



TENANCY STRATEGY

Norwich City Council, July 2023



NORWICH
City Council

Introduction

Norwich City Council is a local authority housing provider. We have more than 18,000 homes across the city, of which 14,050 are available for let and 3,300 are leasehold.

In the 10 years since we published our last Tenancy Strategy, the national housing landscape has changed. Rising homelessness, high rents in private housing, the Grenfell fire tragedy, Covid, and the cost of living, are just some of the issues driving social housing reform. We have evolved our strategy with these changing times, but our stance on lifetime (secure) tenancies remains the same. We grant secure tenancies, after tenants successfully complete an introductory tenancy.

We want our 14,050 secure tenants to live well and thrive in their homes and local community. The Tenancy Strategy explains what we expect from Registered Providers of social housing, and what we expect for tenants, including:

- the types of tenancies that will be granted.
- the length of fixed-term tenancies when these are granted.
- the circumstances under which a particular type of tenancy will be granted.
- the process for reviewing tenancies.

This strategy will contribute to mixed and balanced communities, with individuals and families settled in decent homes that they value, with advice and support delivered by people who care. It complements our overriding aims and priorities identified in our [Corporate Plan 2022 to 2026](#).

Beth Jones

Portfolio Holder for housing and community safety

Louise Rawsthorne

Chief Executive, Norwich City Council

1. Tenancy Strategy background

- 1.1 There have been many changes in the national housing landscape since Norwich City Council published its previous Tenancy Strategy on 24 January 2013 in accordance with section 150 of the Localism Act 2011. The tenancy strategy must be kept under review. But, in this latest update, we have not changed our position on offering lifetime tenancies. This strategy helps to inform registered providers of our expectations regarding social housing provision and expectations for social housing tenants.
- 1.2 The use of flexible tenancies in social housing originated from the Localism Act 2011, which came into force on 1 April 2012. This tenancy is derived from the government's view that social housing tenants should not benefit from greater tenancy security than tenants in the private sector. The Housing and Planning Act 2016 developed the definition of flexible tenancies with the intention of phasing out the award of lifetime tenancies for new social tenants. Social tenants were only to be offered fixed-term tenancies. But, with the proviso that landlords could offer tenancies lasting up to the 19th birthday of the youngest occupant. This would have affected new and existing tenants who moved home (with a few exceptions).
- 1.3 These provisions were not implemented as the national climate regarding social housing changed dramatically following the fire at Grenfell Tower, London, in 2017. In ["A New Deal for Social Housing" 2018](#), the government stated it would not implement compulsory fixed-term tenancies. This corresponds with proposals requiring landlords in the private sector to offer longer tenancies and to prohibit "no fault" evictions of private sector tenants. The recent impact of temporary constraints on eviction during the pandemic, and rising energy prices on the cost of living have been contributory factors.
- 1.4 The [Secure Tenancies \(Victims of Domestic Abuse\) Act 2018](#) and the [Domestic Abuse Act \(2021\)](#) recognised that, where a secure (lifetime) tenant was offered a new tenancy when moving due to domestic abuse, they should retain their existing security of tenure, and not be offered a fixed-term tenancy.
- 1.5 The social housing sector was subject to a compulsory 1% rent reduction for four years from April 2016 to March 2020. This affected many areas of social housing including regeneration and planned improvement programmes.
- 1.6 Universal Credit (UC) has been rolled out across the whole of the UK and is now the primary state benefit for those of working age on a low income or out of work. The impact of these requirements on rent arrears or on social landlords' income collection, particularly following yearly rent increases, will be monitored.

1.7 In the [Social Housing Regulation Bill](#), the government sets out what every social housing resident should be able to expect on:

- safety
- landlord performance
- complaints
- being treated with respect
- having their voice heard
- the quality of their home and neighbourhood
- access to home ownership.

This tenancy strategy supports the practices we will use when awarding housing for lifetime secure tenants, and to new tenants where introductory tenancies will apply.

2. Objectives (local context)

2.1. This strategy complements our five aims and five themes within the [Norwich City Council's Corporate Plan 2022-2026](#) and the [Norwich 2040 City Vision](#).

2.2. We want our strategy to contribute to the continuation of mixed and balanced communities and prevent the unnecessary cycle for resettling families and individuals who are well placed in their current homes.

2.3. Our aim for our 14,050 secure tenants is to see families and individuals live well while contributing to their future, education, and wellbeing inside the home and local community.

3. Tenancy Strategy overview

3.1. We recognise that we may have limited influence over decisions by other social landlords operating within Norwich, many of whom operate across several local authority areas. The changes in national outlook have led some social landlords to withdraw from offering fixed-term tenancies and to return to only offering lifetime tenancies.

We expect social landlords to have regard to this Tenancy Strategy so that tenants and applicants across the borough understand the types of tenancy available.

3.2. The [Localism Act 2011](#) requires every Council to publish a Tenancy Strategy which contains provisions on expectations for all social landlords in the local area in relation to:

- the types of tenancies that will be granted.
- the length of fixed-term tenancies when these are granted.
- the circumstances under which a particular type of tenancy will be granted.
- the process for reviewing tenancies at the end of the fixed term, and the circumstances under which a tenancy may or may not be renewed either in the same property, or in a different property.
- All social landlords are required to set out the way in which a tenant or prospective tenant may seek a review of:
 - the length of the fixed term
 - the type of tenancy offered.
 - a decision not to grant another tenancy on the expiry of the fixed term.

4. Strategy (expectations)

4.1. We expect all social housing providers to produce a Tenancy Policy which addresses the items listed in 3.2. We have set out our strategy on these matters, and expect social housing providers to consider the contents of this strategy in the following ways:

a. What type of tenancies will be granted?

We expect that social landlords will offer either fixed-term tenancies or lifetime time tenancies (secure or assured). These tenancies may be preceded by a 12-month introductory or probationary tenancy.

b. If fixed-term tenancies are offered, how long will they last?

Although permissible by law, we do not support the granting flexible fixed-term tenancies of less than five years. We would expect that in most instances, fixed-term tenancies, where awarded, will be for a five-year period or longer, or up to the 19th birthday of the youngest occupant if longer than five years.

c. Under what circumstances will a particular tenancy be granted?

- Where social landlords offer an introductory or probationary tenancy, it should be available to all new social housing tenants.
- Existing social housing tenants should retain their security of tenure or other tenancy rights after a move to a different social housing tenancy, where there is no break in tenancy.
- Social landlords may want to offer a fixed-term tenancy to existing or new tenants moving to a new build affordable rent property.

- Social landlords may want to offer a mix of fixed-term and lifetime tenancies, depending on various circumstances.

Examples of people who may be granted a lifetime tenancy are:

- people over pension age
- people with an enduring physical or mental health disability

Examples of people who may be granted a fixed term tenancy are:

- tenants moving to certain types of property.
- tenants moving to certain size of accommodation.

d. What process will be used for reviewing tenancies at the end of the fixed term?

Social landlords must have a clear policy for reviewing a tenancy before the end of the fixed term. This should include details of any financial limits that may prevent the award of a further tenancy. It should state how a landlord will decide if a property still meets the household's needs.

- The tenancy review should primarily be an opportunity for both landlord and tenant to consider if the current home meets the tenant's needs now and in the future.
- Where a review is carried out with a vulnerable tenant, we expect social landlords to take all practical steps to make sure the tenant can fully participate in the review hearing.
- We would expect the review to take place at least 9 months before the tenancy is due to end. This is to allow enough time for a tenant to find alternative housing if the tenancy is not renewed, and alternative accommodation is not provided.

e. Under what circumstances will a tenancy not be renewed in the same property or in a different property?

Social landlords must have a clear policy for reviewing a tenancy before the end of the fixed-term and this should include:

- details of any financial limits that will prevent the award of a further tenancy.
- how a landlord will decide if a property continues to meet a household's needs
- any other matters that may be considered.

We aim to prevent homelessness where possible and expect landlords to offer financially realistic housing options to people in need. It would be counter-productive for landlords not to renew tenancies, unless they have carried out a thorough review including proactively offering tenants advice and assistance to find alternative accommodation.

4.2. Preventing homelessness

Although it is clear in [the Localism Act 2011](#) that the landlord is responsible for providing advice and assistance, we can provide a comprehensive service locally to all applicants for affordable housing. This includes advice and assistance with finding suitable private rented accommodation. Further details on [housing and homelessness are on our website](#).

As we retain the statutory responsibility to provide housing for homeless households in priority need, we want to make sure there is a robust approach to providing advice and assistance where a tenancy is not renewed.

We would ask all social landlords in Norwich to:

- notify us when a tenancy will not be renewed, and the agreed alternative housing arrangements.
- provide details of the advice and assistance provided, if not using our advice and assistance service which is our preferred option.

4.3. All social landlords are required to set out the way a tenant or prospective tenant may seek a review of:

- the length of the fixed term
- the type of tenancy offered.
- a decision not to grant another tenancy on the expiry of the fixed term.

4.4. We expect social landlords to make sure tenancy policies contain the following information:

- Who to make a request to and how, and the timescales to do it
- How review panels will work
- Timescales for administering reviews.

This information must be accessible and widely publicised, such as on websites, and be available on request.

5. Tenancy sustainment

Norwich City Council has various services which provide targeted interventions support and Independent Living Teams. We work in partnership with agencies, third sector and voluntary organisations, NHS, and independent commissioning boards to increase tenants' capacity to sustain their tenancies.

Register providers are expected to consider and provide tenants throughout their tenure, advice, guidance, or support in relation to:

- regular tenancy reviews and visits
- identifying support for mobility and adaptations
- challenging times and life events - referrals and housing staff working with specialist care and support agencies to identify the best support available for short term interventions.
- experiencing hardship and needing welfare support – each person is impacted in different ways and timely advice and support must be available at the earliest point, rather than during times of crisis.
- maintaining housing land and the local environment – long term needs of a household and everyday livelihood within their surroundings
- safety inside their home and in communal areas.

6. The Tenant Standard

The [Regulatory Framework for Social Housing in England from April 2012](#) sets out the specific standards that Registered Providers (RPs) must meet. It takes account of the amendments made because of the Localism Act 2011.

The Tenant Standard requires RPs to let their homes in a transparent and efficient way, and to take account of the housing needs and aspirations of tenants and potential tenants.

They must demonstrate how their lettings:

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

Registered Providers are also expected to cooperate with local authorities' strategic housing function, and their duty to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nomination agreements. As we own and manage our own housing stock, we review our own tenancy policy.

7. Complaints

All social landlords must set out the way in which a tenant or prospective tenant can escalate a complaint if they are dissatisfied with the response. This should include information on:

- Internal complaints' procedure
- Housing Ombudsman
- Judicial Review
- Where to seek independent legal advice

The [Social Housing Regulation Bill](#) sets out what every social housing resident should be able to expect in relation to complaints.

The expectation is that social housing tenants will have their complaints dealt with promptly and fairly, with access to an ombudsman who will give them swift and fair redress when needed. Further guidance has been issued by the Regulator of Social Housing when considering complaints.

8. Consultation

We are required to consult and will follow an eight-week consultation exercise allowing observations from:

- Secure tenants and introductory tenants
- Registered Providers of social housing
- Residents of the City of Norwich
- Agencies supporting tenants and working with the Council.

9. Equality

We consulted a range of stakeholders during the development of this Tenancy Strategy and completed an Equality Impact Assessment.