



# Temporary Decant Policy

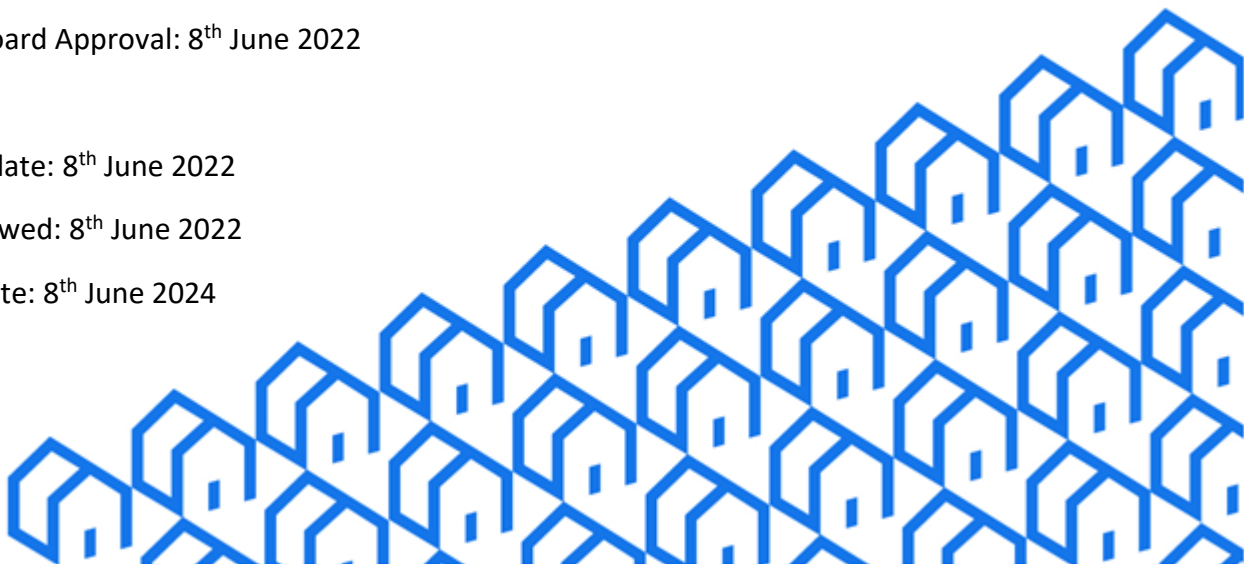
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## Introduction

Empower Housing Association (EHA) constantly strives to make the best use of their housing stock and recognises occasions will arise when tenants may be required to move from their homes temporarily due to emergency repairs, major repairs, refurbishment, modernisation, or redevelopment. This process is known as decanting.

The purpose of this Policy is to clarify what EHA will do when it is necessary to move tenants temporarily from their homes along with the responsibilities of both EHA, the tenants and their support provider. This will include guidance on expenses and expectations.

## Objectives

As moving home can be a stressful and disruptive experience for the tenants, EHA will:

1. Ensure a positive relationship is maintained with all parties concerned during the decant process
2. Ensure clear communication and support is provided throughout the decant process to make the move and re-settlement go as smoothly as possible
3. Provide a reasonable/moderate and prompt contribution for alternative accommodation to those whose move is due to works instigated by EHA.
4. Comply with all statutory and regulatory requirements
5. Work closely with support providers and draw on their knowledge of their client's needs.
6. Provide counselling and additional support to our vulnerable tenants during the decant process.

## Temporary Decant

This policy applies to temporary moves whether they are planned or unplanned. In non-emergency cases EHA will consult with the support provider on options for alternative accommodation, including any vacant bedrooms within schemes where the care provision is managed by said support provider. Alternative accommodation will only be required for the length of time in which it takes to complete the required works at the property.

Properties may require decanting for several reasons, including situations where:

- A building is unsafe or hazardous
- Work would be deemed impossible to carry out from a health and safety point of view – work men present / materials stored at the property / hand tools electric tools being used / noise etc.
- Work is required to a property that may be harmful to occupants, e.g. large scale removal of asbestos
- Gas/electricity/or water will not be available for a long period of time
- The property is due for re-modelling or extended repair
- Other reasons include a recommendation is received from a doctor or nurse that decanting is necessary during repairs

The decision that a decant is required must be approved and authorised by EHA's Building Quality Manager, who will work with other teams to ensure that any temporary alternative accommodation meets the needs of the tenant, completing risk assessments where appropriate. The duration of the temporary move may vary from one night to seven nights away, or possibly longer dependant the timescales for the works to be completed. During the decant period the tenancy's will remain in place for their original home.

Where work is required that is EHA's responsibility, EHA will meet the reasonable housing related costs for alternative accommodation. EHA will not take on responsibility for any additional costs of care and support.

On the instance works are required due to a DFG arranged on behalf of the tenant by the support provider, EHA will not take on responsibility for alternative accommodation or additional costs of care and support. However, EHA where possible will provide advice on any vacant bedrooms within the support providers care portfolio to which the tenants could move to on a temporary basis to reduce the costs incurred.

As EHA lease their properties from an external funding source, should any works be required arranged by the Lease holder, with EHA's assistance, they will meet the reasonable housing-related costs of alternative accommodation and any additional costs of care and support. The Lease holder is expected to hold an up-to-date contingency plan to cover temporary displacement of occupants for any reason including fire, flood, or other natural disasters.

If it is found a tenant has committed deliberate actions (and has the capacity to understand their responsibility for these) which have rendered the property

uninhabitable, EHA will not provide alternative accommodation to cover the temporary decant. EHA may also consider taking legal action upon receipt of evidence.

Whilst a tenant is temporary decanted, they will continue to pay the rental fee for the permanent home.

### Temporary Decant Process

Once it has been identified that a temporary decant situation will arise, a consultation with the Building Quality Manager, support provider and/or any advocates and appointees will take place. Social Services may also be involved if it is deemed necessary. The Building Quality Manager will be the key point of contact throughout this process and is responsible for making sure the move goes as smoothly as possible.

EHA will recognise, respect, and respond to each tenant's needs, circumstances, and requirements in order to reach an agreement with the support provider as to the proposed decant and alternative accommodation. However, if the tenant's behaviour, or refusal to move to alternative accommodation impacts our ability to carry out works we will assess the situation:

- If category 1 hazards are present at the property, we may seek court action to obtain possession of the property to enable the works to go ahead. Any action taken by the court will only be successful if it is decided that the proposals set out by EHA are reasonable and the tenant has been offered suitable alternative accommodation to move.
- If this is not the case, and we have made reasonable offers of alternative accommodation which has been refused we may decide to not carry out the works following a risk assessment. The support provider and/or advocate/appointee will be consulted prior to reaching this decision.

EHA provide a flexible approach to each individual case, considering where possible preferred locations and personal circumstances. For most tenants requiring short term accommodation of up to four weeks the first option we would explore with the support provider would be the tenant returning to their family home, temporary respite accommodation, vacancies within support provider's care portfolio. If these options have been exhausted, we would then consider alternative measures such as staying in a holiday let or similar accommodation.

Should a longer decant period be required (with works taking up to 1-3 months) a combination of these options will be taken into consideration with discussions held with family members and the support provider to reach an agreement.

EHA will ensure the support provider is kept fully informed as to when the permanent property will be ready for the tenants to return to. Prior to any works commencing the Building Quality Manager will provide all parties concerned a timescale for completion which will be updated on a regular basis should additional works be required.

The Building Quality Manager will also maintain regular contact with the support provider to ensure the tenants are not experiencing any problems due to the decant to alternative accommodation and to keep them updated on progress of the works being undertaken at the tenants' permanent address.

### **Emergency unplanned events**

In the event tenants must move out of their property because of unplanned emergency situations such as a fire or a flood affecting the property or the area in which the property located, EHA's Building Quality Manager will need to complete an onsite assessment to deem the property as uninhabitable due to the nature of the damage to the property, or that the property is in-accessible. By completing this assessment, the Building Quality Manager will be able to evidence that whilst the property may not be damaged, the tenants are unable to access their home due to flooding in the area or the access points to the property have been damaged.

Such emergencies will be classed as an insurable event and will require the Building and Quality Manager to liaise with the Lease holder of the property to discuss the damage caused and arrange for the necessary works to be completed.

The Building and Quality Manager will assist the support provider in sourcing emergency temporary accommodation, such as returning to the family home, respite services etc and will establish how long the tenants will be unable to use their home. If the timescale is going to be for a longer period, then temporary or permanent accommodation will be sourced wherever possible. The Building Quality Manager will liaise with the Lease holder to discuss alternative accommodation options along with any costs they will be liable to pay.

### **Accommodation Allowances**

As detailed within this Policy, if tenants are required to decant to alternative accommodation which will incur a cost due to works by EHA making their home

inhabitable, we will meet the reasonable housing related costs, without the inclusion of any additional costs such as care and support, meals etc. In the instance tenants return to their family home, respite accommodation, or decant to a vacant bedroom within the support provider's care portfolio they will not be eligible for an accommodation allowance.

Each decant will be assessed on a case-by-case basis with an acceptable allowance agreed between the Building Quality Manager, support provider and/or advocate/appointee. As an indication the allowance per week should reflect the weekly rent for your permanent property and will not exceed 50% of the total cost of the temporary accommodation and will exclude items such as:

- Additional personal care/support costs
- Food – including meals out
- Spending money
- Fuel

Where the tenant has been given permission to keep a pet, or it is permitted by the tenancy agreement, EHA will not be able to contribute to cover the costs of boarding, this would be the tenant's responsibility.

### **Tenant and Support Provider Responsibilities**

The tenant will be responsible for their behaviour with the assistance of their support provider in any temporary accommodation. Should the tenant or their support provider be asked to leave because of anti-social or nuisance behaviour, EHA will not be under any obligation to source alternative accommodation and the tenant must return to their permanent home. EHA will complete a risk assessment and consultation with all parties concerned to allow for works to re-commence with the tenant remaining in the property.