

End of Tenancy Review

April 2018 – June 2018

Prepared by: Scrutiny Team

Introduction and Objectives

Tenancies can come to an end in a number of ways. This review looks at the ending of tenancy where customers:

1. Leave Selwood Housing Group
2. Where a sole tenant dies
3. Where a sole tenant moves into care

We were interested in the way these processes operated balancing the business need and legal requirements for ending a tenancy along with taking a sympathetic approach to the customers' needs at a difficult time.

There are other ways a tenancy could be ended for example evictions or transfers these are outside of the scope of this review but may be an area for future scrutiny.

The objectives were to:

- Review all new policies and procedures to ascertain effectiveness, ease of use, clarity, objectivity, accessibility and fairness.
- Consider any feedback available from tenants involved in End of Tenancy and assess the impact of the processes.
- Consider staff views regarding customer relations during End of Tenancy.
- Explore the practice of other organisations in their approach
- For the Scrutiny Team to draft a final report for consideration by the Service Manager and then Selwood Board.

Review Process

The Scrutiny Team undertook the following actions:

- 1.** The Scrutiny Team explored the existing written policies, procedures and processes in relation to End of Tenancy for Bereavement, Moving into Care and Moving Home.

- 2.** A review of the leaflets and website information was undertaken.

- 3.** The Scrutiny Team spent time with the customer service team and as part of this reviewed and examined both verbal and written scripts and letters given to next of kin and representatives of tenants in the above circumstances.

- 4.** A benchmarking exercise was undertaken to identify positives and negatives with other housing providers, local and national. We also spoke to utility providers to explore how they managed the ending of account where customers die or go into care.

- 5.** Members of the Scrutiny Team interviewed Neighbourhood Manager, Lettings Team Supervisor, Lettings Admin assistant, Customer Support Team first port of call, Customer Support Advisor (mainly reception) and Former Tenant and Sundry Debt Recovery Manager.

- 6.** Due to the sensitive nature of the review, particularly regarding bereavement, we carefully considered the best way to ask for customer feedback. We felt it appropriate to ask Selwood to put a request forward on their Facebook page, for feedback from anyone who has experience of the service.

- 7.** During the review process we were given copies of the existing and proposed letters to tenants regarding End of Tenancies and our views sought on the proposed changes.

Findings

1. Government Guidelines and Selwood Information

The current termination of tenancy procedure, government guidelines, website and leaflets were reviewed regarding End of Tenancy. There were a number of inconsistencies where the website and leaflets do not tally. The most likely explanation for this is that the website has been updated and improved and the leaflets were last reviewed in 2013.

See Appendix 1

Four queries arising from the Termination of Tenancy Procedure document were answered in a speedy and satisfactory response by the Neighbourhood Technical and Support manager.

The leaflets, *Returning your home to us* and *Returning your home after a bereavement* are available from reception or can be downloaded from the website and are informative and thorough. The forms for terminating a tenancy can also be downloaded. However, some discrepancies are noted where terms are mismatched, or the instruction is not clear.

It is evident that there are two existing End of Tenancy /Notice to Quit letters which differ widely.

See Appendix 2 Notice to quit – personal representative of tenant.

See Appendix 3 Notice to quit – Letter to the tenant's estate.

See Appendix 4 Notice to quit – Relative of tenant where a tenant is in a residential care home.

See Appendix 5 Notice to quit – Tenant where the tenant is in a residential care home.

2 a) Benchmarking - Housing Associations

A benchmarking exercise was undertaken via websites and by telephone, to identify positives and negatives in comparison with other housing providers, local and national. The difficulty in obtaining information specifically on moving into care was evident both online and on the telephone.

All those contacted stressed they followed government guidelines.

The Scrutiny Team found that the government guidelines were open to wide interpretation, resulting in housing associations being able to stipulate and improve upon their own guidelines regarding End of Tenancy.

It was clear that there was a tension between the need to properly end a tenancy in law (usually 4 weeks) and the desire not to create debt for the customer or the estate. At the same time the desire to think about getting the property ready for re-letting meant that this task was not as straightforward as it might first appear.

One other association offers relatives a two-week rent-free period from date of death to clear the property. Scrutiny acknowledges that Selwood operates a similar system.

2 b) Benchmarking – Utility Companies

Regarding the Utility companies contacted by way of comparison, we found they all provided information easily accessible online. Responses are very clear and concise. However, we acknowledge that there are many more aspects to the ending of a tenancy for Selwood than for a single utility.

3. Staff Interviews

In the course of staff interviews it was evident that there is a difficult balance to achieve between a compassionate approach and the business interests of the company.

There was a general feeling from the staff that bereavement training was lacking.

During the winter months there were greater pressures on the team and it was felt that either extra staff or dedicated, trained staff could be helpful.

We identified one case where someone had called to reception to notify Selwood of a death. They wanted to remain anonymous and gave no contact details. In this case the issue was recorded on email rather than on QL. Though this was unusual the guidance on what to do in such a case would benefit from clarification.

A wider point made by some of the staff was they would like QL to be used more widely wherever possible to increase efficiency.

All those interviewed expressed that it was difficult to follow a common format as each case was different.

It was also agreed that Scripts for telephone use needed modifying.

Staff interviews highlighted that some of the processes in QL had been in place since QL inception in December 2008. They felt it would be useful to review these and we agree with that assessment. We also felt that the timings of letters in relation to debt recovery should be reviewed and the time scale tightened from the current 2/3 weeks.

4. Customer Compliments and Complaints

There had been no customer complaints received about the service. Scrutiny has since been told there is/was a 'difficult Stage 3 complaint' in process and find it odd we are not able to know of this as part of the Scrutiny process.

There was one response to the Facebook post.

5. Customer Feedback

Due to the sensitive nature of the review, particularly regarding bereavement, we carefully considered the best way to ask for customer feedback. We felt it appropriate to ask Selwood to put a request forward on their Facebook page, for feedback from anyone who has experience of the service

The following request was posted on Facebook

Facebook Invitation Post

Our Scrutiny Team are currently reviewing our End of Tenancy procedures through bereavement, going into care or moving home.

We understand that ending a tenancy through any of the above circumstances can be a very difficult and sensitive time and our Scrutiny team are looking for feedback from customers and their families who have experienced this service with Selwood Housing.

If you feel like you could volunteer any information on the process, satisfaction or otherwise, to help with our ongoing review, please email/message/call.

This generated one response:

Having to find 4 weeks rent is difficult as housing benefit stops the day a person passes away as does UC and PIP. Also having to put the house back to the standard needed is not always possible at this time due to bereavement and money available especially when the tenant has been there 25 years plus. Also agencies such as medequip can take several weeks to remove beds etc so making it hard to return house. My children experienced this in March when their father died.

This response highlighted pressures on the finances of the estate - perhaps not fully appreciated by Selwood. One other association provided a financial officer who helped put procedures in place, empowering the tenant which enabled the understanding of how living costs are met when someone dies.

6. Finance

The income team recorded losses as a result of ending of tenancies the total figures for the last two year are listed below

1. Amount written off - Sole tenant deceased – no money in the estate
£28,692
2. Amount written off - Sole tenant deceased – no contact from the next of kin £20,897
3. Money currently owed where the reason code is: moved back home / moved to new home / moved into private accommodation is £47,735

Where there are no monies in the estate there is little action that can be followed. Where there is no contact from the next of kin, consideration has to be given to the extent this area is chased.

In the final scenario (not on death) the amount is not written off and the debt chased. This highlights the importance of having strong processes in place to prevent or reduce this

7. Thanks

The Scrutiny Team would like to acknowledge and thank all customers and staff who gave their time and information willingly and cooperatively to the review.

Recommendations

1. The Scrutiny Team received copies of existing and proposed letters to customers and recognises and approves of the changes. However, all departments need to use the same End of Tenancy/Notice to Quit letters. We recommend the changes to the existing letters are implemented.
2. Scripts used by Customer Services team to be updated in a similar fashion to the proposed letters. **See Appendix 6 and 7**
3. An overhaul of the relevant leaflets in order to match the information on the website with updated costs.
Consideration could be given to users being unfamiliar with Selwood ie Next of Kin/Executor
4. Reference Appendix 5 of the Termination of Tenancy procedure. Where a letter is sent to a tenant who has gone into residential accommodation, the letter should add that a copy has also been sent to their relative or representative if/where appropriate
5. Termination of Tenancy form to be available from Reception or by post.
6. Bereavement counselling training for younger staff members
7. Revisit staff passing information through QL as a matter of protocol and for consistency.
Scrutiny feels that QL should be fit for purpose and should be updated to reflect the current procedures and policies introduced since the inception of QL in 2008.

8. <http://www.wiltshire.gov.uk/registrations-register-a-death> will guide the user to the Tell Us Once service and could be added to the website and leaflets. One other association contacted in benchmarking, uses this facility to access notifications of deaths.

9. Facebook – Suggest a named contact if people prefer to communicate away from the open posting.

10. Suggest two to three weeks between letters regarding Debt Recovery is too long – this could in some cases be shortened in an effort to reduce losses.

11. Include a process where mobility aid is checked in a property and an onus placed on the provider to remove it.

12. Improve the website and move the ending a tenancy page which currently sits under find a home.

In addition consider re-wording this section as it comes across as quite cold, some people using this part of the site will have been bereaved.

Scrutiny team members invested 230 hours in this review - all members present and had input at the time of writing the report.