

DECANTING STRATEGY

NOVEMBER 2023



LANARKSHIRE
HOUSING ASSOCIATION LTD



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DECANTING STRATEGY

(*Note Lanarkshire Housing Association hereinafter referred to as LHA)

1. INTRODUCTION

- 1.1 This document confirms how LHA will deal with decanting tenant's if/when the need arises. Decanting will be on a temporary basis and the tenant will return to their home on completion of remedial work.
- 1.2 Tenants will be decanted where their property is uninhabitable, for example due to serious flooding/fire damage or where work required or products used would cause an unsafe environment for the household.
- 1.3 If the need arises to decant home owners for planned development work then a separate strategy will be prepared at this time.

2. AIMS AND OBJECTIVES

- 2.1 To comply with legislation, regulatory standards and good practice guidance.
- 2.2 To provide decant accommodation that meets the tenants needs (including any medical requirements) and to minimise the length of time the tenant requires to be decanted for.
- 2.3 To consult with tenants prior to any work starting, keep them involved during the work and minimise any disturbance caused during the decant process.

3. LEGISLATIVE AND REGULATORY REQUIREMENTS

- 3.1 LHA will comply with the legislative requirements of The Housing (Scotland) Act 2001 Section 11 (9) which confirms that a decanted tenant will continue to enjoy full tenancy rights whilst in temporary accommodation. The tenant also remains bound by the terms and conditions of their original SST.

H(S)A 2001, Section 11 (9) Where—

- (a) the house which a tenant under a Scottish secure tenancy normally occupies is not available for occupation, and

- (b) the tenant is accommodated temporarily in another house the landlord of which is a local authority landlord or a registered social landlord,
- (c) the other house is to be taken, for the purposes of this Chapter except sections 12 to 16 and paragraph 4 of schedule 1, to be the house which the tenant normally occupies.

3.2 LHA will comply with the requirements of the Scottish Social Housing Charter particularly :-

Outcome 1 : Equalities
Outcome 4 : Quality of Housing
Outcome 5 : Repairs, Maintenance and Repairs
Outcome 13 : Value for Money

3.3 LHA will comply with the contractual obligations of the Scottish Secure Tenancy Agreement, specifically section 5.11 and 5.14 relating to decant requirements.

4. DECANT ACCOMMODATION AND OCCUPANCY AGREEMENT

4.1 Where LHA is able to identify suitable decant accommodation, an occupancy agreement will be signed with tenants. Arrangements covered by this agreement will include:-

- Removal costs
- Uplifting and refitting carpets/floor coverings
- Removal/refitting of cookers, washing machines etc.
- Telephone disconnection and reconnection
- Mail Redirection
- Storage costs

4.2 Where LHA does not have stock available for decant requirements then other options to be considered are:-

- Use of other RSL stock
- Temporary hotel accommodation
- Local Authority temporary accommodation

5. DISCRETIONAL DISTURBANCE PAYMENTS

5.1 There is no statutory provision for disturbance payments when decanting tenants on a temporary basis, so this policy aims to compensate tenants for any reasonable expenses incurred due to decant requirements.

5.2 Calculation of discretionary disturbance payments will be in accordance with Section 7.3 of our Compensation Policy.

6. MONITORING, EVALUATION AND REVIEW

- 6.1 LHA will monitor the effectiveness of this strategy by completing a tenant satisfaction survey at the end of each programmed displacement.
- 6.2 This strategy will be subject to three yearly reviews.

Lanarkshire Housing Association Equality Impact Assessment Tool



Name of the policy / proposal to be assessed	Decanting Strategy	Is this a new policy / proposal or a revision?	Revision
Person(s) responsible for the assessment	Craig Russell		
1. Briefly describe the aims, objectives and purpose of the policy / proposal	Sections 1 &2 of the strategy document outline this information		
2. Who is intended to benefit from the policy / proposal? <i>(e.g. applicants, tenants, staff, contractors)</i>	<p>This strategy will benefit staff by outlining the circumstances where a decant will be offered and how it will be managed.</p> <p>It will also benefit tenants who are affected by circumstances such as fire/flood or require to be decanted due to major repairs being carried out in their home.</p>		

<p>3. What outcomes are wanted from this policy / proposal ? (e.g. the benefits to customers)</p>	<p>A clear and easy to follow process for staff to follow in the event of a decant being required.</p> <p>Another outcome would be that by properly managing the decant, the time outside their home (and the cost to the Association) will be minimised.</p>
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<p>4. Which protected characteristics could be affected by the proposal? (tick all that apply)</p> <p> <input type="checkbox"/> Age <input checked="" type="checkbox"/> Disability <input type="checkbox"/> Marriage & Civil Partnership <input type="checkbox"/> Pregnancy/Maternity <input type="checkbox"/> Race <input type="checkbox"/> Religion or Belief <input type="checkbox"/> Sex <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Sexual Orientation </p>

<p>5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here.</p> <p>n/a</p>

	Positive impact(s)	Negative impact(s)
<p>6. Describe the likely positive or negative impact(s) the policy / proposal could have on the groups identified in part 4</p>		<p>Potentially there may be a negative impact for tenants with a physical disability in the event that a suitably adapted/accessible alternative property is not available</p>

<p>7. What actions are required to address the impacts arising from this assessment? (This might include collecting additional data, putting monitoring in place,</p>	<p>In the event that there is not a suitable adapted/accessible property available, there are a number of options available to us and will depend on the nature of the decant (e.g is it an emergency situation and how long is the</p>
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specific actions to mitigate negative impacts).

decant required)

For emergency situations (or very short term decant requirements) accessible hotel accommodation should be sought in the first instance.

If it is likely to be for a longer period of time, discussions could take place with other local RSL's to determine if they have any suitable accommodation available that we could lease for a period.

Signed:



Housing Services Director

Date the Equality Impact Assessment was completed: 31.10.23

Please attach the completed document as an appendix to your policy / proposal report