will have major implications on the income of our prime location of our <u>future</u> council schemes, where we are already concerned about the cost of our assets.	. The Keyworker Policy applies to all Registered Providers in Spelthorne, it is not KGE specific. The amendments to the definitions of keyworkers by broadening the scope actually reduce financial risk for KGE and in turn the Council by reducing the risk of voids.
5	KGE have not been questioned and we have not heard from them in regards to whether we can afford to do this (as we did when we questioned the 70%)	KGE have not been questioned by the Cllrs, because there is no change in the percentage of affordable rent from the previous position. KGE Board did receive a copy of the draft revised Keyworker Policy which it considered and welcomed as a sensible approach confirming it had no issues.
6	This policy is at odds with the expressed wishes of the policy and resources committee that our council developments will be 80% market rent.	N/A to Key worker policy.
7	There has not been provided financial implications of this policy decision – implications on the council, private developers of interfering in the market	There is no change of the percentage of market rent charge for affordable tenancies, therefore no financial implications. The changes to the Keyworker policy reduce the risk of voids

III. Recommendations

3.1. As shown above, level of market rent applied has not changed for affordable tenancies by the adoption of the revised Tenancy Strategy and/or the revised Keyworker Policy. Therefore there has not been the

major policy change implied by the referral and it is recommended that the decision of the Community Wellbeing and Housing Committee is noted.



29 March 2022

Title	Tenancy Strategy
Purpose of the report	To make a Key Decision
Report Author	Marta Imig, Strategic Lead, Housing
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	<i>N/a</i>
Corporate Priority	Housing
Recommendations	Committee is asked to: Approve the Tenancy Strategy
Reason for Recommendation	This Strategy is a review of the existing Tenancy Strategy, originally introduced in 2012.

1. Key issues

- 1.1 The Council's Tenancy Strategy has not been reviewed since it has been originally introduced in 2012. Within the Housing Strategy, it was stated that the original Tenancy Strategy (enclosed in Appendix B) should be reviewed, to ensure that tenures offered to residents meet local needs.
- 1.2 The revised Strategy (enclosed in Appendix A) is a more comprehensive version of the original document, setting out all types of tenancies permitted within the Borough and the circumstances when those can be offered. The revised draft Strategy focuses on local needs and affordability of housing within the Borough.
- 1.3 The proposed Strategy was consulted with Registered Providers (RPs) and Knowle Green Estates (KGE) in July 2021. At the time, it proposed a reduction of the affordable rent - up to 70% of market value. The reduction was supported by the RPs and KGE at the time, but it was rejected by the Members. Thus, the redrafted version of the Strategy proposes to retain the affordable rent levels at up to 80% of market rent value.

2. Options analysis and proposal

Option 1: To reject the Tenancy Strategy

The revised Strategy will not apply, and the existing Tenancy Strategy will remain in force.

Option 2: To adopt the proposed Tenancy Strategy (**recommended**)

The adoption of the revised Tenancy Strategy will ensure that tenancies are offered fairly and consistently across the Borough by Registered Providers (RPs) and Knowle Green Estates.

Option 3: Adopt an alternative Tenancy Strategy

There remains the possibility of adopting an alternative Tenancy Strategy, should Committee consider it appropriate.

3. Financial implications

3.1 The revised Tenancy Strategy proposes to retain affordable rent levels at up to 80%, therefore there is no financial impact on RPs and KGE.

4. Other considerations

4.1 N/A

5. Equality and Diversity

5.1 An Equality and Diversity Impact Assessment has been carried out and is provided in Appendix C.

6. Sustainability/Climate Change Implications

6.1 The proposed Strategy itself does not have any impact on the Council's sustainability / climate change position.

7. Timetable for implementation

7.1 Once adopted, the Strategy will be put into effect immediately.

7.2 This Strategy will be comprehensively reviewed every 5 years.

Background papers: There are none.

Appendices:

List as Appendix A, B etc with a short description of each.

Appendix A: Revised Tenancy Strategy

Appendix B: Original Tenancy Strategy

Appendix C: Equality Impact Assessment for Tenancy Strategy



SPELTHORNE TENANCY STRATEGY

July 2021

1. Introduction and background

1.1. The Localism Act 2011 (the Act) requires local authorities to publish a Tenancy Strategy setting out the matters which registered providers of social housing (RPS) should have regard to when formulating their policies or their own housing stock relating to: .

- (a) The types of tenancies they grant
- (b) The circumstances in which they will grant a particular type of tenancy
- (c) Where there are fixed term tenancies the length of the term granted
- (d) The circumstances in which they will or will not grant a further tenancy on the termination of an existing fixed tenancy

1.2. The Act introduced a number of new options for RPs including:

- (a) fixed term tenancies rather than secure or assured tenancies
- (b) flexible tenancies which can be for a minimum fixed term of two years
- (c) 'affordable rent' which permits rents to be set at up to 80% of market rent (inclusive of service charges). The introduction of affordable rent made building more new homes possible, allowing more people in housing need to have access to a good quality home at a reduced rent.

1.3. The Act required local authorities to keep the Tenancy Strategy under review. This strategy replaces the Council's Tenancy Strategy, published in 2012 and now includes and applies to Knowle Green Estates Limited (KGE), the Council's housing delivery company .

1.4. Knowle Green Estates Limited whilst not currently a registered provider has agreed to have regard to the Tenancy Strategy in formulating any of its policies relating to its affordable housing stock.

1.5. The strategy sets out all types of tenancies that all RPs operating in Spelthorne and KGE, must consider when they draw up their own individual policies on the types of tenancies, they will grant. The Council does not own

its own housing stock and is reliant on its RP partners and KGE for properties to allocate to households on the Council's Housing Register.

1.6. All RPs operating in Spelthorne and KGE must have regard to the Council's Tenancy Strategy, when meeting their duty to state clearly what types of tenancies they will grant and in which circumstances these different types of tenancies will be granted, also the length of any fixed-term tenancies they will grant and in what circumstances a new tenancy will be given should any fixed-term tenancy expire.

1.7. This strategy is the result of the review and consultation with RPs operating within Spelthorne Borough and KGE, their views have informed this strategy review. We will continue to work in partnership to ensure that this Tenancy Strategy and local RPs and KGE policies meet local housing needs.

2. Local Context

2.1 Spelthorne is an attractive borough with excellent schools, attractive open spaces, and good transport links. The Borough benefits from scenic river walks along the banks of the River Thames and is in close proximity to Heathrow which offers good and varied employment opportunities for residents. As such, the demand for housing in the borough is high and like most areas in the South East, property prices are high. Levels of home ownership are high¹ at approximately 72.5%, 25.5% rent their home with 13.1% of these renting from the private sector. Further 2% either lives with family or has other living arrangements.

2.2 Access to the private rented sector for those on low incomes and benefits remains difficult and has become more difficult due to welfare reform changes.

¹ Source: UK Census of 2011

2.3 The supply of affordable rented homes is limited, and it is important that the stock that is available is used to its full potential to provide homes for those in the highest housing need who require assistance from the Council.

3. Objectives of the Tenancy Strategy

3.1 The purpose of this Tenancy Strategy is to provide guidance to RPs and KGE, informing their policies and practices to ensure that they meet housing need across the whole of the Spelthorne Borough. This Strategy clarifies to housing applicants the type of tenancy they can expect.

3.2 The Strategy has the following aims:

- a) **Make best use of social housing stock** - to ensure that affordable homes are used as effectively as possible to meet the housing needs of Spelthorne residents where their needs are not met by the private sector. This can be achieved by supporting and enabling existing social housing tenants to move on from affordable housing once they are able to sustain an alternative housing option, such as home ownership or the private rented sector.

- b) **To meet local housing needs and prevent homelessness** - The use of fixed term tenancies provides an opportunity to address under-occupation. It gives affordable housing providers greater opportunity to move people into a smaller property when their current accommodation is larger than their actual housing need (i.e. occupying a three bedroom property when their need is only for a two bedroom property). This will release larger properties for those who need them, including overcrowded households or families facing homelessness. RPs and KGE will not be obliged to renew a fixed term tenancy at the end of the term and will support tenants who are under occupying an affordable property to find a more suitable alternative in this situation.

- c) **To enable a range of tenure options** - maximising the potential of existing affordable housing enables the balance of the wider housing market in the Borough. Getting a better balance between the different housing sectors ensures that residents can access the homes with a suitable tenure that they need, when they need them, at an affordable cost. RPs will prepare tenants for independence once their circumstances have improved by making it clear from the start of their tenancy that the arrangement is not necessarily a permanent one/assured lifetime tenancy.

People's needs may change over time and different tenure options may be more suitable subject to their circumstances, including accessing home ownership and the private rented sector. Flexible tenancies should encourage people to make flexible choices about their housing options, rather than assuming that limited social rented housing is their only effective choice.

3.3 The strategy has been drafted to support the Council's current strategic priorities of:

- Enabling the delivery of more affordable homes
- Promoting independence and wellbeing
- Preventing homelessness and rough sleeping

4. The Strategy

4.1 The Strategy sets out guidance to RPs and KGE for their own individual Tenancy Policies.

4.2 The following tenancy types are recognised as being permitted:

- Probationary Tenancies
- Flexible/Fixed Term Tenancies
- Secure/Assured Tenancies
- Licences – limited use

- Assured Shorthold Tenancies – limited use

4.3 This Strategy aims to define the types of tenancies and will apply to all RPs and KGE providing social and affordable rented properties in Spelthorne Borough. In addition, it also sets out standards expected of all RPs and KGE, who have been consulted during its development. All local RPs and KGE must give due regard to the guidelines set out in the strategy, upon completion of the review consultation.

4.4 RPs are required by Homes England and the Regulator of Social Housing, acting as their regulatory body, to let their homes in a fair, transparent and efficient way, which takes into account the housing needs and aspirations of tenants and potential tenants whom they serve. RPs and KGE are expected to demonstrate how their lettings:

- make the best use of available housing
- are compatible with the purpose of the housing
- contribute to the Local Authority's strategic housing function and sustainable communities.

4.5 RPs and KGE are also required to publish clear and accessible policies setting out the term of the tenancies, when they will be renewed and the approach to management, including interventions to sustain tenancies and to prevent unnecessary evictions and tackle tenancy fraud. The Council expects RPs and KGE to positively engage with counter-fraud initiatives to pro-actively manage any tenancy fraud.

4.6 Most RPs operate across more than one local authority boundary. Therefore, they may need to acknowledge and have regard to several tenancy strategies, which will then be tailored to suit a borough or district's particular circumstances.

4.7 The Council considers that prospective tenants should have fair access to the available social housing in the Borough and not be confused by various

landlords offering different tenancies or terms. Without broad compatibility between the policies of the RPs operating in the same borough or district the choices made by housing applicants could be affected and this may affect our ability to meet their housing need. We therefore expect that RPs and KGE engage with and consult with the Council to ensure their policies are in line with the principles of this strategy.

4.8 The legal status of the Tenancy Strategy is such that it does not override existing agreements regarding tenure.

Probationary Tenancies

4.9 Probationary or Trial tenancies provide an effective housing management tool, to ensure that new tenants understand their obligations under their tenancy agreement and can sustain that tenancy.

4.10 Where a RP uses a Probationary Tenancy, they should normally be entered into for a 12-month period, which may be extended to a maximum of 18 months, where reasons for extending the probationary period have been given and where the tenant has had the opportunity to request a review.

4.11 New tenants may be offered a starter tenancy, known as 'probationary tenancy'. These usually last 12 months and are a 'trial' period. The tenant becomes a fixed term tenant after 12 months, unless the RP has either:

- Started an action to evict the tenant
- extended the starter tenancy

4.12 Probationary tenancies were created by the Housing Act 1996. They are intended to allow RPs to decide if a tenancy is granted to a suitable tenant. At the end of the starter tenancy, the tenant will be offered either:

- an assured tenancy - meaning the tenant can remain in the property for the rest of their life
- a fixed-term tenancy - usually lasting for at least 5 years (the RP will decide whether it's renewed based on individual circumstances)

4.13 Upon successful completion of the probationary period, tenants should graduate to the relevant tenancy as set out within the individual RPs tenancy policy.

Fixed Term Tenancies

4.12 The Council considers that fixed-term tenancies provide opportunities to make best use of the limited stock available, as well as opportunities at tenancy renewal to review the existing housing need. Although these tenancies do not offer lifetime security of tenure, in other respects tenants will have similar tenancy rights to assured tenants.

4.13 It is desirable that all new affordable tenancies across the Borough are offered on similar fixed terms, rather than there being a range of terms, which may create confusion for those households relying upon the social housing sector to meet their housing need.

4.14 The Council expects a fixed-term tenancy of five years to be granted to new social housing tenants, after probationary period, with few exceptions. In the authority's view, five-year tenancies give adequate security to most households, as they provide a balance between residents having stability and feeling settled in an area, with the ability to help make tenancies work and be sustainable, as well as making the best use of housing stock retained by the landlord.

4.15 All such tenancies will be subject to review towards the end of the fixed term and, subject to the circumstances of the tenant at that time, a decision will be made as to whether to renew the tenancy for a further fixed-term period, not to renew or to offer an assured tenancy.

4.16 It is essential that RPs clearly communicate renewal terms to new tenants when they are offered fixed-term tenancies, so that they understand that in most circumstances tenancies will be renewed. This will help people, particularly those who are vulnerable, feel connected and settled and contribute to their local areas and to invest in their homes.

4.17 Social housing also comes with responsibilities and there should be a link between expected behaviour and tenancy renewal, which needs to be strongly communicated at the start of the tenancy.

Two-year flexible tenancies

4.18 Although five-year flexible tenancies are recommended as the usual minimum term, two-year tenancies may be offered in certain circumstances. The Council considers that shorter fixed terms may be desirable in a number of exceptional circumstances, as follows:

- Where a short tenancy is being offered for a fixed period and there is no intention to renew
- An offer of accommodation to someone who has lived with a tenant who has died, but is not entitled to succeed to the tenancy, to provide them with some transitional protection² to overcome their bereavement where they are likely to be able to meet their own housing needs in the longer term.

4.19 Shorter tenancies may also be considered in certain circumstances, where an existing five-year tenancy is coming to an end and there is uncertainty about the future needs of the tenant, for example:

- a family where children have been taken into care, and where it is not known if those children will return home
- a family where there is a relationship breakdown and there are ongoing negotiations about residence arrangements for the children that could affect the household's future social housing requirements

² The period of transitional protection would be for two years.

- a family with adult children at university or living away from home where it is uncertain as to whether the adult children will return to live at home permanently.

4.20 In some instances, a further shorter tenancy may be more appropriate where a tenant has a history of not keeping to the terms of their tenancy agreement.

4.21 These examples do not necessarily cover all types of exceptional circumstance that might arise. Further advice will be available to RPs in the use of discretion for shorter tenancies, if required.

Assured tenancies

4.22 Assured tenancies must be retained for those tenants who held them on the day that section 132 of the Localism Act 2011 came into force.

4.23 The Localism Act requires RPs to offer Secure or Assured tenancies to applicants that were already social tenants before the provisions were enacted, and this applies to mutual exchanges reciprocal moves or moves as a result of major works or regeneration.

4.24 The Council expects that existing Secure and Assured tenants will retain their security of tenure when they choose to move to another social rented home.

4.25 In transfers between tenants with different levels of security, Secure or Assured tenants keep their security of tenure if they swap with a Fixed-term tenant or an Affordable rent tenant. However, it is not guaranteed they will keep the same rent or other tenancy conditions.

4.26 Older people who have reached state retirement age and will occupy a general needs property will always be granted assured tenancies. The terms

of sheltered housing and extra care tenancies will remain the same as they are and will be let as assured tenancies.

4.27 Assured tenancies can be used in circumstances where the tenant will require long term affordable housing. This can be due to long term physical or mental ill health.

4.28 Assured tenancies are designed to provide security of tenure and stability to the household in need.

4.29 Assured tenancies for new tenants should be used after a successful probationary tenancy period.

Other tenancies and licences

4.30 There are other types of tenancies and licences that may be used by RPs and KGE in appropriate circumstances. The Council supports the continued use of such tenancies, as set out here, below:

- **Non-Secure Tenancies/ licences** are used for households provided with accommodation under the Council's statutory homelessness duties. They do not offer security of tenure. They last until the Council has discharged its duty to provide temporary accommodation and may be used by the RPs if they provide temporary accommodation for this purpose at the request of the Council.

- **Assured Shorthold Tenancies (ASTs)** are generally used for private sector rented homes, but RPs and KGE may also use them in some circumstances. They are frequently used in supported housing schemes or in general needs accommodation, which is intended for short-term use, for example to help prevent immediate homelessness or where properties are leased for a fixed period and the landlord needs to be able to offer up vacant possession at the end of the term.

Overview

4.31 Tenants who were awarded their assured tenancy prior to the Localism Act 2011 introduction, will not be affected by any changes brought by the Act and will continue their tenancies under their existing terms and conditions, including the right to buy/right to acquire, succession rights and the right to exchange their tenancy with another assured tenant.

4.32 Where fixed-term tenancies are awarded they should be for at least 5 years and any 'probationary' tenancies should initially be for 12 months, with a possible 6-month extension.

4.33 The flexible tenancy supports the government's aim to move away from the 'tenancy for life' approach and, instead, provide social housing at a time of need and throughout the time of need, rather than permanently. This approach recognises that social housing tenancies are prioritised for those with the greatest current need, such as those who are overcrowded or those facing homelessness.

4.44 The Government's intention is to assist RPs to maximise effective use of their housing stock, and to help more people move on from affordable housing, should their circumstances change, and they become in a position to sustain alternative housing, such as home ownership or accessing the private rented sector.

5. Affordable rent

5.1 Affordable Rented (AR) housing is a model of social housing that can be let at up to 80% of local market rents. This is in contrast to social rented housing, which has to be let at 'target rents' which are set by the Government and are usually between 40 % and 50 % of market rents. Any increase in rent is to be used to fund new social housing development.

5.2 AR housing is not directly linked to tenancy – it can be offered as a lifetime tenancy or a flexible tenancy. It is important that tenants and prospective tenants understand the difference between AR and social rents. The Council expects RPs to set out their intentions to use ARs in their individual tenancy policies, which may relate household income to eligibility for AR housing.

5.3 The National Planning Policy Framework (NPPF) defines AR housing as: “rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).”

5.4 All RPs that have entered into development contracts with Homes England and receive grants are required to charge Affordable Rents. It also recommends that when setting rents, RPs take into account the local market context (including the relevant Local Housing Allowance) and wider Benefits’ policy.

5.5 Private rents are extremely high in the Borough. Therefore, the Council wants to ensure that affordable rent levels in Spelthorne remain affordable. The affordable rent model will enable affordable housing providers to set affordable rents for new build properties as well as re-let of existing properties at up to a maximum of 80% of the market rent for a comparable property within the same locality³. Spelthorne’s market rent levels vary between localities, these variations will be reflected in the affordable rents calculated for each locality. However, in no instance will the rents charged for affordable rented properties, exceed the relevant Local Housing Allowance (LHA) rate that is applicable for that property size at the time of

³ Due to introduction of the Localism Bill 2011

rent setting. This is to avoid excessively high affordable rents in high value areas.

5.6 The Council accepts that the AR model will help secure new housing supply. However, we expect developers, KGE and RPs to follow the guidance laid in the Supplementary Planning Document on S.106 sites. This indicates that we expect Affordable rents across the borough to be at a maximum of 80% of a market rent, or LHA rate, whichever is the lowest. Developments with planning permissions granted prior to the review of this Tenancy Strategy, where viability was assessed at up to 80% of market rent, will be permitted to offer AR tenancies up to 80% of market rent.

5.7 Although this guidance is for S.106 sites the Council expects RPs and KGE developing any site, or converting their rents, to abide by the principles set out in this guidance.

5.8 Given the importance of homes being affordable for tenants, the Council considers it essential that RPs and KGE develop approaches to financial inclusion and capability for tenants, ensuring that prospective tenants will be allocated a home they are able to afford in the longer term and financial issues will be addressed at an early stage. Likewise, tenants likely to be affected by welfare reform changes should be given appropriate advice and information.

5.9 Applicants who are officially ineligible for housing, for example foreign nationals who are subject to immigration control and other people from abroad excluded by statute or regulation and do not therefore, have recourse to public funds, will not be nominated for housing by the Council or local providers of affordable housing.

6. Succession

6.1 In some circumstances and depending on the tenancy type, a spouse, partner or any other household member may be entitled to succeed the tenancy. The Localism Act has introduced only one statutory right of

succession, to a spouse, partner, or any other household member. Any other successions will be entirely at the discretion of the affordable housing provider in consultation with the Council. All applications to succeed a tenancy will be assessed on a case-by-case basis by RPs.

6.2 All successions to a flexible tenancy will only be for the remainder of the life of that tenancy, and subject to a full review as set out below when the end of the tenancy is due.

7. Tenancy Reviews

7.1 No less than six months before a flexible tenancy is due to end, it will be subject to a review using the criteria detailed below. If it is decided, as a result of the tenancy review, that a tenancy will not be renewed, written notice advising the tenant of such will be served. The notice must contain the reasons for the decision and also notify the tenant of their right to appeal. Should a tenant appeal and fail to have the decision overturned, the landlord will be able to seek possession of the property. The landlord's right of possession may then be challenged in the County Court only on the grounds that the landlord has made a legal error or a material error of fact.

8. Review Criteria

8.1 The tenancy review criteria could include the continuing needs of tenants, any assets they might have accrued or inherited during the period of the tenancy, attitude to work/training opportunities that might have presented themselves during the period of the tenancy and pressures on social housing.

8.2 Tenancies will not normally be extended where one or more the following apply:

- The financial capacity of the tenant/s to secure alternative market accommodation or affordable tenures, under the financial criteria as

set out in the Allocation Policy. However, any assessment of financial capacity must be managed in such a manner that ensures it does not act as a disincentive to work.

- The conduct of the tenant throughout the fixed term. This includes any anti-social behaviour issues, rent arrears, or property management issues. In instances that the affordable housing provider wants to refuse a further tenancy due to the conduct of the tenant, they will be expected to provide a detailed record of support and engagement with the tenant to assist them in maintaining their tenancy.

- The property is under-occupied by one bedroom or more.

- The property has been extensively adapted for someone with a disability who no longer lives with the tenant (this allows the property to be released for someone who will benefit from the adaptations).

8.3 The Council recognises that there may be circumstances in which it would be unreasonable to expect someone to move even if the above criteria applied, and would want a tenancy to continue if:

- The tenant is a care leaver and still receiving support from social services because of this.

- The tenant is participating in a family intervention programme or an equivalent programme.

- Other circumstances as deemed appropriate by the RP and KGE

9. Termination of a flexible/fixed term tenancy

9.1 Once the tenancy review is completed, if it is decided that the tenancy will not be renewed, the RP and KGE must serve a written notice advising the

tenant of their decision. The notice will contain the reasons for the decision and formally notify the tenant of their right to appeal and the appeal process. It is a legal requirement for the notice to be issued at least six months before the expiry of the tenancy so that the tenant has time to seek advice about their options.

9.2 The RPs have the statutory duty to provide housing advice/support to tenants in this situation. Before a tenancy being terminated, the RP will assist the tenant to explore their options for alternative housing. Such options could include home ownership, a privately rented home or a more suitable affordable rented home. The Council's Housing Options team will also offer housing advice to tenants in this situation if requested.

9.3 The housing officers in the Council Housing Options team will assist tenants with a wide range of advice to help them resolve the issues arising from the termination of their tenancies. This will include signposting to other Council departments where appropriate and to voluntary organisations that may help support people with resolving their housing issues.

9.4 RPs and KGE are asked to notify the Council without delay about tenancies that will not be renewed, subject to the consent of the tenant, as this will help any offer of further assistance if necessary.

9.5 If the tenant refuses to move when the notice period expires, the normal possession procedure will take effect.

10. Appeals

10.1 If a tenant disagrees with the decision reached by their affordable housing provider to terminate their tenancy, they may use the appeal process as follows.

- All applicants have the right to request general information about their tenancy review, including the facts that have been taken into account and the reasons for terminating their tenancies.

- An applicant who is unhappy with a decision made under this policy should in the first instance contact their affordable housing provider, area housing officer to explain why they think that the decision is unreasonable.
- If an applicant wishes to pursue the matter further, they should obtain a copy of their affordable housing provider's appeal process and ensure that they submit an appeal within the stated time limit.
- Where an applicant wishes to appeal the termination of a tenancy and the notice period expires during the period of the appeal, the tenant will be permitted to stay in the property where this is not likely to lead to an unreasonable delay in the property being vacated.
- If the appeal review upholds the decision, the tenant then has recourse to the County Court.
- Should the County Court uphold the decision, the tenant will be obliged to leave the property.

11. Strategy review & monitoring

11.1 The Tenancy Strategy has been developed and reviewed through consultation with RPs and KGE operating within the Borough.

11.2 This strategy may be updated from time-to-time to ensure that any information and links remain relevant and will be further reviewed as circumstances require at regular intervals of not less than every five years. Any material revision to the strategy will be considered in consultation with all relevant parties, who will be given a reasonable timescale to respond and comment as appropriate.

11.3 The responsibility for monitoring the implementation of this strategy is delegated to the Council's Strategic Housing Group (SHG), with periodic updates provided to the Community Wellbeing and Housing Committee. SHG exists to ensure that Spelthorne Borough Council has a focussed strategic approach on housing matters, in order that Spelthorne's housing need is identified and met.

12. Equalities and diversity

12.1 The Tenancy Strategy will be subject to an Equality and Diversity Assessment and the Council expects RPs to carry out their own Equality and Diversity Assessment for their individual tenancy policies.

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SPELTHORNE TENANCY STRATEGY

December 2012



SPELTHORNE TENANCY STRATEGY

1. Introduction and background

1.1 As part of its package of Localism, Welfare Reform and Austerity measures, the Government is introducing changes to the way in which affordable housing is provided in England. These include changes to the way that affordable housing is funded and also far reaching welfare benefit reforms. In addition as part of the new Localism Bill 2011, the Government is proposing a set of measures, which will allow local authorities and Registered Social Landlords (RSL's) increased flexibility in the way they allocate and provide tenancies. At the heart of this are two key changes.

- The provision of fixed term tenancies for tenants of social housing
- Local authorities/RSL's to have increased flexibility on how they allocate social housing

1.2 These tenancies will in most cases be for a minimum of five years. This is in recognition that currently RSL tenancies are granted to meet an immediate need, such as homelessness or overcrowding, which might change over time resulting in homes being under-occupied or occupied by tenants who could afford to buy a home or rent a home on the open market.

1.3 The Council and its RSL partners welcome the additional flexibility that fixed term tenancies will provide. Providers of affordable housing in the borough will give due regard to our policy when granting tenancies. It should be noted that the Council does not own its own housing stock and is reliant on its RSL partners for properties to allocate to households on the Housing Register.

2. Overview

2.1 The Government change to legislation that allows providers of affordable housing to grant a fixed term tenancy is a change to the current situation, whereby affordable homes are let on what is known as an assured tenancy. An assured tenancy is effectively for life, subject to full payment of rent and compliance with all tenancy conditions.

2.2 Existing tenants who remain in their current affordable homes will not be affected by these changes and will continue their tenancies under their existing terms and conditions, including the right to buy/right to acquire, succession rights and the right to exchange their tenancy with another assured tenant.

2.3 As of 27th February 2012, there are 1,882 households on the Spelthorne Housing Register. Within these figures, 17 households are classified as being in emergency housing need (Band A), 162 households in urgent housing need (Band B) and 1199 households with an identified housing need (Band C).

3. Local Context

- 3.1 Spelthorne is an attractive borough with excellent schools, attractive open spaces and good transport links. The borough benefits from scenic river walks along the banks of the River Thames and is in close proximity to Heathrow which offers good and varied employment opportunities for residents. As such, the demand for housing in the borough is high and like most boroughs in the South East, property prices are high. Levels of home ownership are high at about¹ 77%, 22% rent their home with 9% of these renting from the private sector.
- 3.2 Access to the private rented sector for those on low incomes and benefits has become more difficult due to the changes in housing benefits that were introduced in April 2011.
- 3.3 The supply of affordable rented homes is limited and it is important that the stock that is available is used to its full potential to provide homes for those in the highest housing need who require assistance from the Council.

4. Objectives

- 4.1 The objective of Spelthorne's Tenancy Strategy and each respective RSLs Tenancy Policy is to ensure that the affordable housing stock is used as effectively as possible, to provide homes for Spelthorne residents in housing need who are unable to secure a home that meets their housing needs for themselves in the private sector. This can be achieved if more people can be assisted in moving on from affordable housing once they are in a position to sustain an alternative housing option, such as home ownership or the private rented sector.
- 4.2 The use of fixed term tenancies also provides an opportunity to help address under-occupation by giving the affordable housing providers more opportunity to move people to smaller accommodation when their current accommodation is larger than their actual housing need (i.e. occupying a three bedroom property when their need is only for a two bedroom property). This will release larger properties for those who need them, including overcrowded households. Currently an incentive scheme is in place and a financial reward can be offered to encourage those under occupying properties to move, however neither an RSL nor the Council has the power to require people to move to a smaller home. The RSL's will not be obliged to renew a fixed term tenancy at the end of the term and will support tenants who are under occupying an affordable property to find a more suitable alternative in this situation.
- 4.3 The affordable housing providers will prepare tenants for independence once their situation has improved by making it clear from the start of their tenancy that the arrangement is not necessarily a permanent one/assured lifetime

¹ Figures from Housing Needs & Stock Condition survey undertaken in 2006

tenancy. The Council's Housing Options team will also be available to offer housing advice to tenants when appropriate. While our Tenancy Strategy deals with the granting of tenancies from affordable housing providers, it is important to understand that applicants for affordable housing may also be offered properties/tenancies within the private rented sector.

- 4.4 Currently the majority of affordable housing properties in Spelthorne are let under assured tenancies at target social rents (formerly council housing rents). However, a new type of rent setting regime for affordable housing, known as Affordable Rent was introduced by the Government in 2011, as a new type of tenancy, designed to help address the shortage of affordable homes in England and ensure those in the most need can be housed. Affordable Rents are calculated at up to 80% of the private market rent in the locality they are situated. Although they are more expensive than target social rents, they are more affordable than renting at the full market rent – hence the Government naming them Affordable Rents. An Affordable Rent is usually around 70-80% of the market rent. These will also be a fixed-term tenancy, which is usually a minimum of five years, but in some exceptional circumstances, can be two years. The rent for any property will not exceed the Local Housing Allowance (LHA) rate for the property type in any instance. The percentage of full market rent charged will vary, with the affordable rent for larger family homes (three, four and five bedrooms) likely to be discounted more than one and two bedroom properties to keep within the LHA rates. New affordable housing tenancies offered in Spelthorne will either be under the target social rent regime or the new affordable rent regime, and the rent regime applicable for the tenancy will be made clear to applicants on offer of the tenancy.

5. The Strategy

- 5.1 The Council wants to ensure that affordable rent levels in Spelthorne remain affordable. The affordable rent model will enable affordable housing providers to set affordable rents at up to a maximum of 80% of the market rent for a comparable property within the same locality². Spelthorne's market rent levels vary between localities, these variations will be reflected in the affordable rents calculated for each locality. However, in no instance will the rents charged for affordable rented properties, exceed the relevant Local Housing Allowance (LHA) rate that is applicable for that property size at the time of rent setting. This is to avoid excessively high affordable rents in high value areas.
- 5.2 The Government plans to introduce a universal credit system and benefit cap in April 2013 which will limit the amount of benefit available to families to £500 per week. When setting rents, affordable housing providers should also be mindful of the potential impact of the proposed benefit cap.

² Due to introduction of the Localism Bill 2011

- 5.3 This section sets out the circumstances in which an Assured tenancy will be granted and those in which a fixed term tenancy will be used. This approach takes account of the objectives set out in this document and the continuing rights of existing Assured tenants.
- 5.4 The following will be granted assured tenancies:
- Assured tenants whose tenancy commenced before 1 April 2012 moving to another affordable/social rented property (already protected in law).
 - Older people who have reached state retirement age and will occupy a general needs property. The terms of sheltered housing and extra care tenancies will remain the same as they are and will be let as assured tenancies.
- 5.5 Fixed term tenancies should normally be offered for a minimum period of five years, including any probationary period. The Council is supportive of the use of Starter Tenancies by RSL's. The Council and its RSL partners are of the opinion that the minimum fixed term of two years should only be used in exceptional circumstances, as this is unlikely to encourage a household to invest in their home and community. The Council will require written justification in all instances of RSL's offering two-year tenancies. Two-year tenancies should only be issued where there is a short-term risk that the tenant might no longer require the property within a relatively short time of commencing occupancy, or the property has been identified as being part of a regeneration scheme or other development project. In all other circumstances a fixed term tenancy of five years will be granted for new affordable housing tenancies after April 2012.
- 5.6 Applicants who are officially ineligible for housing, for example foreign nationals who are subject to immigration control and other people from abroad excluded by statute or regulation and do not therefore, have recourse to public funds, will not be nominated for housing by the Council or local providers of affordable housing and will be obliged to seek their own accommodation.

6. Succession

- 6.1 In some circumstances and depending on the tenancy type, a spouse, partner or any other household member may be entitled to succeed the tenancy. The Localism Act has introduced only one statutory right of succession, to a spouse, partner, or any other household member. Any other successions will be entirely at the discretion of the affordable housing provider in consultation with the Council. All applications to succeed a tenancy will be assessed on a case by case basis by the landlord.

6.2 All successions to a flexible tenancy will only be for the remainder of the life of that tenancy, and subject to a full review as set out below when the end of the tenancy is due.

7. Tenancy Reviews

7.1 No less than six months before a flexible tenancy is due to end, it will be subject to a review using the criteria detailed below. If it is decided, as a result of the tenancy review, that a tenancy will not be renewed, written notice advising the tenant of such will be served. The notice must contain the reasons for the decision and also notify the tenant of their right to appeal. Should a tenant appeal and fail to have the decision overturned, the landlord will be able to seek possession of the property. The landlord's right of possession may then be challenged in the County Court only on the grounds that the landlord has made a legal error or a material error of fact.

8. Review Criteria

8.1 The tenancy review criteria could include the continuing needs of tenants, any assets they might have accrued or inherited during the period of the tenancy, attitude to work/training opportunities that might have presented themselves during the period of the tenancy and pressures on social housing.

8.2 Tenancies will not normally be extended where one or more the following apply:

- The financial capacity of the tenant/s to secure alternative market accommodation or affordable tenures, financial criteria as set out in the Choice Based Lettings Partnership Allocation policy. However the Council and its RSL partners are keen to ensure that any assessment of financial capacity is managed in such a manner that ensures it does not act as a disincentive to work.
- The conduct of the tenant throughout the fixed term. This includes any anti-social behaviour issues, rent arrears, or property management issues. In instances that the affordable housing provider wants to refuse a further tenancy due to the conduct of the tenant, they will be expected to provide a detailed record of support and engagement with the tenant to assist them in maintaining their tenancy.
- The property is under-occupied by one bedroom or more.
- The property has been extensively adapted for someone with a disability who no longer lives with the tenant (this allows the property to be released for someone who will benefit from the adaptations).

8.3 The Council recognises that there may be circumstances in which it would be unreasonable to expect someone to move even if the above criteria applied, and would want a tenancy to continue if:

- The tenant is a care leaver and still receiving support from social services because of this.
- The tenant is participating in a family intervention programme or an equivalent programme.
- Other circumstances as deemed appropriate by the RSL/Council:

9. Termination of a flexible tenancy

9.1 When flexible tenancies are coming to an end, it is essential that the tenant is given sufficient notice so that they can seek advice about their options. Accordingly, notice will be served six months before the tenancy is due to end. It is the statutory duty of the affordable housing provider to provide housing advice/support to tenants in this situation. Well in advance of a tenancy being terminated, the affordable housing provider will assist the tenant to explore their options for alternative housing. Such options, could include, home ownership, a privately rented home or a more suitable affordable rented home. The Council's Housing Options team will also offer housing advice to tenants in this situation if requested.

9.2 If the tenant refuses to move when the notice period expires, the normal eviction procedure will take effect.

10. Advice

10.1 The housing officers in the Council Housing Options team will assist tenants with a wide range of advice to help them resolve the issues arising out of the termination of their tenancies. This will include signposting to other Council departments when appropriate and to voluntary organisations that help people with their housing issues. Housing information can also be accessed on Spelthorne Council's website, use the following webpage/link –

<http://www.spelthorne.gov.uk/article/684/Housing>

11. Appeals

11.1 If a tenant disagrees with the decision reached by their affordable housing provider to terminate their tenancy, they may use the appeal process as follows.

- All applicants have the right to request general information about their tenancy review, including the facts that have been taken into account and the reasons for terminating their tenancies.

- An applicant who is unhappy with a decision made under this policy should in the first instance contact their affordable housing provider, area housing officer to explain why they think that the decision is unreasonable.
- If an applicant wishes to pursue the matter further, they should obtain a copy of their affordable housing provider's appeal process and ensure that they submit an appeal within the stated time limit. For reference the majority stock holding RSL in Spelthorne, state that an appeal must be put in writing within 21 days of receiving notice that the tenancy is not to be renewed. The same RSL states, in cases that a new tenant wishes to appeal against the type of tenancy offered to them or the length of the fixed term tenancy they have five working days to do so from the time they first receive the offer.
- Where an applicant wishes to appeal the termination of a tenancy and the notice period expires during the period of the appeal, the tenant will be permitted to stay in the property where this is not likely to lead to an unreasonable delay in the property being vacated.-
- If the appeal review upholds the decision, the tenant then has recourse to the County Court.
- Should the County Court uphold the decision, the tenant will be obliged to leave the property.

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Equality Analysis

Directorate: Community Wellbeing Service Area: Housing Strategy & Policy	Lead Officer: Marta Imig Date completed: 04 February 2022
Service / Function / Policy / Procedure to be assessed: Tenancy Strategy	
Is this: New / Proposed <input type="checkbox"/> Existing/Review <input checked="" type="checkbox"/> Changing <input type="checkbox"/>	Review date: The strategy will be comprehensively reviewed not later than every 5 years

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

The Housing Strategy 2020-25 sets the strategic direction for the Council in its ambition that local residents have access to suitable and affordable housing options locally.

The final strategy contains three strategic priorities, and an associated Action Plan:

1. Enabling the delivery of more affordable homes across a range of tenures.
2. Promote independence and wellbeing to enable residents to remain living independently.
3. Prevent homelessness and rough sleeping.

Within the Housing Strategy, there is a specific action under priority 1 that proposes Spelthorne Borough Council will review the Council current tenancy strategy. The aim of this is to engage with Registered Providers in a more proactive way, encourage new providers to the area, and to ensure social landlords are offering tenures which meet local need.

Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment		✓
Advancing equality of opportunity	✓	
Fostering good community relations	✓	

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to **NAMED OFFICER**. **If relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

<p>What outcomes are sought and for whom?</p>	<p>The main outcome of the strategy is to ensure that all registered providers operating in the borough of Spelthorne have due regard to the Council’s tenancy strategy, when meeting their duty to state what types of tenancies they will grant, in which circumstances these different types of tenancies will be granted, the length of any fixed-term tenancies they will grant, and in what a circumstances a new tenancy will be given should any fixed-term tenancy expire. Furthermore, the strategy aims to ensure that affordable housing is available and delivered in Spelthorne to meet local housing need.</p> <p>Affected groups will include (not exhaustive):</p> <ul style="list-style-type: none"> • Partners involved in the delivery of affordable housing in Spelthorne, such as Registered Providers, property developers, health and social care providers; • Those who are unable to access the housing market locally due to high property prices and increasing rents; • Housing Options Staff at Spelthorne Borough Council.
<p>Are there any associated policies, functions, services or procedures?</p>	<p>Housing Act 1996 (as amended by various) Housing Strategy 2020-2025 Homelessness and Rough Sleeping Strategy 2020-2025 Corporate Plan Capital Strategy Local Plan Economic Development Strategy Asset Management Plan</p>
<p>If partners (including external partners) are involved in delivering the service, who are they?</p>	<p>Whilst partners have a role in delivering affordable housing in Spelthorne, the overall strategy and it’s implementation is the responsibility of Spelthorne Borough Council.</p>

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the 'equality strands', i.e. race, disability, gender, gender identity, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

General Spelthorne context

Almost half of Surrey's 20 most deprived super output areas are in Spelthorne. Three are in the ward of Stanwell North, two in Ashford North and Stanwell South and one in each of Ashford East and Sunbury Common. Spelthorne has the highest number of lone parent families and the highest level of child poverty in Surrey; it also has the highest under-18 conception rate in the county. That said, residents are largely healthy, with life expectancy for both males and females slightly above the national average.

Although the number of VAT and/or PAYE-registered business has fallen slightly over the past four years, Spelthorne has a low rate of unemployment: 1.4% of those economically active aged 16 to 64, compared to the South East (2.2%) and UK as a whole (3.5%). Heathrow Airport is a significant local employer, with 8.3% of Spelthorne's working population employed there. Significantly, 21.5% of those in work in Stanwell North are in low level employment compared to an average of 11.6% in Surrey. Average wages are slightly above regional averages at £630 per week for full-time employees.

Whilst house prices remain well above the national average, most residents are owner-occupiers (73%), followed by private rented (13%) and social rented (12%).

Gender / gender identity

Census data from 2011 shows that 50.5% of residents in Spelthorne were female, with the remaining 49.5% being male. There is no data known to be held in relation of other gender identities.

Source: ONS Census, 2011 - neighbourhood statistics for residents aged 16 to 74

A White Paper published in December 2018 (Help shape our future: the 2021 Census of population and housing in England and Wales) sets out the Office for National Statistics' (ONS) recommendations for what the census should contain and how it should operate. The White Paper recommends that the census in 2021 includes a question about gender identity, asking respondents whether their gender is the same as the

sex they were registered as at birth. The question will be separate from the question about sex (i.e., whether the respondent is male or female), which will be phrased in the same way as previous years. There is currently no official data about the size of the transgender population (the word 'transgender' is used here to describe people whose gender identity does not match the sex they were assigned at birth). The Government Equalities Office (GEO) has said that there may be 200,000 to 500,000 transgender people in the UK, but stresses that we don't know the true population because of the lack of robust data. The ONS has identified user need for official estimates in order to support policy-making and monitor equality duties.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Age

Spelthorne has a slightly lower population of under-30s (34%) compared to the rest of the country (37%), and a slightly higher population of 30-69 year olds (42%) compared with the UK average of (40%), The number of 70+ is 23%, which is broadly in line with the rest of the UK (24%).

Source: <https://commonslibrary.parliament.uk/local-data/constituency-statistics-population-by-age/>

Ethnicity

The ethnic make-up of Spelthorne is largely in line with the UK average, although we have more residents who identify as Asian and fewer residents who identify as Black than the national average.

Ethnic group	Spelthorne		Region	UK
	Number	%	%	%
White	83,455	87.3%	90.7%	87.2%
Mixed	2,382	2.5%	1.9%	2.0%
Asian	7,295	7.6%	5.2%	6.9%
Black	1,545	1.6%	1.6%	3.0%
Other	921	1.0%	0.6%	0.9%
Total	95,598	100.0%	100.0%	100.0%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/demography/constituency-statistics-ethnicity/>

Disability

As of July 2019 there were around 2,020 PIP claimants in Spelthorne constituency. In comparison, there was an average of 2,500 claimants per constituency across the South East. Within Spelthorne, psychiatric disorders were the most common reason for claiming PIP. They accounted for 37% of awards, compared to 36% in Great Britain. 'Psychiatric disorders' include anxiety and depression, learning disabilities and autism. The second most common reason for awards was musculoskeletal disease (general), which accounted for 17% of awards within the constituency and 21% in Great Britain. Musculoskeletal disease (general) includes osteoarthritis, inflammatory arthritis and chronic pain syndromes.

Source:

<http://data.parliament.uk/resources/constituencystatistics/personal%20independence%20payment/PIP%20claimants%20in%20Spelthorne.pdf>

Religion

Residents of Spelthorne predominately identify themselves as either Christian or having no religion. There is a smaller Muslim population compared with the national average, but a larger Hindu and Sikh population.

	Constituency		Region	UK
	Number	%	%	%
Has religion	67,392	70.5%	65.0%	66.7%
of which				
Christian	60,954	63.8%	59.8%	58.8%
Muslim	1,808	1.9%	2.3%	4.5%
Hindu	2,332	2.4%	1.1%	1.4%
Buddhist	420	0.4%	0.5%	0.4%
Jewish	206	0.2%	0.2%	0.4%
Sikh	1,325	1.4%	0.6%	0.7%
Other	347	0.4%	0.5%	0.4%
No religion	21,511	22.5%	27.7%	26.1%
Not stated	6,695	7.0%	7.4%	7.2%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/constituency-data-religion/>

Sexual orientation

There is no accurate dataset which can be used to reflect solely Spelthorne. The White Paper recommends asking a new question about sexual orientation. The ONS has identified a user need for better data on sexual orientation – particularly for small areas – to inform policy-making and service provision, as well as monitoring equality duties. The ONS has previously used the Annual Population Survey (APS) to estimate the size of the lesbian, gay and bisexual (LGB) population in the UK. According to these estimates, just over 1 million people identified as LGB in 2016 (around 2% of the population). However, the sample population used in the APS isn't big enough to provide robust estimates of the LGB population in smaller areas.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Marriage / Civil Partnership

More people in Spelthorne are married compared to the rest of England and Wales, and fewer people identify as single.

Marital Status	Spelthorne		England and Wales	
All usual residents aged 16+	78,089		45,496,780	
Single (never married or never registered a same-sex civil partnership)	24,562	31%	15,730,275	35%
Married	38,984	50%	21,196,684	47%
In a registered same-sex civil partnership	153	0%	104,942	0%

Separated (but still legally married or still legally in a same-sex civil partnership)	2,042	3%	1,195,882	3%
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	6,870	9%	4,099,330	9%
Widowed or surviving partner from a same-sex civil partnership	5,478	7%	3,169,667	7%

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

A consultation with Knowle Green Estates and all registered providers who currently operate in Spelthorne is to be held in July 2021.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

None

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

Equality Themes	Barriers/Impacts identified	Solutions (ways in which you could mitigate the impact)
Age (including children, young people and older people)	Young people aged 16-17 cannot hold tenancies and so housing options are severely limited.	Young people aged 16-17 receive enhanced services via the Surrey Joint Protocol. They have access to specialist young peoples homelessness accommodation.

	<p>Older people may be less likely to access our services when needed.</p> <p>Those aged 18-39 may have reduced access to social or affordable housing as a result of welfare policies as well as local landlord policies (age restrictions)</p>	<p>Older people have greater access to social housing via age restrictions across the A2Dominion stock.</p> <p>Spelthorne Borough Council has a Discretionary Housing Payment pot which this group can access in case of hardship. Under the Spelthorne Borough Council Housing Strategy 2020-25, A2Dominion have agreed to a comprehensive review of age restrictions in Spelthorne.</p>
Disability (including carers)	<p>Anecdotally we know that physically disabled people accessing settled accommodation in Spelthorne have much more limited options available to them in relation to settled accommodation due to potential property adaption requirements.</p>	<p>See action 1.3 of the Homelessness and Rough Sleeping Strategy 2020-2025 – we will review the availability of accessible accommodation options for this affected group. Spelthorne Borough Council are also currently considering a disposal protocol which will help inform an acquisition delivery programme. If this policy is approved, it will ensure that the Council maximises opportunities to support physically disabled people into affordable settled adapted accommodation that meets their needs. Equally, those who may not have a physical disability but are instead impacted by severe anxiety, depression or poor mental health may have specific property requirements, such as, the need for homes on lower floor levels, sound proofing rooms or homes within a quieter part of the Borough. With a disposal protocol and property acquisition policy, the Council will be able to secure dispersed affordable homes that will potentially meet with some of these more specialised needs.</p>
Gender (men and women)	<p>No negative impacts have been identified.</p>	<p>n/a</p>
Race (including Gypsies & Travellers and Asylum Seekers)	<p>Accommodation for people seeking asylum is the responsibility of the Home Office.</p> <p>Provision for pitches for gypsies and travelling showpeople are dealt with under the Local Plan.</p>	<p>n/a</p>
Religion or belief (including people of no religion or belief)	<p>No negative impacts have been identified.</p>	<p>n/a</p>

Gender Re-assignment (those that are going through transition: male to female or female to male)	No negative impacts have been identified.	n/a
Pregnancy and Maternity	No negative impacts have been identified.	n/a
Sexual orientation (including gay, lesbian, bisexual and heterosexual)	No negative impacts have been identified.	n/a

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

No changes required.

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

The Housing Strategy 2020-25 including the action plan and tasks within it will be monitored by the Council’s Strategic Housing Group who meet monthly.

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a

n/a	n/a	n/a	n/a
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Equality Analysis approved by:

Group Head: 	Date: 04/02/2022
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Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team and ensure the document is uploaded to the EA Register which will be available to the public:

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29 March 2022



Title	Key Worker Policy
Purpose of the report	To make a Key Decision
Report Author	Marta Imig, Strategic Lead, Housing
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/a
Corporate Priority	Housing
Recommendations	Community Wellbeing and Housing Committee is asked to: Approve the revised Key Worker Policy.
Reason for Recommendation	This proposed revised policy will ensure that these homes are let in a fair and transparent way.

1. Key issues

- 1.1 The existing Key Worker Policy (in Appendix A) was approved on 14 April 2021, with a review period after 12 months, following consultation.
- 1.2 The proposed revised policy draft (in Appendix B) has been consulted on with the Council's wholly owned housing company Knowle Green Estate Limited (KGE).
- 1.3 The revised policy seeks to simplify the process and slightly widens the definition of a key worker, specifically it removes the requirement for health workers and education workers to be "employed by a public sector organisation". This enables agency workers employed in healthcare and education in Spelthorne to access key worker housing. In addition, the definition was expanded to include workers of publicly funded organisation as well as workers of registered charities, and other workers who can be assessed and agreed on merit. This change is being proposed after the difficulties encountered by KGE in the allocation of key worker housing to its flats at Benwell House. In that case, Dexters Estate Agents had to be involved to find suitable applicants outside of the Housing Register.

2. Options analysis and proposal

Option 1: To reject the policy

The Committee will not adopt the revised policy, the existing version of the policy would remain in place until new revised version of the policy is agreed.

Option 2: To adopt the proposed revised policy (recommended)

The adoption of the policy will ensure that homes are let in fair and transparent way to the residents who require key worker housing, in accordance with the revised definition of a key worker.

Option 3: To adopt an altered version of the proposed policy

To propose changes to the proposed policy, consequently adopting a revised version of the policy.

3. Financial implications

3.1 There are currently no financial implications in the adoption and implementation of the proposed revised policy as it has been based around existing resources and technical capabilities. A wider review of the Council's Housing Allocations Policy is taking place, we propose to make all software changes required at the same time to provide efficiencies.

3.2 In operation, should a key worker no longer qualify to remain in their home, and the Housing Provider has to commence possession proceedings, there may be a financial impact on the Council should it have a duty to provide emergency accommodation under the Housing Act 1996 (as amended). The policy makes clear, however, that the Housing Provider and the Council will work together to support tenants affected, to minimise the risk of them requiring this.

4. Other considerations

4.1 N/A

5. Equality and Diversity

5.1 An Equality and Diversity Impact Assessment has been carried out and is provided in Appendix C.

6. Sustainability/Climate Change Implications

6.1 The proposed revised policy does not have an impact on the Council's sustainability / climate change position.

6.2 The operation of the Council's Housing Register is managed online, with email used as primary contact methods, reducing the use of paper and printing. The sign-up process for new tenants has now moved to a fully digital service.

7. Timetable for implementation

7.1 Once approved, the policy will be implemented immediately.

7.2 This policy will be comprehensively reviewed every 5 years.

Background papers: There are none.

Appendices:

Appendix A: Existing Key Worker Policy

Appendix B: Proposed Key Worker Policy - review

Appendix C: Equality Impact Assessment for Acquisition of Key Worker Policy

Key Worker Housing Policy

1. Introduction

- 1.1 Spelthorne Borough Council is dedicated to providing affordable housing locally to key workers who are critical in keeping local public services going. As such, a proportion of lettings at upcoming Council developments, through its wholly owned housing company Knowle Green Estates Ltd. will be prioritised for key workers.
- 1.2 The definition of 'key worker' has varied significantly since the concept was developed in the early 2000s. No formal definition exists in relation to affordable housing, although several definitions exist for other reasons, such as the Government's criteria for critical workers to access school placements during the Coronavirus pandemic.
- 1.3 It is in the Council's gift to define key worker locally, based on local requirements and the local housing context. In preparation for these lettings, the Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security. As a result, these sectors will initially be prioritised as part of this.

2. Policy scope

- 2.1 A number of properties at Benwell House, Sunbury have been identified as being suitable for an initial key worker housing scheme.
 - (a) 9 x one bed two person flats
 - (b) 2 x two bed four person flats
- 2.2 This policy is initially intended to support the initial and any subsequent re-letting of that development. The operation of this policy will be reviewed after twelve months, the results of which will inform a more embedded key worker housing policy.

3. Policy objectives

- 3.1 The Council has not had a standalone key worker policy in operation before. Although lettings to Knowle Green Estates Ltd. developments fall outside of Part VI Housing Act 1996, as they are not defined as social housing, in its early stages, any key worker policy will need to be delivered through existing 'infrastructure' in terms of IT and staffing structures. As such, the eligibility for a key worker home is in line with the broad eligibility requirements of The Borough of Spelthorne Housing Allocations Policy (2018) ('the Housing Allocations Policy').
- 3.2 This policy has been designed to ensure that affordable housing, designated as priority for key workers, is allocated fairly and transparently.

4. Definition of a Key Worker

- 4.1 Based on the research undertaken in 2020, to qualify as a key worker under this policy, an individual must be in one of the following roles:

- (a) **Health and social care:** Doctors, nurses, midwives, paramedics, social workers, care workers employed by a public sector organisation.
- (b) **Education and childcare:** Childcare, teaching staff, specialist education professionals [including FE teachers and Early Years/nursery teachers; Local Authority Therapists, including Occupational Therapists and Speech and Language Therapists; and Local Authority Educational Psychologists] employed by a public sector organisation.
- (c) **Public safety and national security:** Police Officers; Armed forces personnel; Fire and rescue service employees; Prison and probation staff.

5. Eligibility criteria for a Key Worker home

5.1 A key worker as defined by this policy will qualify for a key worker home in Spelthorne provided they meet the following criteria:

- (a) Must have the Right to Rent as defined by the Immigration Act 2014
- (b) Must have a Local Connection to Spelthorne as defined by the Housing Allocations Policy.
- (c) Annual household income of less than £50,000
- (d) Savings of less than £30,000
- (e) Do not own or part own a property
- (f) Be employed as a key worker on:
 - i) a permanent contract of at least 18 hours per week, or
 - ii) an existing fixed term contract of 12 months or more of at least 18 hours per week, or
 - iii) a zero hours contract, where the applicant can demonstrate that they have worked more than 18 hours per week on average over 12 months. This will be considered on a case by case basis.
- (g) The contracted place of employment must be in Spelthorne, except in the specific exceptions listed below.

5.2 Exceptions to the requirement for employment to be based in Spelthorne include:

- (a) Key workers based in St Peter's Hospital, Chertsey
- (b) Key workers employed by the South East Coast Ambulance Service NHS Foundation Trust based at the Chertsey Ambulance Station
- (c) Key workers employed by Surrey County Council in education and childcare to provide therapy or psychology services to children across Surrey, where their work provides significant services to the residents of Spelthorne.
- (d) Officers of Surrey Police who are redeployed / seconded to the Metropolitan Police or other areas of Surrey Police will remain eligible provided their substantive role remains with Surrey Police based in Spelthorne.

(e) Armed forces personnel do not need to be based in Spelthorne

5.3 Key workers will be eligible for a home which meets their household needs, as defined by the Housing Allocations Policy. For clarification, property sizes are defined as follows:

Household	Bedroom Need
Adult person – single	Bedsit / One Bedroom
Adult couple	One bedroom
An overnight carer	One bedroom
Two persons / children of the same sex with less than a ten year age gap	One bedroom
Two persons / children of different sex both under 10 years of age	One bedroom
Two persons / children of the same sex with more than a ten year age gap where both are under 16	One bedroom
Two persons / children of different sex, of whom at least one is over 10 years of age	Two bedrooms
Two persons of the same sex with more than a ten year age gap and where at least one is 16 or over	Two bedrooms

6. Application process

6.1 All applications must be made and kept updated through Search Moves (www.searchmoves.org.uk).

6.2 Applications will be assessed as per Spelthorne Borough Council's Housing Allocations Policy in use at the time, and prioritised based upon housing need.

7. How accommodation will be allocated and offered

7.1 Accommodation will be advertised on Search Moves clearly identified as a key worker home. The advert will include details of the location of the property, the rent level, and any other criteria or special features. Adverts are usually open for six days, but this can vary depending on operational requirements.

7.2 Key workers will need to express an interest in the advert ('bid') whilst the advert is open.

7.3 Once the advert closes, Housing staff will create shortlists of key workers, prioritised by housing need and registration date. There may be some reasons why an eligible key worker may be 'bypassed' for consideration. These are set out below:

(a) Applicant is ineligible or unsuitable for the property

Applicants may be bypassed where their household does not meet the criteria for the property set out in the advert e.g. due to age restriction requirement, due to the household size not matching the property size, due to ages of household members or because any property adaptations in the vacant property are either not required or not matched to the household who has bid.

(b) Change in applicant's circumstances

Applicants may be bypassed where there has been a change in their circumstances which makes them unsuitable or ineligible e.g. change in medical requirements, change in financial situation

(c) **History of anti-social behaviour**

Applicants may be bypassed where they or their family members have a recent history of significant antisocial behaviour which would make them unsuitable for the property.

(d) **Community safety concerns**

Applicants may be bypassed where there are community safety concerns / risks which relate to the applicant being placed in a particular property or area.

(e) **Rent arrears / debt**

Applicants may be bypassed where they have current or recoverable former rent arrears with any landlord or other debts with the Council and which are not being satisfactorily repaid. Statutory homeless applicants will generally not be bypassed for this reason but individual circumstances will be assessed the Council and the relevant landlord.

(f) **Fraudulent application has been made**

An applicant will be bypassed where there are reasonable grounds for believing that false information has been given.

(g) **Circumstances not confirmed**

Applicants may be bypassed where the required verification process has not been completed.

(h) **No response from applicant**

Applicants may be bypassed where they have been contacted for information relating to their application and / or a potential offer of accommodation and the applicant has not responded to that contact within a reasonable period of time.

(i) **Local Letting Plans**

Applicants may be bypassed where they do not match specific criteria set out in Local Lettings Plans which will be adopted for specific areas / schemes to ensure communities are as balanced as possible. Properties subject to local letting plans will be clearly advertised and priority will be given to those that meet the criteria.

(j) **Sensitive letting**

In exceptional circumstances, an applicant may be bypassed for a property where they are not considered suitable due to housing management reasons. For example, an applicant who has a history of drug dependency may be bypassed for a property in an area where the landlord is aware there are a number of other residents with drug problems. Any final decision about whether to bypass an application based on sensitive letting will be made by the Council rather than the landlord.

(k) **Property not suitable for adaptation**

Applicants requiring property adaptations to meet their mobility needs may need to be bypassed if the property they have bid for cannot be adapted to meet their needs.

(l) **Property advert withdrawn**

Some properties advertised for letting may need to be withdrawn either because it is urgently needed for a direct letting or because it was being advertised before the previous tenant had left and they have rescinded their notice. This could result in those who have bid being treated as having been 'bypassed'.

(m) **Special requirement of landlord**

Some Housing Association landlords have very specific applicant criteria built into their Allocations policies or charitable rules relating to ages of applicants or area of residence for example. These requirements will usually be set out in the adverts but applicants who bid may need to bypass if the requirements are not met.

(n) **Applicant has alternative property offer outstanding**

An applicant will be by passed if there is an outstanding offer of accommodation available to them which has not been resolved.

7.4 Housing staff will notify the top applicant(s) and carry out a 'verification check'. This is a process of checking documents, identity documents and employment status, to ensure that the key worker's circumstances are as stated on their application form. An enhanced identity check may also be carried out using credit reference agencies. Usually, the key worker will need to complete this process within 48 hours, or else their bid may be bypassed.

7.5 The key worker who is the highest on the shortlist, who has successfully passed a verification check, will be referred to Knowle Green Estates Ltd. who will make the final decision on who is granted the tenancy, in line with the Nominations Agreement between the Council and Knowle Green Estates Ltd.

7.6 Key workers are expected to accept their offer of accommodation. Unreasonable refusals create unnecessary delays for other applicants in need and for landlords to relet much needed affordable homes. If the key worker has bid on and been offered two or more properties within a 12-month period and unreasonably refused, then in line with the Allocations Policy, the Council will downgrade the applicant's banding.

8. Applicant reviews of decisions

8.1 Applicants can request a review of the following decisions:

- (a) A decision that an applicant is not a keyworker or is not eligible for keyworker housing.
- (b) Any decision relating to the facts of their case which have been taken into account in considering whether to make any offer of key worker housing to them.
- (c) A decision to bypass an application - Applicants will not be advised that their case has been bypassed but can establish this by specific enquiry

if they have bid for a property but find out in the lettings outcome list that the property was offered to someone with a lower banding or later registration than the applicants within the same banding.

- 8.2 The applicant's review request should be made in writing to the Council within 21 days of the original decision being made. Details of why they are requesting a review of the decision and any information they wish to be considered should be provided.
- 8.3 An independent senior officer who was not involved in the original decision will consider the review and they will decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 21 days of receipt of the review request. The reply will contain the decision made, the reasons for the decision and the facts taken into account when making the decision.
- 8.4 If an applicant is still not satisfied with the decision that has been made they have a right to make a formal complaint which will be considered under the Council's Complaints Procedure.

9. Tenancy type and management

- 9.1 It is a requirement of the scheme that at least one eligible key worker must remain on the tenancy at all times.
- 9.2 Tenancies will be offered by Knowle Green Estates Ltd. which is Spelthorne Borough Council's wholly owned housing delivery company.
- 9.3 The tenancy offered to key workers will be an Assured Shorthold Tenancy with a fixed term of 12 months. This is the same as is usually offered by private landlords.
- 9.4 It is important to note that the tenancy offered to key workers is not a Council tenancy, and no secure rights of tenure are offered.
- 9.5 Key workers will not be allowed to sub-let any part of their home, including to lodgers.

Tenancy review

- 9.6 Two months prior to the end of the 12-month fixed term, tenancies will be reviewed, primarily to ensure that at least one tenant remains eligible under this policy. At this stage consideration will also be had to the conduct of the tenant and their household. Provided at least one tenant continues to be eligible under this policy, and that no steps to commence legal action have been taken in relation to non-payment of rent or other tenancy breach, then the tenancy will ordinarily be renewed.
- 9.7 If nobody in the household is eligible as a key worker at the point of review then possession action will commence in line with the established legislative framework for recovering possession. This will either be through:
- (a) Section 21 Housing Act 1988, otherwise known as 'no fault eviction'. Provided the notice is served correctly, then a Court has no discretion to not agree to the eviction.

(b) Ground 12, Schedule 2 Housing Act 1988 (“a breach of tenancy condition”). This ground requires that a Court is satisfied that the ground is made out and reasonable in all of the circumstances of the case.

9.8 Knowle Green Estates Ltd. and the Council’s Housing Options service will work together to prevent and relieve homelessness amongst households whose tenancies are not being renewed.

9.9 If the key worker’s household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a smaller or larger property.

10. Rent levels

10.1 Key worker housing in Spelthorne is offered at up to 80% of the market rent for an equivalent property, capped at the relevant Local Housing Allowance for the relevant size of property. The key worker will be charged the lower of either the 80% of market rent, or the relevant Local Housing Allowance.

10.2 Rents must be paid to Knowle Green Estates Ltd. in line with the tenancy agreement.

10.3 Rent reviews will be carried out annually, and increases will be limited to fall in line with the Government’s Rent Standard. Currently, this is capped at Consumer Prices Index (CPI) + 1%.

10.4 When properties are vacant, the rents will be ‘rebased’ in line with the above criteria.

11. Void management

11.1 Where an empty key worker home is not let within 28 days of notification that a vacancy is due, then Spelthorne Borough Council and Knowle Green Estates Ltd. will work together to fill the vacancy with an applicant from the Housing Register who is in employment as defined by the Housing Allocations Policy.

12. Equality and diversity implications

12.1 An Equalities Impact Screening has been completed which has not identified any negative impact which needs addressing. This will be reviewed once this policy is reviewed at the end of the first twelve months.

13. Monitoring and reviewing

13.1 This policy is owned by the Strategic Lead, Housing, who is responsible for its monitoring and review.

13.2 At the end of the first year of operation, a comprehensive review will be carried out by Spelthorne Borough Council in partnership with Knowle Green Estates Ltd., to report on the following:

- (a) Current residents still meeting the criteria
- (b) Demand for the key worker homes, including unit size
- (c) Void performance and management
- (d) Affordability of key worker homes

(e) Review of key worker definition based on implementation and priority groups

13.3 This review will inform a more embedded policy position on key worker housing in Spelthorne.



Key Worker Housing Policy

March 2022

1. Introduction

- 1.1 Spelthorne Borough Council is dedicated to providing affordable housing locally to key workers who are critical in keeping local public services going. As such, a proportion of lettings at upcoming Council developments, through its wholly owned housing company Knowle Green Estates Ltd. will be prioritised for key workers.
- 1.2 The definition of 'key worker' has varied significantly since the concept was developed in the early 2000s. No formal definition exists in relation to affordable housing, although several definitions exist for other reasons, such as the Government's criteria for critical workers to access school placements during the Coronavirus pandemic.
- 1.3 It is in the Council's gift to define key worker locally, based on local requirements and the local housing context. In preparation for these lettings, the Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security. As a result, these sectors will initially be prioritised as part of this.

2. Policy objectives

- 2.1 This policy has been designed to ensure that affordable housing, designated as priority for key workers, is allocated fairly and transparently.

3. Definition of a Key Worker

- 3.1 Based on the research undertaken in 2020, to qualify as a key worker under this policy, an individual must be in one of the following roles:

- (a) **Health and social care:** Doctors, nurses, midwives, paramedics, social workers, care workers; and other staff employed within this sector who are critical to service delivery
- (b) **Education and childcare:** Childcare, teaching staff, specialist education professionals [including FE teachers and Early Years/nursery teachers; Local Authority Therapists, including Occupational Therapists and Speech and Language Therapists; and Local Authority Educational Psychologists].
- (c) **Public safety and national security:** Police personnel; Armed forces personnel; Fire and rescue service employees; Prison and probation staff.
- (d) **Public sector and charity workers:** Staff of any organisation run and funded by tax-payers' or paid staff of any registered charity
- (e) **Other specialised services in exceptional circumstance can be assessed on merit, as agreed by Group Head of Service of Community Wellbeing**

4. Eligibility criteria for a Key Worker home

- 4.1 A key worker as defined by this policy will qualify for a key worker home in Spelthorne provided they meet the following criteria:
 - (a) Must have the Right to Rent as defined by the Immigration Act 2014

- (b) Must have a Local Connection to Spelthorne as defined by the Housing Allocations Policy.
- (c) Annual household income of less than £60,000
- (d) Savings of less than £30,000
- (e) Do not own or part own a property
- (f) Be employed as a key worker on:
 - i) a permanent contract of at least 16 hrs. a week for a single person, or 24 hrs for a couple, or
 - ii) an existing fixed term contract of 12 months or more of at least 16 hrs. a week for a single person, or 24 hrs for a couple, or
 - iii) a zero hours contract, where the applicant can demonstrate that they have worked more than at least 16 hrs. a week for a single person, or 24 hrs for a couple on average over 12 months. This will be considered on a case by case basis.

4.2 Key workers will be eligible for a home which meets their household needs, as defined by the Housing Allocations Policy applicable at the time. For clarification, currently property sizes are defined as follows:

Household	Bedroom Need
Adult person – single	Bedsit / One Bedroom
Adult couple	One bedroom
An overnight carer	One bedroom
Two persons / children of the same sex with less than a ten year age gap	One bedroom
Two persons / children of different sex both under 10 years of age	One bedroom
Two persons / children of the same sex with more than a ten year age gap where both are under 16	One bedroom
Two persons / children of different sex, of whom at least one is over 10 years of age	Two bedrooms
Two persons of the same sex with more than a ten year age gap and where at least one is 16 or over	Two bedrooms

5. Application process

5.1 Applications will be assessed and agreed as per Spelthorne Borough Council's Housing Allocations Policy in use at the time, and prioritised based upon housing need.

6. Tenancy type and management

6.1 It is a requirement of the scheme that at least one eligible key worker must remain on the tenancy at all times.

6.2 The tenancy offered to key workers will be an Assured Shorthold Tenancy.

6.3 It is important to note that the tenancy offered to key workers is not a secure tenancy, and no secure rights of tenure or the right to buy are offered.

6.4 Key workers will not be allowed to sub-let any part of their home.

Tenancy review

- 6.5 Two months prior to the end of the fixed term, tenancies will be reviewed, primarily to ensure that at least one tenant remains eligible under this policy. At this stage consideration will also be had to the conduct of the tenant and their household. Provided at least one tenant continues to be eligible under this policy, and that no steps to commence legal action have been taken in relation to non-payment of rent or other tenancy breach, then the tenancy will ordinarily be renewed.
- 6.6 If nobody in the household is eligible as a key worker at the point of review then possession action will commence in line with the established legislative framework for recovering possession. This will either be through:
- (a) Section 21 Housing Act 1988, otherwise known as ‘no fault eviction’. Provided the notice is served correctly, then a Court has no discretion to not agree to the eviction.
 - (b) Schedule 2, Ground 12 of the Housing Act 1988 (“a breach of tenancy condition”). This ground requires that a Court is satisfied that the ground is made out and reasonable in all of the circumstances of the case.
- 6.7 **Housing Providers** and the Council’s Housing Options service will work together to prevent and relieve homelessness amongst households whose tenancies are not being renewed.
- 6.8 If the key worker’s household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a smaller or larger property.

7. Rent levels

- 7.1 Key worker housing in Spelthorne is offered at up to 80% of the market rent for an equivalent property, capped at the relevant Local Housing Allowance for the relevant size of property. The key worker will be charged the lower of either the 80% of market rent, or the relevant Local Housing Allowance.
- 7.2 Rents must be paid to **Housing Provider** in line with the tenancy agreement.
- 7.3 When properties are vacant, the rents will be ‘rebased’ in line with the above criteria.

8. Void management

- 8.1 Where an empty key worker home is not let within **14** days of notification that a vacancy is due, then Spelthorne Borough Council and Housing Providers will work together to fill the vacancy with an applicant from the Housing Register who is in employment as defined by the Housing Allocations Policy.

9. Equality and diversity implications

- 9.1 An Equalities Impact Screening has been completed which has not identified any negative impact which needs addressing. This will be reviewed once this policy is reviewed at the end of the first twelve months.

10. Monitoring and reviewing

10.1 This policy is owned by the Strategic Housing Group, who is responsible for its monitoring and review. The policy will be reviewed every 5 years and presented to the Community Wellbeing and Housing committee for approval.

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Equality Analysis

Directorate: Community Wellbeing Service Area: Housing Strategy & Policy	Lead Officer: Marta Imig Date completed: 06 December 2021
Service / Function / Policy / Procedure to be assessed: Key Worker Housing Policy	
Is this: New / Proposed <input type="checkbox"/> Existing/Review <input checked="" type="checkbox"/> Changing <input type="checkbox"/>	Review date: 5 years from date of inception.

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

The Housing Strategy 2020-25 sets the strategic direction for the Council in its ambition that local residents have access to suitable and affordable housing options locally.

The final strategy contains three strategic priorities, and an associated Action Plan:

1. Enabling the delivery of more affordable homes across a range of tenures.
2. Promote independence and wellbeing to enable residents to remain living independently.
3. Prevent homelessness and rough sleeping.

Within the Housing Strategy, there is an action under priority 1 that specifically focuses on key worker accommodation. This action indicates that Spelthorne Borough Council will work with Knowle Green Estates to establish the demand for key worker accommodation locally, to address both current and future needs. This policy is to ensure that key workers are prioritised for good quality, affordable, local housing. It is framed around the broad principles of what Spelthorne Borough Council wants to deliver as part of a key worker housing scheme and forms a policy that will be reviewed and improved as Knowle Green Estates homes are delivered. This policy was initially designed for Benwell Phase 1, following a 12 month period of reflection and learning, it has been reviewed in preparation for the Victory Place Scheme.

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Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment	✓	
Advancing equality of opportunity	✓	
Fostering good community relations	✓	

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to **NAMED OFFICER**. **If relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

<p>What outcomes are sought and for whom?</p>	<p>The main outcome of the policy is to ensure key workers who live or work in the borough have access to good quality, affordable, local homes.</p> <p>Affected groups will include (not exhaustive):</p> <ul style="list-style-type: none"> • All adults (and associated dependants) who are defined as a Key Worker within Spelthorne Borough Councils definition (outlined in detail in the proposed policy); • Those who are unable to access the housing market locally due to high property prices and increasing rents; • Partners involved in the delivery of affordable key worker housing, such as Registered Providers, property developers, private landlords, health and social care providers; • Housing Options Staff at Spelthorne Borough Council.
<p>Are there any associated policies, functions, services or procedures?</p>	<p>Corporate Plan Capital Strategy Health & Wellbeing Strategy Local Plan Economic Development Strategy Asset Management Plan Housing Act 1996 (as amended by various) Housing Strategy Homelessness Strategy</p>
<p>If partners (including external partners) are involved in delivering the service, who are they?</p>	<p>Whilst Knowle Green Estates and potential other partners have a role in delivering key worker housing, the overall policy is the responsibility of Spelthorne Borough Council.</p>

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the ‘equality strands’, i.e. race, disability, gender, gender identity, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

General Spelthorne context

Almost half of Surrey’s 20 most deprived super output areas are in Spelthorne. Three are in the ward of Stanwell North, two in Ashford North and Stanwell South and one in each of Ashford East and Sunbury Common. Spelthorne has the highest number of lone parent families and the highest level of child poverty in Surrey; it also has the highest under-18 conception rate in the county. That said, residents are largely healthy, with life expectancy for both males and females slightly above the national average.

Although the number of VAT and/or PAYE-registered business has fallen slightly over the past four years, Spelthorne has a low rate of unemployment: 1.4% of those economically active aged 16 to 64, compared to the South East (2.2%) and UK as a whole (3.5%). Heathrow Airport is a significant local employer, with 8.3% of Spelthorne’s working population employed there. Significantly, 21.5% of those in work in Stanwell North are in low level employment compared to an average of 11.6% in Surrey. Average wages are slightly above regional averages at £630 per week for full-time employees.

Whilst house prices remain well above the national average, most residents are owner-occupiers (73%), followed by private rented (13%) and social rented (12%).

Gender / gender identity

Census data from 2011 shows that 50.5% of residents in Spelthorne were female, with the remaining 49.5% being male. There is no data known to be held in relation of other gender identities.

Source: ONS Census, 2011 - neighbourhood statistics for residents aged 16 to 74

A White Paper published in December 2018 (Help shape our future: the 2021 Census of population and housing in England and Wales) sets out the Office for National Statistics’ (ONS) recommendations for what the census should contain and how it should operate. The White Paper recommends that the census in 2021 includes a question about gender identity, asking respondents whether their gender is the same as the sex they were registered as at birth. The question will be separate from the question about sex (i.e., whether the respondent is male or female), which will be phrased in the same way as previous years. There is currently no official data about the size of the transgender population (the word ‘transgender’ is used here to describe people whose gender identity does not match the sex they were assigned at birth). The Government Equalities Office (GEO) has said that there may be 200,000 to 500,000 transgender people in the UK, but stresses that we don’t know the true population because of the lack of robust data. The ONS has identified user need for official estimates in order to support policy-making and monitor equality duties.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Age

Spelthorne has a slightly lower population of under-30s (34%) compared to the rest of the country (37%), and a slightly higher population of 30-69 year olds (42%) compared with the UK average of (40%), The number of 70+ is 23%, which is broadly in line with the rest of the UK (24%).

Source: <https://commonslibrary.parliament.uk/local-data/constituency-statistics-population-by-age/>

Ethnicity

The ethnic make-up of Spelthorne is largely in line with the UK average, although we have more residents who identify as Asian and fewer residents who identify as Black than the national average.

Ethnic group	Spelthorne		Region	UK
	Number	%	%	%
White	83,455	87.3%	90.7%	87.2%
Mixed	2,382	2.5%	1.9%	2.0%
Asian	7,295	7.6%	5.2%	6.9%
Black	1,545	1.6%	1.6%	3.0%
Other	921	1.0%	0.6%	0.9%
Total	95,598	100.0%	100.0%	100.0%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/demography/constituency-statistics-ethnicity/>

Disability

As of July 2019 there were around 2,020 PIP claimants in Spelthorne constituency. In comparison, there was an average of 2,500 claimants per constituency across the South East. Within Spelthorne, psychiatric disorders were the most common reason for claiming PIP. They accounted for 37% of awards, compared to 36% in Great Britain. ‘Psychiatric disorders’ include anxiety and depression, learning disabilities and autism. The second most common reason for awards was musculoskeletal disease (general), which accounted for 17% of awards within the constituency and 21% in Great Britain. Musculoskeletal disease (general) includes osteoarthritis, inflammatory arthritis and chronic pain syndromes.

Source:

<http://data.parliament.uk/resources/constituencystatistics/personal%20independence%20payment/PIP%20claimants%20in%20Spelthorne.pdf>

Religion

Residents of Spelthorne predominately identify themselves as either Christian or having no religion. There is a smaller Muslim population compared with the national average, but a larger Hindu and Sikh population.

	Constituency		Region	UK
	Number	%	%	%
Has religion	67,392	70.5%	65.0%	66.7%
of which				
Christian	60,954	63.8%	59.8%	58.8%
Muslim	1,808	1.9%	2.3%	4.5%
Hindu	2,332	2.4%	1.1%	1.4%

Buddhist	420	0.4%	0.5%	0.4%
Jewish	206	0.2%	0.2%	0.4%
Sikh	1,325	1.4%	0.6%	0.7%
Other	347	0.4%	0.5%	0.4%
No religion	21,511	22.5%	27.7%	26.1%
Not stated	6,695	7.0%	7.4%	7.2%

Source: <https://commonslibrary.parliament.uk/home-affairs/communities/constituency-data-religion/>

Sexual orientation

There is no accurate dataset which can be used to reflect solely Spelthorne. The White Paper recommends asking a new question about sexual orientation. The ONS has identified a user need for better data on sexual orientation – particularly for small areas – to inform policy-making and service provision, as well as monitoring equality duties. The ONS has previously used the Annual Population Survey (APS) to estimate the size of the lesbian, gay and bisexual (LGB) population in the UK. According to these estimates, just over 1 million people identified as LGB in 2016 (around 2% of the population). However, the sample population used in the APS isn't big enough to provide robust estimates of the LGB population in smaller areas.

Source: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-8531>

Marriage / Civil Partnership

More people in Spelthorne are married compared to the rest of England and Wales, and fewer people identify as single.

Marital Status	Spelthorne		England and Wales	
	Count	%	Count	%
All usual residents aged 16+	78,089		45,496,780	
Single (never married or never registered a same-sex civil partnership)	24,562	31%	15,730,275	35%
Married	38,984	50%	21,196,684	47%
In a registered same-sex civil partnership	153	0%	104,942	0%
Separated (but still legally married or still legally in a same-sex civil partnership)	2,042	3%	1,195,882	3%
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	6,870	9%	4,099,330	9%
Widowed or surviving partner from a same-sex civil partnership	5,478	7%	3,169,667	7%

Key Workers

The Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security.

Based on the Council's definition, 24% of employed Spelthorne residents aged 16-64 are key workers (12,000 people).

Approximate key worker figures in Spelthorne:	Health	Education	Social Care	Public Order
	3,480	4,800	1,920	1,440

Estimated age distribution of key workers in Spelthorne	Aged 20-29	Aged 30-39	Aged 40-49	Aged 50-64
	19%	24%	25%	27%

The majority (71%) of key worker housing need in Spelthorne relates to women.

Married / Civil Partnership status of key workers in Spelthorne	Single, never married	Married, living with spouse	Other
	32%	56%	12%

Household make-up of key workers in Spelthorne	No Children	1 Child	2 Children	3 Children	4+ Children
	51%	21%	22%	4%	1%

Housing status of key workers in Spelthorne	Owner occupier	Local Authority	Registered Provider	Private rental sector	Employer and other
	73%	4%	4%	16%	3%

Overall, 2,100 (17.5%) is an estimate of the volume of key workers in Spelthorne that likely have some propensity to consider rental accommodation. The propensity to take up renting is particularly high in Health and Social care.

As a result of Covid-19, demand for key worker roles may increase in the future due to reduction in employment elsewhere in Spelthorne, for example, BP and Heathrow airport redundancies. The potential impact of Brexit and the need to make key worker jobs attractive (particularly health and social care) will also have an effect. The short property market boom is also likely to drop when stamp duty exemption is lifted. There has been a rise in the proportion of those looking for accommodation with a garden, close access to green spaces and with space for homeworking. Many key workers have roles that are 'frontline' and therefore do not work from home, but consideration must be given to those in couples. Gross median annual earnings within Spelthorne are approximately £30,000 p.a. Taking this in to consideration, 50% of those in

Health; 100% in Social Care; 80% in Education; approximately 80% across Public Services and Transport; and 30% in Public Order are potentially needing of support (i.e. they are in key worker posts and earning below the median wage for the area). Two- bedroom units seem a relatively central offer (Spelthorne has significant proportions of young couples with and without children) and multiple occupancy involving 3 or 4 adults. The research does not detail analysis of the commuting patterns of key workers into and out of Spelthorne. However, the 2020 survey of Surrey and Sussex Police suggests that, of those who do not live in the County in which they work, around 45% would prefer to do so.

Based on all data, the research arrived at an estimated key worker housing need figure of 1,400 in Spelthorne. The figure of 1,400 is partly based on need, in terms of identifying early career key workers with lower earnings. Demand will partly reflect awareness of opportunities, and across respondents to the Surrey and Sussex Police study, less than 50% were aware of key worker housing.

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

A consultation with Knowle Green Estates has been carried out on the policy.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

None

Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

Barriers:

What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g. the facilities/premises;
- **Who** provides it, e.g. are staff trained and representative of the local population/users?
- **How** it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** it is provided, e.g. opening hours?
- **What** is provided, e.g. does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met;
- How your actions might help to promote good relations between communities;
- How you might prevent any unintentional future discrimination.

Equality Themes	Barriers/Impacts identified	Solutions (ways in which you could mitigate the impact)
Age (including children, young people and older people)	Young people aged 16-17 cannot hold tenancies and so housing options are severely limited.	Young people aged 16-17 receive enhanced services via the Surrey Joint Protocol. They have access to specialist young peoples homelessness accommodation.

	<p>Older people may be less likely to access our services when needed. This includes those that are retired from employment and will be excluded from key worker accommodation.</p> <p>Those aged 18-39 may have reduced access to social housing as a result of welfare policies as well as local landlord policies (age restrictions)</p>	<p>Older people have greater access to social housing via age restrictions across the A2Dominion stock. This includes sheltered and extra care homes.</p> <p>Spelthorne Borough Council has a Discretionary Housing Payment pot which this group can access in case of hardship. Under the Spelthorne Borough Council Housing Strategy 2020-25, A2Dominion have agreed to a comprehensive review of age restrictions in Spelthorne.</p>
Disability (including carers)	Anecdotally we know that physically disabled people accessing settled accommodation in Spelthorne have much more limited options available to them due to property adaptation requirements.	See action 1.3 of the Homelessness and Rough Sleeping Strategy action plan – we will review the availability of accessible accommodation options for this affected group. Spelthorne Borough Council also offers Disabled Facilities Grants and handy person services to help residents live independently in their current home.
Gender (men and women)	As noted above from the independent research, the majority (71%) of key worker housing need in Spelthorne relates to women which may consequently see the housing of more female key workers than males.	Male key workers will still have the same access opportunities as female key workers but due to less male uptake in these roles, females will most likely make-up the majority of key worker nominations.
Race (including Gypsies & Travellers and Asylum Seekers)	Accommodation for people seeking asylum is the responsibility of the Home Office. Provision for pitches for gypsies and travelling showpeople are dealt with under the Local Plan.	n/a
Religion or belief (including people of no religion or belief)	No negative impacts have been identified.	n/a
Gender Re-assignment (those that are going through transition: male to female or female to male)	Where individuals are transitioning, they may be impacted if they are placed into accommodation with shared facilities.	It is intended for key worker accommodation to be self-contained units.
Pregnancy and Maternity	As part of the key worker policy, it is a requirement for residents to have at least one tenant in the household who remains eligible under the policy. If nobody is eligible as a key worker at the point of the 12-month tenancy review, possession action	After a period of maternity leave, if a resident does not return to their key worker employment (or similar under the policies eligibility criteria) and becomes ineligible for key worker housing, Knowle Green Estates Ltd. and the Council's Housing Options service will work together to prevent and relieve

	<p>will commence. This group may be impacted if a tenant decides not to return to their key worker employment after a period of maternity leave.</p> <p>Furthermore, depending on the family make-up, the tenants may also become overcrowded depending on the size of the property.</p>	<p>homelessness amongst households whose tenancies are not being renewed.</p> <p>If the keyworker’s household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a larger property. Furthermore, tenants may make an application to the Council’s housing register where their housing need will be assessed for overcrowding as outlined in Part 10 of the Housing Act 1985 and in line with the Council’s Housing Allocation’s Policy.</p>
<p>Sexual orientation (including gay, lesbian, bisexual and heterosexual)</p>	<p>No negative impacts have been identified.</p>	<p>n/a</p>

Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

No changes required.

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy or procedure ?

The Housing Strategy 2020-25 including the action plan and tasks within it will be monitored by the Council’s Strategic Housing Group who meet monthly.

This policy will be reviewed and improved as Knowle Green Estates key worker homes are delivered. The next review is anticipated to be due 5 years from inception. Any required changes to the policy will be recommended to elected members (where required) as a result.

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a
n/a	n/a	n/a	n/a

Equality Analysis approved by:

Group Head: 	Date: 04/02/2022
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Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team and ensure the document is uploaded to the EA Register which will be available to the public:

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**RECOMMENDATION OF THE CORPORATE POLICY AND RESOURCES
COMMITTEE**

Corporate Policy and Resources Committee held on 14 March 2022

1. Calendar of meetings 2022 – 2023

- 1.1 The committee reviewed and recommended that Council agree the proposed schedule of meetings.
- 1.2 A minor change to the proposed dates of the Administrative Committee has been made to ensure that it had a meeting during the 2023/24 budget setting cycle and that the remaining meetings were appropriately distributed throughout the year.

Recommendation:

That Council approves the proposed calendar of meetings for 2022 – 23.

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Corporate Policy and Resources Committee



14 March 2022

Title	Calendar of Meetings 2022-23
Purpose of the report	To make a recommendation to Council
Report Author	Gary Lelliott, Principal Committee Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not Applicable
Corporate Priority	Community Affordable housing Recovery Environment Service delivery
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Recommend Council approve the calendar of meetings for 2022-2023 as set out in Appendix 1. 2. Note that alterations may be made to the calendar of meetings prior to it being agreed by Council, where such amendments become necessary.
Reason for Recommendation	The calendar of meetings provides a framework for the democratic and decision-making procedures that will underpin the delivery of the Council's key corporate priorities.

1. Summary of the report

1.1 This report proposes a schedule of Council and committee meetings (Appendix 1) to enable the consideration of Council business during the period from May 2022 to July 2023.

2. Key issues

2.1 Meetings of the Council have been scheduled with the following general principles in mind, to enable effective decision-making whilst making the best use of resources available:

- i) Avoidance of Surrey school holidays wherever possible. It is not possible to additionally accommodate the differing holiday periods of private schools.

- ii) Maintaining the current scheduling of full Council meetings i.e. meetings in July, October, December, February and April and the Annual (Mayor making) meeting in May.
 - iii) Committee meetings have been programmed to ensure that matters which need to be referred on to the Corporate Policy and Resources Committee and/or Council can proceed in a timely way, thereby enabling the Council to implement its priorities and strategies, as well as fulfil its constitutional and legal obligations.
 - iv) The Regulatory and Administrative Committees feed directly into Council (i.e. Planning, Licensing, Audit, Standards and Administrative)
 - v) Each committee meets wherever possible on the same day of the week.
 - vi) Licensing Committee primarily meets as a daytime sub-committee and those meetings are arranged as and when required. Rather than schedule a monthly Licensing Committee which is likely to be cancelled, this committee can be scheduled as and when we are notified of business.
- 2.2 Having reviewed the quantity and type of business (reports for noting versus those for decision), that the various committees have had to consider in the past 6 months, the following changes to the frequency of meetings were proposed and agreed by the Committee System Working Group at its meeting on 9 March 2022:
- Corporate Policy and Resources –7 meetings
 - Environment and Sustainability – increase from 5 to 7 meetings
 - Neighbourhood Services, Community Wellbeing and Housing – decrease from 5 to 4 meetings
 - Economic Development - decrease from 5 to 3 meetings
 - Administrative – decrease from 4 to 3 meetings
- 2.3 Committee chairs have the ability to call additional or extraordinary meetings, when required, to accommodate urgent or unscheduled matters of business.
- 2.4 The Chief Finance Officer has been consulted on the suitability of dates to enable financial reports to be ready for consideration at the relevant service committees on a timely basis.
- 3. Options analysis and proposal**
- 3.1 The calendar of meetings provides a framework for the democratic and decision-making processes that will underpin the delivery of the Council's key priorities. It is proposed to agree the dates as set out in Appendix 1.
- 4. Financial implications**
- 4.1 The cost of administering the proposed meetings will be met from within existing budgets.

5. Other considerations

5.1 When considering committee meeting dates and frequencies, Councillors should be mindful of the resources available to service these meetings.

6. Equality and Diversity

6.1 There are no implications arising from this report.

7. Sustainability/Climate Change Implications

7.1 There are no implications arising from this report.

8. Timetable for implementation

8.1 Once agreed by Council, the calendar of meetings will be published on the Council's website and implemented from May 2022.

9. Contact

9.1 Gary Lelliott, g.elliott@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – proposed calendar of meetings schedule

Appendix 2 – proposed calendar of meetings year planner 2022 in colour

Appendix 3 – proposed calendar of meetings year planner 2023 in colour

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Calendar of Meetings May 2022 to July 2023

Appendix 1

Meeting	May 22	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan23	Feb	Mar	Apr	May	Jun	July
Council Thursday	ACM 26		14			20		8		23		20	ACM 25		13
Corporate Policy & Resources Committee Monday			11		12	10	28		16	20		17		5	3
Environment and Sustainability Committee Tuesday			5		6	11	8		10		14	25		27	
Economic Dev Committee Thursday		9			29				12					15	
Community Wellbeing Committee Tuesday		14			20				17		28			13	
Planning Committee Wednesday		1, 29	27	24	21	19	16	14	11	8	8	5, 26	31	28	26
Neighbourhood Services Committee Thursday/*Weds		30				6 *C&D			5		29*			22	
Administrative Committee Thursday			7				10		19		16			8	6
Audit Committee Thursday			28				24				23				
Standards Committee Wednesday		22				13				1					
Borough Election													4		
Bank Holidays Council Offices closed	2	2,3		29				26, 27	2			7, 10	1, 29		

*C&D = Crime and Disorder. The Council has a statutory duty to review crime and disorder matters once a year.

1. Licensing Committees and Sub-Committees will be scheduled as and when required
2. There are no Planning committees planned for May 2022 as based on a 4-weekly cycle the meeting would fall on the day before Annual Council. The Planning Development Manager has confirmed it is acceptable to restart on 1 June 2022. A special meeting can be called if there is urgent business.

2022 Year Planner

2022	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T
January						1 2	3 Bank Holiday	4	5 Planning	6	7	8 9	10	11	12	13 NS	14	15 16	17	18 E&S	19	20	21	22 23	24	25 ED	26	27	28	29 30	31	
February		1 CWH	2 Planning	3	4	5 6	7 CPR	8	9	10 Admin	11	12 13	14	15	16	17	18	19 20	21	22	23	24 Council	25	26 27	28							
March		1	2 Planning	3 NS	4	5 6	7	8 E&S	9	10	11 Lib Dem PC	12 13	14 CPR	15	16 Standards	17	18	19 20	21 SJC	22 ED	23	24 Audit	25	26 27	28	29 CWH	30 Planning	31				
April					1	2 3	4	5	6	7	8	9 10	11	12	13	14	15 Bank Holiday	16 17	18 Bank Holiday	19 CPR	20	21 Admin	22	23 24	25	26	27 Planning	28 Council	29	30		
May						1	2 Bank Holiday	3	4	5	6	7 8	9	10	11	12	13	14 15	16	17	18	19	20	21 22	23	24	25	26 Annual Council	27	28 29	30	31
June			1 Planning *5	2 Bank Hol	3 Bank Hol	4 5	6	7	8	9 ED	10	11 12	13	14 CWH	15	16	17	18 19	20	21	22 Standards	23	24	25 26	27	28 LGA Conference	29 Planning	30 NS				
July					1	2 3	4	5 E&S	6	7 Admin	8	9 10	11 CPR	12	13	14 Council	15	16 17	18 SJC	19	20	21	22	23 24	25	26	27 Planning	28 Audit	29	30 31		
August	1	2	3	4	5	6 7	8	9	10	11	12	13 14	15	16	17	18	19	20 21	22	23	24 Planning	25	26	27 28	29 Bank Holiday	30	31					
September				1	2	3 4	5	6 E&S	7	8	9	10 11	12 CPR	13	14	15	16	17 18	19	20 CWH	21 Planning	22	23	24 25	26 Labour PC	27 Labour PC	28 Labour PC	29 ED	30			
October						1 2	3 Cons PC	4 Cons PC	5 Cons PC	6 NS	7	8 9	10 CPR	11 E&S	12	13 Standards	14	15 16	17	18	19 Planning	20 Council	21	22 23	24	25	26	27	28	29 30	31	
November		1	2	3	4	5 6	7	8 E&S	9	10 Admin	11	12 13	14	15	16 Planning	17	18	19 20	21 SJC	22	23	24 Audit	25	26 27	28 CPR	29	30					
December				1	2	3 4	5	6	7	8 Council	9	10 11	12	13	14 Planning Big Tree Night	15	16	17 18	19	20	21	22	23	24 25	26 BH	27 BH	28	29	30	31		

KEY:

Council	
CPR = Corporate Policy and Resources	
Planning Committee	
E&S = Environment and Sustainability	
CWH = Community Wellbeing and Housing	
ED = Economic Development	
NS = Neighbourhood Services	
Audit	
Standards	
Admin = Administrative	
SJC = Spelthorne Joint Committee	
Surrey Schools' Holidays	

2023 Year Planner

2023	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T	W	T	F	SS	M	T						
January						1	2 Bank Holiday	3	4	5 NS	6	7 8	9	10 E&S	11 Planning	12 ED	13	14 15	16 CPR	17 CWH	18	19 Admin	20	21 22	23	24	25	26	27	28 29	30	31
February			1 Standards	2	3	4 5	6	7	8 Planning	9	10	11 12	13	14	15	16	17	18 19	20 CPR	21	22	23 Council	24	25 26	27	28						
March			1	2	3	4 5	6	7	8 Planning	9	10	11 12	13	14 E&S	15	16	17	18 19	20	21	22	23 Audit	24	25 26	27	28 CWH	29 *NS	30	31			
April						1 2	3	4	5 Planning	6	7 BH	8 9	10 BH	11	12	13	14	15 16	17 CPR	18	19	20 Council	21	22 23	24	25 E&S	26 Planning *3 weeks	27	28	29 30		
May	1 BH	2	3	4 Borough Elections	5	6 7	8	9	10	11	12	13 14	15	16	17	18	19	20 21	22	23	24	25 ACM	26	27 28	29 BH	30	31 Planning *5 weeks					
June				1	2	3 4	5 CPR	6	7	8 Admin	9	10 11	12	13 CWH	14	15 ED	16	17 18	19	20	21	22 NS	23	24 25	26	27 E&S	28 Planning	29	30			
July						1 2	3 CPR	4	5	6	7	8 9	10	11	12	13 Council	14	15 16	17	18	19	20	21	22 23	24	25	26 Planning	27	28	29 30	31	
August		1	2	3	4	5 6	7	8	9	10	11	12 13	14	15	16	17	18	19 20	21	22	23	24	25	26 27	28	29	30	31				
September					1	2 3	4	5	6	7	8	9 10	11	12	13	14	15	16 17	18	19	20	21	22	23 24	25	26	27	28	29	30		
October						1	2	3	4	5	6	7 8	9	10	11	12	13	14 15	16	17	18	19	20	21 22	23	24	25	26	27	28 29	30	31
November			1	2	3	4 5	6	7	8	9	10	11 12	13	14	15	16	17	18 19	20	21	22	23	24	25 26	27	28	29	30				
December					1	2 3	4	5	6	7	8	9 10	11	12	13	14	15	16 17	18	19	20	21	22	23 24	25	26	27	28	29	30 31		

KEY:

*Neighbourhood Services Committee – the March date is on a different day of the week to usual. i.e. a Wednesday instead of a Thursday.

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Surrey Schools' Holidays	

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Council



Date of meeting 28 April 2022

Title	Mental Health Champion
Purpose of the report	To make a decision
Report Author	Sandy Muirhead Group Head Commissioning and Transformation
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	
Corporate Priority	This item is not in the current list of Corporate Priorities
Recommendations	Council is asked to: Identify a Councillor who would take on the role of a member champion for mental health
Reason for Recommendation	<i>Mental Health is an issue the Council has proactively engaged in both in terms of support for the Community and Council staff. A Member Champion role was put forward in a Council motion and there is a need to identify a member champion to support mental health in the Council and community</i>

Key issues

- In July 2021 a motion was put forward to appoint a member “Mental Health Champion” to: -
 - advocate for mental health issues in council meetings and policy development and reach out to the local community to raise awareness of mental health issues and challenge stigma.
 - listen to people with experience of mental health note their perspective on local needs and priorities.
 - scrutinise areas that have an impact on people's mental health.
 - foster local partnerships between agencies to support people with mental health problems more effectively.
 - identify at least one priority each year for focused work
 - have access to advice, support, and other member champions to share information, experience and ideas.

2. At the same Council meeting the following motion was also put forward in relation to appointing, when possible, an existing officer of the Council to act as a lead officer for mental health to: -
 - Advise the member Champion on current issues and priorities:
 - Support implementation of strategies initiated by the member champion
 - Raise awareness within the council's staff about mental health issues
 - Seek external support for activities led by the council to promote mental health and wellbeing
 - Liaise with mental health challenge national partners to secure information and advice
 - In conjunction with the member champion, look to support positive mental health in our community, including in local schools, neighbourhoods etc.
3. A member lead was proposed but no-one came forward. It was then suggested that the Community Wellbeing and Housing Committee act as the "member champion". However, it was considered that a whole Committee taking on the role was inappropriate and it really needed an individual.
4. It should be noted that the Council already have officers working on mental health and trained mental health first aiders in place but we have been unable to work with Councillors until a Councillor champion has been identified. Any member champion will also need to commit to training.
5. The Council already promotes mental health advice through both the internal mental health first aiders and via our Employee Assistance Programme (EAP). Through the EAP we have introduced Care First who provide confidential information, advice, and counselling for Spelthorne employees. Care First Counsellors are available 24 hours a day, 7 days a week, 365 days a year, to provide confidential support with work related or personal issues. This service is available to employees on temporary or permanent contracts. During the Covid 19 pandemic this service and the mental well-being of staff has been regularly promoted.
6. We also support our communities with providing information on a regular basis on mental health. We have provided a considerable amount of advice and signposting through the pandemic. In the last 6 months we have issued about 15-20 posts across Facebook, Twitter, Instagram, and Linked In (so about 5 on each platform). It has been a key talking point at many of the Covid Champion meetings. We will also be promoting the upcoming mental health awareness week 9-15 May 2022 which will have a theme of loneliness as its focus.
7. Therefore, many of the points outlined in the motions are already being undertaken and continue to be undertaken.

Options analysis and proposal

Option 1 To ask Council to identify a Councillor who is prepared to be a member health champion. This is the recommended option.

Options 2 Not to do anything further beyond the current work undertaken by officers.

Financial implications

None at this stage

Other considerations

None

Equality and Diversity

All members of staff and society can suffer mental health so support can be provided equally to all.

Sustainability/Climate Change Implications

The Health and Wellbeing strategy identifies how open space and a green environment can help people with their mental health and so this aspect will form part of our sustainability and climate change actions.

Timetable for implementation

None at this stage

Background papers: There are none.

Appendices: None

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Report of the Chairman on the work of the Administrative Committee

This report gives an overview of the main issues considered at the meeting held on 21 April 2021.

1. Review of Programme Management

1.1 The Committee agree the implementation of a new Programme Management Project Model.

2. Capital Monitoring Report Q3 Oct – Dec 2021

2.1 The Committee noted the report.

3. Revenue Monitoring Report Q3 Oct – Dec 2021

3.1 The Committee noted the report.

4. Forward Plan

6.1 The Forward Plan was agreed subject to the removal of the dates referred to in the heading.

Councillor Tony Mitchell

Chairman of the Administrative Committee

22 April 2022

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Report of the Chair on the work of the Standards Committee

The Standards Committee met on 16 March 2022.

1. The Committee reviewed the Council's arrangements for dealing with allegations of breaches of the Member Code of Conduct. The arrangements follow the model issued by the Local Government Association.
2. The Committee received an update on standards complaints, following the previous update in October 2021.
3. The membership of the Committee System Working Group was reviewed to reflect changes in the borough's political makeup.

Ian Winter

Independent Chair of the Standards Committee

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