

STOKE-ON-TRENT CITY COUNCIL

# Rent Setting and Collection Policy

Housing Services

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## 1. Purpose

- 1.1 The purpose of this policy is to establish the principles and approach by which Stoke-on-Trent City Council will:
- Set rent levels and service charges for its residential properties
  - Set rent levels for its non-residential assets, such as garages
  - Deal with recovery of arrears for its residential properties and garages

within a viable and sustaining Housing Revenue Account (HRA) that enables the council to deliver effective value for money services, invest in its properties and provide new social housing to rent.

## 2. Scope

- 2.1 This policy applies to:

- New tenants
- Current tenants
- Transferring tenants
- Former tenants

and covers:

- Rent setting on new tenant sign up (re-let)
- Annual rent review
- Annual service charge review
- Rent arrears recovery

- 2.2 It sets out:

- The council's approach to rent setting for new tenants
- The council's approach to annual rent reviews
- The council's approach to rent arrears recovery for current tenants and former tenants in conjunction with the council's Corporate Debt Management Strategy which covers rent, business rates, council tax and sundry debts (general day to day business income including housing benefit overpayments and former tenant arrears).
- The alignment with the Government and Ministry of Housing, Communities and Local Government guidelines

## 3. Key Principles and Service Standards

- 3.1 Stoke-on-Trent City Council's plans are driven by its Stronger Together vision – working together to create a stronger city we can all be proud of. The vision involves five main priorities, which are:
- Support our residents to fulfil their potential;

- Support our businesses to thrive, delivering investment in our towns and communities;
  - Work with residents to make our towns and communities great places to live;
  - Commercial council, well governed and fit for purpose, driving efficiency in everything we do;
  - Support vulnerable people in our communities to live their lives well.
- 3.2 The city council will aim to keep rent arrears to a minimum by operating a firm but fair approach to provide tenants in arrears with sound advice, offer practical, affordable repayment plans and minimise evictions.
- 3.3 The policy sets out the method of calculating fair and affordable council dwelling rents to maximise income and ensure sufficient funds to provide an efficient and effective housing service.

## **4. Legal and Regulatory Framework**

- 4.1 The council will ensure that the Rent Setting and Collection Policy meets with legislative and good practice requirements to maximise income and minimise rent arrears. This will include the following:
- Policy Statement on Rents for Social Housing (February 2019)
  - Social Housing Rents (Exceptions & Miscellaneous Provisions) Regulations 2016
  - Landlord & Tenant Act 1985
  - The Housing Act 1985 as amended
  - Housing Act 1996 as amended
  - Data Protection Act 2018 and the General Data Protection Regulation 2018
  - Housing and Regeneration Act 2008
  - Equalities Act 2010
  - The Regulatory Framework for Social Housing in England (March 2015)<sup>1</sup>
  - Welfare Reform and Work Act 2016
  - Housing and Planning Act 2016
  - Stoke-on-Trent City Council Tenancy Agreement

## **5. Setting and Review of Charges**

### **5.1 Rent Setting for Current Tenants**

- 5.1.1 The council will set rents in line with the government's policy statement, the Rent Standard 2020 and legislation.
- 5.1.2 The council will increase rents annually by Consumer Price Index (CPI) plus 1 percentage point each year from 2020-21, for a period of at least five years in line with the Ministry of Housing, Communities & Local Government Policy Statement on Rents for Social Housing – February 2019.

<sup>1</sup> The Regulator of Social Housing has launched a 12-week consultation on 7<sup>th</sup> May 2019 on a revised Rent Standard that will come into effect on 1<sup>st</sup> April 2020 which will have regard to the Government's Policy Statement on Rents.

5.1.3 Tenants will be given 4 weeks' notice of any change in their net rent and service charges or garage rent.

5.1.4 All rent charge increases will take place on the first Monday of April in each year.

## **5.2 Rent Setting for New Tenants**

5.2.1 When a property becomes empty it will be re-let at the formula rent, in accordance with the Rent Policy Statement.

5.2.2 The council reserves the right in certain circumstances to set the new or re-let rent at the rent flexibility level' (+5% for general needs and +10% for sheltered and supported) as defined in the Communities and Local Government Guidance on Rent for Social Housing. This will depend on the lettable of the property in question, the formula rent cap and the relationship of the city council's average rent 'limit rent'.

5.2.3 Where the council builds or acquires new property through the Affordable Homes Programme, the rent charged will be the higher of 80% of market rents (this is called an affordable rent) inclusive of service charges, or the formula social rent.

5.2.4 Where a property or scheme has received major works or been remodeled the council will set rents in line with the national rent setting formula which derives individual property rents taking into account property values (based on 1999 valuation), number of bedrooms and local earnings to arrive at the formula rent.

## **5.3 Service Charges**

5.3.1 'Service charge' is defined by S18 of the Landlord & Tenant Act 1985 as:

'an amount payable by a tenant of a dwelling as part of or in addition to the rent:

- which is payable, directly or indirectly, for services, repairs, maintenance, improvements or insurance or the landlord's costs of management, and
- the whole or part of which varies, or may vary, according to the relevant costs

The relevant costs are the costs or estimated costs incurred or to be incurred by or on behalf of the landlord, or a superior landlord, in connection with the matters for which the service charge is payable.

For this purpose:

- 'costs' includes overheads; and
- costs are relevant costs in relation to a service charge whether they are incurred, or to be incurred, in the period for which the service charge is payable or in an earlier or later period

- 5.3.2 A service charge reflects the cost of additional services provided in connection with the tenancy and is in addition to the rent charged. Therefore the services may not be provided to every tenant. It also covers services provided in connection with communal areas that a tenant has the use of in connection with their tenancy. The range of services provided depends upon the nature of each particular property. Tenants will only be charged for the services they receive. Tenants cannot opt out of any service provision or charge. Any offers of accommodation will clearly identify charges attached to the property and the amounts involved.
- 5.3.3 Service charges are set based on the actual cost of providing the service. The service charge will be added to the “basic” rent charged. The basic rent and service charges combined are known as the gross rent charge.
- 5.3.4 The council will set service charges based on estimated costs for the year, or actual costs where known.
- 5.3.5 Where new or extended services are to be introduced or where it is proposed to significantly alter an existing level of service the council will consult with those affected using established consultation methods.
- 5.3.6 For existing tenants, all rent and service charge increases take place on the first Monday of April each year. New lettings are covered within Section 5.2.

## **5.4 Garages**

- 5.4.1 Any annual increase to garage charges will be considered in line with the rent setting process and is currently charged at consumer price index (CPI) +1%.
- 5.4.2 Charges for garage rents to home-owners and private tenants are currently set at the same level as tenants but may be subject to VAT.

## **5.5 Rechargeable Repairs**

- 5.5.1 Charges in relation to rechargeable repairs will be levied in line with the council's Rechargeable Repairs Policy.
- 5.5.2 For current tenants a separate charge will be raised as a sundry debt and the tenant will be invoiced. Every effort will be made to obtain payment up front or in instalments.
- 5.5.3 For former tenants a charge will be raised via the sundry debtor system and the former tenant invoiced at the last known address.

## 5.6 Contents Insurance

- 5.6.1 Tenants who are members of the City Council's Tenants' Contents Insurance Scheme will pay a weekly premium to a separate sundry account.

## 6. Rent Arrears Recovery Principles

- 6.1 Arrears recovery is a key principle of the Rent Setting and Collection Policy to enable the council to minimise the level of rent arrears and maximise income in a sensitive but effective manner.

The specific objectives of the Rent Setting and Collection Policy are to:

- Monitor levels of arrears and have early intervention mechanisms in place which prevent rent arrears arising
- Offer early appropriate professional support and guidance to tenants to reduce rent arrears and maximise their income
- Take appropriate action in accordance with the level of rent arrears;
- Ensure that rent payments are prioritised by tenants
- Actively and rigorously pursue tenants for arrears owing
- Sustain tenancies with support from the council's Income Advice team, Housing Solutions and other agencies

This will be achieved by:

- Taking all reasonable measures to prevent arrears from occurring and escalating.
- Liaising closely with the council's Housing Benefit team to ensure that Housing Benefit applications are processed expediently
- Liaising closely with the Department of Work and Pensions (DWP) to ensure that Universal Credit applications are processed expediently and include housing costs, and that applications for alternative payment arrangements and third party deductions are made in a timely manner
- Making use of all available remedies with eviction as a last resort
- Negotiating realistic and affordable arrangements to repay rent arrears and arrears for other charges where appropriate. In developing an arrangement, considering all priority debts and factors affecting payment
- Ensuring that detailed procedures and agreed practices are applied uniformly across the service
- Providing training to ensure that staff are competent and able to carry out the roles expected of them
- Ensuring that communication with tenants is in "plain English" and providing contact references in the case of queries
- Considering affordability when allocating a tenancy to minimise the risk of debt for tenants
- Ensuring that tenants understand how much they need to pay – including additional service charges, rents not covered by housing benefit payments, rechargeable repairs and insurance costs

## 7. Policy Detail

### 7.1 Tenants and landlord's responsibilities

- 7.1.1 The term 'tenant' includes sole and any multiple tenants.
- 7.1.2 If two or more people have signed the Tenancy Agreement, they are jointly and severally liable for the payment of rent. This means that each person is fully responsible for the payment of rent and any arrears of rent; the city council will not apportion the debt.
- 7.1.3 Tenants have an obligation under the terms and conditions of their Tenancy Agreement to pay rent when due. Tenants have a responsibility to notify the city council of any change that may affect their ability to make payments.
- 7.1.4 The Tenancy Agreement, section 7.2.1 states:  
  
You must pay your Rent and any other Service Charges weekly in advance on or by each Monday, or at any other regular advance intervals by prior arrangement with us. The obligation to pay your weekly Rent and Service Charge applies throughout the whole period of your Tenancy including any period where you are away from the Property.
- 7.1.5 Rent in advance payments are now requested by the majority of social landlords. We will request two weeks rent in advance – this offers a buffer against changes to income or benefits, and ensures a tenant does not go into arrears unnecessarily. There are a number of frequencies for paying rent to us, including every week, every two weeks, every four weeks or every month, but whatever frequency is chosen, it must be paid in advance.
- 7.1.6 It is the tenant's responsibility to pay rent even if the tenant claims housing benefit or is in receipt of Universal Credit. However the council understands that paying rent in advance may be difficult for anyone who is likely to be on full housing benefit or Universal Credit, in which case we may be able to consider assistance towards this through Discretionary Housing Payments (DHP), although any application is dependent on the full financial circumstances of the tenant. Alternatively, if DHP is not available and rent in advance would cause significant financial hardship, we may ask for a smaller additional payment of £10 as a credit.

### 7.2 Payment

- 7.2.1 The following payment methods are available to tenants, although our preferred method is direct debit.
- **Direct Debit** - Rent payment by direct debit can be arranged either weekly or monthly. The option to pay monthly is for convenience. A tenant's legal obligation under the terms of the Tenancy Agreement will be to pay rent weekly **in advance** and therefore if paying monthly tenants are required to pay monthly in advance to avoid rent arrears
  - **Telephone** - Payments can be accepted by credit or debit card through the city council's 24-hour automated telephone facility, the telephone number is 01782 234123. Payments can also be made via the Customer Services team on 01782 234234.
  - **Internet** - Payments can be accepted by credit or debit card through the city council website ([www.stoke.gov.uk](http://www.stoke.gov.uk)).
  - **Standing Order** - Rent payments by standing order can be arranged either weekly or calendar monthly in advance



- **Payment Office** - Tenants can personally pay their rent by cash, cheque, postal order, credit or debit card at any City Council local centre with a cash counter. At city council offices with payment kiosks payment can be made by cash and debit and credit card. The opening hours will be prominently displayed at each payment point. These should be payments in advance of the rent due.
- **Postal Payment** - Postal payments of rent by cheque or postal order can be sent to any local centre. These should be payments in advance of the rent due.
- **Post Office** - Payment can be made by cash or cheque at any Post Office using the plastic swipe card issued to all tenants.
- **Pay Point** - Payment can be made by cash through any Pay Point outlet using the plastic swipe card issued to all tenants.

7.2.2 Tenants will be requested to set up a direct debit or standing order for rent payment at sign up as this is the most efficient payment method. The council offers an incentive to encourage tenants to set up payment by direct debit.

7.2.3 Payments made by direct debit help tenants manage their finances better and ensures that priority debts, such as rent, are paid on a regular basis. Existing and new tenants signing up to the direct debit scheme are incentivised to maintain their direct debit payments throughout the financial year through a quarterly and annual prize draw. Where rent accounts are in arrears, winning prize draw tenants will only be eligible to receive half the winning high street vouchers, with the remainder being placed to their rent account debt.

7.2.5 Where a tenant breaks the terms of a direct debit or standing order on three occasions, the city council will not accept any further request to pay by these methods for twelve months.

7.2.6 If the tenant then pays rent in the agreed amount for the twelve month period, the council will reconsider a further request for payment by direct debit or standing order.

### 7.3 Prevention of rent arrears

7.3.1 At the start of a tenancy the council will make every effort to ensure that tenants are informed of all costs associated with their home. The appropriate advice on rent related and Housing Benefit/Universal Credit issues will be discussed and assistance will be given to tenants to complete a Housing Benefit form or apply for or update Universal Credit and to provide proof of income when signing a tenancy agreement.

7.3.2 If a prospective tenant is at risk of getting into financial difficulties a referral will be made to the Income Advice team.

7.3.3 Where existing tenants experience difficulty with the completion of a Housing Benefit form, housing staff will provide assistance. Existing tenants experiencing difficulties in making a claim for Universal Credit will be referred to the support provided by the Citizens Advice Bureau (CAB) or DWP and the council's Income Advice Team may provide assistance as well.

7.3.4 At the tenancy sign up, the council will make available a copy of the Tenant's Handbook and tenancy conditions and advise the tenant of their responsibility to pay their rent and service charges, ensuring they are aware of the potential consequences of non-payment.

7.3.5 All new tenants will receive a new tenancy home visit by prior arrangement from a Housing Officer from the Local Centre, normally no later than six weeks after the tenancy has commenced. This visit will confirm that rent is being paid and (if required) help to resolve any issues in relation to benefit or Universal Credit housing element payments. Tenancy visits will then be undertaken at a pre-determined frequency in order to address any tenancy concerns, including payment of rent.

7.3.6 The council will also provide details of the incentive offered for paying rent by direct debit; and the other payment options available.

#### **7.4 Assessment, support and liaison with other agencies**

7.4.1 The council will offer assistance to all tenants when it identifies that their account is in arrears in order to make an affordable arrangement and ensure amounts are paid when due.

7.4.2 During the assessment, possible sources of support will be identified. These may include:

- Family/household members
- Appointees/Power of Attorney
- Friends
- Social Services
- The City Council Income Advice team
- Citizens Advice Bureau;
- Floating support teams
- Any other appropriate agency.

7.4.3 The council also recognises that the changes to welfare benefits, the spare room subsidy rules, the benefit cap and the introduction of universal credit may impact on tenants. The city council will offer support and advice to tenants affected and will consider transferring tenants to smaller accommodation if this is requested by the tenant and is achievable.

7.4.4 Referrals can also be made to the Income Advice Team who will complete income maximisation checks, advice and assistance with benefit/grant applications and offer money management advice.

7.4.5 The council may also make referrals to the Jobs Enterprise and Training (JET) scheme. The JET scheme helps people who are unemployed get back into work or start their own business. JET operates outreach services in all communities across the city and offers work-based training specific to the individual's needs. It also has an employer-facing job brokerage service, which provides recruitment support for local businesses.

#### **7.5 Rent arrears recovery**

7.5.1 Rent arrears recovery will be based on a staged escalation process, up to and including repossession for non-payment of rent.

7.5.2 The process will be designed around a preventative approach that seeks to maximise tenants' income, ensure Housing Benefit / Universal Credit housing element is correctly assessed, , and ensure payments are made when due. Emphasis will be placed on early intervention whilst arrears are at a relatively low level in order to prevent the escalation of arrears.

- 7.5.3 The council will take legal action where appropriate to recover rent arrears due to non-payment by following the Pre-Action Protocol for Possession Claims by Social Landlords.
- 7.5.4 In the case of rechargeable repairs recovery and other charges such as court costs, if all other interventions fail, the city council may take legal action where appropriate to recover the cost through the County Court.

## **7.6 Early intervention**

- 7.6.1 The council will attempt to contact tenants so that there is early intervention with arrears cases before a debt becomes unmanageable.
- 7.6.2 Arrears control and recovery action will be activated as soon as an account falls into arrears.
- 7.6.3 Detailed procedures for income management and arrears action ensure that each case is regularly monitored and appropriate action is taken. Tenants who go into arrears will be contacted via telephone, text, visit, face to face or letter.
- 7.6.4 The council will maintain a comprehensive record of all action taken and contact with a tenant in arrears.

## **7.7 Serious/persistent arrears action**

- 7.7.1 Where the payment of rent and arrears is not made on a regular basis or the agreed arrangement is broken a Notice Seeking Possession will be served and action will be taken in the County Court by way of possession proceedings and seeking a money judgement for the outstanding rent. 7.7.2 The court can make the following decisions:
- An order for recovery of outright possession
  - An order for Suspended Possession giving a set time to pay the rent arrears after which if not paid possession will be granted
  - A money judgement for the amount owed.
- 7.7.3 In the case of an Introductory tenancy a Notice to Terminate will be served and possession proceedings taken in the County Court; a money judgement for the outstanding rent will also be sought. In some circumstances, the introductory tenancy can be extended for a further six months.
- 7.7.4 Where costs are incurred by the council as a result of taking legal action to recover rent arrears, and where this is provided for within the Court Order, the full costs of such actions will be recharged to the tenant and added to a sub account of the rent account. Legal costs for action in the County Court can add significantly to the debt that tenants may have and Court Orders are not discharged until all court costs are paid in full.
- 7.7.5 Evictions will only be considered as a last resort where all other alternatives for recovering amounts owed have failed.
- 7.7.6 Support and advice will be made available by the council to try to prevent someone losing their home, or to appropriately put support in place and signpost where eviction is likely to have to be considered.

- 7.7.7 Advice will also be given with regard to accessing Benefits if required and a referral can be made to the Citizens Advice Bureau (CAB). When an eviction is likely, the city council will offer advice on housing options and the implications of becoming homeless.
- 7.7.8 Even if the tenant is only a small amount behind on their Court Order obligations, contact will be made and the tenant advised what they need to pay to bring their court order up to date avoid being evicted.
- 7.7.9 Where an eviction occurs, the tenant still remains responsible for the full amount of rent arrears and all court costs outstanding.
- 7.7.10 Some tenants get into significant debt and following specialist debt advice, they may be subject to a Bankruptcy Order or a Debt Relief Order. Proceedings cannot be used to recover rent arrears which are subject to Bankruptcy or Debt Relief Order rules, so such debts are effectively lost to the city council. However, action for eviction can still be sought against an insolvent tenant, but any rent arrears listed within a Bankruptcy Order or Debt Relief Order cannot be part of the possession order.
- 7.7.11 The council will not enforce an eviction where a Bankruptcy Order or Debt Relief Order is in place so long as any rent arrears not covered by a Bankruptcy Order or Debt Relief Order are being paid within an agreed arrangement. Where arrangements are not being kept to or where the level of rent arrears debt contained within a Bankruptcy Order or Debt Relief Order is over £500, the city council may consider eviction action.

## **7.8 Provision of Rent Account Statements**

- 7.8.1 Rent account statements will be sent to the tenants' address, normally at quarterly intervals, to comply with the requirements of the Pre-action Protocol for Possession Claims based on rent arrears.
- 7.8.2 If a tenant specifically requests that their statements are sent out more frequently or they wish to receive statements by e-mail, the Housing On Line account or other method, then this will be accommodated wherever possible with regard to reasonableness, overall demand and costs. Individual "one off" statements will also be produced on the specific request of the tenant.
- 7.8.3 Each rent account statement will show the following information:
- Name and address of the tenant.
  - Date and number of each collection week.
  - Transaction details for each collection week, which will include rent charged, Housing Benefit entitlement, rent paid and any adjustments made.
  - Balance at the end of each collection week.

## **7.9 Approaches towards Vulnerable Tenants**

- 7.9.1 A sensitive approach towards rent arrears recovery will be taken in respect of tenants who are deemed to be vulnerable, including those who are disabled as defined by the Equality Act 2010, or who do not have English as a first language and who may require additional support to understand what is required to maintain rent payments.

- 7.9.2 Housing Officers and Income Advice Officers may identify further vulnerabilities and needs, including safeguarding issues, which will be referred to appropriate agencies.
- 7.9.3 The council will recognise any legitimate situation whereby a third party accepts responsibility to help a vulnerable person meet their rent payment obligations.
- 7.9.4 The council may pursue enforcement in cases where support needs have been identified but the tenant is not engaging in the support plan.

## **7.10 Universal Credit**

- 7.10.1 As Universal Credit is paid direct to a tenant's bank account and will be made four weeks in arrears, tenants, therefore, have to either ensure that they set aside sufficient to cover rent or set up a direct debit. We recognise that tenants may go into arrears during the period that they are waiting for the benefit to be paid – during this period no enforcement actions will be taken, so long as the tenant pays the city council the rent once Universal Credit is paid and the arrears are solely attributable to Universal Credit.
- 7.10.2 If the tenant has arrears that accrued before they have applied for Universal Credit, an arrangement for the repayment of these arrears is required in addition to the rent due.
- 7.10.3 The DWP can offer the claimant budgeting support as part of the initial claim process and can decide to pay the rent directly to the council if this prevents the claimant getting into financial difficulties.
- 7.10.4 Where a tenant is in rent arrears, consideration will be given to applying for an Alternative Payment Arrangement and if necessary, a direct payment. This can cover the rent charges and a direct payment can provide the ability to make a payment towards rent arrears. If agreed the housing costs will be paid directly to the city council.

## **8. Data Protection**

- 8.1 Any personal information provided to the council regarding tenants' personal or financial circumstances will be dealt with in accordance with city council policies. All data held in respect of tenants will be recorded and processed in accordance with current data protection legislation and our Retention Policy.

## **9. Equality Statement**

### **9.1 Impact Assessments**

Impact Assessments have been considered and applied when developing the policy with particular considerations applied to the areas described below:

### **9.2 Equality Impact**

The council recognises that it provides housing for communities which include wide social diversity and is committed to providing equal access to services.

This policy aims to treat all customers fairly, with respect and professionalism. In line with the duty placed on the local authority under the Equalities Act 2010 specific consideration

of the impact of this policy has been given to people with protected characteristics, including gender, race, age, disability, religion, sexual orientation and marital status. The approach adopted within this policy focuses on understanding individual circumstances in order to provide appropriate advice and support; this includes understanding the needs of tenants who have protected characteristics. Consideration will therefore be given to language barriers, accessibility and cultural issues which may affect a tenant's ability to manage their tenancy or seek advice on problems, and resolutions which take account of the individual's beliefs and abilities.

The council will enable all our tenants to have clear information and equal access to available services and information in a range of appropriate languages and formats will be provided when requested. This policy has been designed to be fully inclusive regardless of the ethnicity, gender, sexuality, religious belief, or disability of service users or residents. The Equality Impact Assessment will be reviewed as part of reviewing the policy document in order to inform any changes that may be required.

From time to time the council may ask tenants to provide details of their gender, age, religion, disability, ethnicity and sexual orientation in line with the protected characteristics identified within the Equalities Act 2010 to help the council to deliver more effective, appropriate and inclusive policies and practices. All data collected is kept securely, used only for monitoring purposes and is de-personalised at the point of collection to protect an individual's privacy, and held in accordance with the council's Privacy Policy and Fair Processing Notices, particularly as this relates to Social Housing and Homelessness Services.

The completed Equality Impact Assessment is available on request.

## **10. Links to Other Policies**

- 10.10.1 The Rent Setting and Collection Policy is the key policy document relating to income for the Housing Revenue Account. The policy is closely aligned to and supports the delivery of a range of strategic plans and their associated policy framework within the Allocations and Tenancy and Estate Management Policies, and Tenancy Agreement and its associated handbook: including links to the:
- HRA 30 Year Business Plan
  - Homelessness Strategy
  - Corporate Debt Management Strategy
  - Bad Debt and Write-Off Policy

## **11. Measuring Performance**

- 11.1 Rent collection is a vital element of measuring the financial viability of the Housing Revenue Account Business Plan and is reported through the performance framework for Housing and Customer Services, which is routinely reported through Operational Business Meeting and Housing Management Board.
- 11.2 It is important to keep levels of rent arrears under control and monitor performance, with a long-term aim of keeping arrears below the measures set out within the performance framework for Housing and Customer Services. Weekly arrears figures are provided to housing management staff so that progress can be measured and trends quickly identified. The City Council will monitor current (in-year) performance against previous year's performance and make improvements wherever possible.

11.3 A number of additional operational measures and reports are provided to enable staff to manage rent arrears.

## **12. Complaints and Review Process**

12.1 The council actively encourages all customer feedback about its services. Therefore, the council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

Where a tenant considers that the council has given a poor service or has got something wrong, they may tell the member of staff in the first instance. This will not be treated as a formal complaint (unless asked to do so) but comments will be used to take appropriate action, or give information.

If a tenant does not want to do this or is unhappy with the response, they may make a complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and they are still not satisfied, the tenant may contact the Housing Ombudsman Service. More information may be found on [Comment on a council service | Comment on a council service | Stoke-on-Trent](#)

## **13. Consultation**

13.1 This policy has been developed in conjunction with operational, strategic and financial officers of the council, and has been considered by the Tenant Board at their December 2019 meeting.

## **14. Policy Review**

14.1 This policy will be reviewed on an annual basis or earlier if there are any legislative changes for the rent setting or welfare reforms.



## Glossary / Definitions

Throughout this policy document, it is inevitable that words or phrases are used that are readily understood by some readers, but which are new to other readers and their meaning is not immediately apparent. The meanings of some words/phrases used in this document are given below:

**Benefits** – refers to all money paid by the government to support people who are on a low income, have a disability or unemployed.

**CPI (Consumer Price Index)** - the official measure of inflation of [consumer prices](#) of all items of the United Kingdom.

**Debt Relief Order (DRO)** – this is an alternative to bankruptcy. DROs are available to people who have very little surplus income and very few assets which could be sold to clear the debt. Once a DRO has been made, there is a suspension period - usually 12 months - during which creditors cannot take enforcement action against with permission from the Court. Once the suspension period has ended, any debts included in the DRO will be discharged.

**Eviction** – occurs when a Court of Law has awarded a possession order. The tenant will be told the date when they must leave the property. If they do not leave by that date, the court bailiff can be asked to remove the tenant and anyone else in the property.

**Formula Rent** – is a calculation based on the relative value of property, relative local earnings and a bedroom factor i.e. smaller properties have lower rents.

**Market Rent** - an estimate of its market rent inclusive of all service charges at the time the tenancy is granted that is based on a valuation in accordance with a method recognised by the Royal Institution of Chartered Surveyors.

**Money Judgement** – is a county court judgment (CCJ) which requires tenants to pay back rents owed even if they have left the property.

**Possession Order** – this is an order from a Court of Law which compels all occupants to leave the property and remove all personal belongings by a set date.

**Target Rent** – When a property is re-let following the void period the rent is adjusted to the amount that the rent would have been using the government's previous rent formula

## Key Contacts

**For comments in relation to this policy and its development please contact the Enabling and Projects Team:**

- Telephone: 01782 234234 (office hours only)
- Email: [housing.strategy@stoke.gov.uk](mailto:housing.strategy@stoke.gov.uk)
- Post: Enabling and Projects Team, Floor 2, Civic Centre, Glebe Street, Stoke-on-Trent, ST4 1HH.