Appendix 3:

Consultation

The information below summarises the legal and regulatory duties to consult in respect of changes to the lettings policy and sets out completed and planned activities to ensure we meet those duties.

Legal Duties

1. Under Part 6 of the Housing Act 1996 there is only one specific duty to consult on changes to an authority's lettings scheme:

   Before the Council adopts a new lettings scheme, we have a duty to share a copy of it with those RSL's with whom we have nomination agreements and give them a reasonable time to comment on the proposals contained within the draft scheme.

   This duty has been met through the workshop sessions and the subsequent sharing of the draft policy and an invite to complete a survey.

2. Under section 105 of the Housing Act 1985, the Council has a duty to ensure that secure tenants, who are likely to be **substantially** affected by a change in a housing management policy or practice, are informed of the proposed changes, have an opportunity to make their views known and to consider those views before making the changes.

   Our view is that changing the lettings policy will not substantially affect secure tenants as the changes proposed will benefit those tenants in priority need who are applying to transfer, will reduce lettings to those outside of Barnsley and will enhance community stability through the enhanced service offer and tenancy ready support.

   This duty will be met through Berneslai Homes' current tenant engagement processes via direct dialogue with the Tenant Voice Panel and other engaged tenants. The focus will be on involving tenants in the production of communications to applicants as part of the implementation phase and the development and testing of the service model.

3. Under Part 6 of the Housing Act 1996, the Council has a legal duty to take reasonable steps (and in good time) to **inform** those affected by a change in the letting scheme, of the changes and what impact they have on them.

   This duty will be met once the policy has been approved and a date set for its implementation. However, Berneslai Homes has committed to consult with a random sample of existing applicants and tenants not on the transfer list through three workshops. The aim of these workshops

is to establish the likely response to the changes and so support the development of effective communications on the run up to the changes.

Regulatory Duties

4. Under the Regulator of Social Housing's Involvement and Empowerment Standard we have a regulatory duty to give tenants a wide range of opportunities to influence and be involved in the formulation of their landlord's housing-related policies and strategic priorities and the making of decisions about how housing-related services are delivered, including the setting of service standards.

   This duty will be met through Berneslai Homes' current tenant engagement processes via direct dialogue with the Tenant Voice Panel and other engaged tenants. The focus will be on involving tenants in the production of communications to applicants as part of the implementation phase and the development of the service model and IT solutions.

The table below sets out both completed and planned activities to ensure we have fully met those duties as we develop and implement the new lettings policy. The table also contains a summary of the views received.

Completed Consultation

Consultation Activity	**Date/s**	**Summary of feedback**
Elected Members	Oct 21 14th & 18th Oct and 3rd Nov 22	General support for all principles, rules and revised service model. Acknowledgement that we have a duty to house those in most need and with limited options. <u>Main asks</u> • Support existing applicants to understand the changes in good time. • Be clear, fair, thorough and consistent in assessing those who can resolve their own housing needs. • Make sure allocations are supportive of the existing community needs. There was also an informal cabinet briefing on 5th October at which the Leader and Members were concerned that access to the waiting list would be restricted to those who owned their own homes or who had significant savings and the 10% lettings to waiting time ONLY amendment. Officers advised that there would be a clear and transparent process for this and that individual circumstances would always be considered – particularly where a need couldn't be met

		elsewhere (e.g., a medical need for certain accommodation/adaptation).
Berneslai Homes Tenant Voice and Involved tenants	23/5 & 30/11	Supportive of all proposals and the service model. • Like the closing of list to those outside Barnsley and with no connection. • With increasing demand from those in need understanding of need to offer on needs based and not waiting time. • Positive feedback about the online search and apply tool <u>Main asks</u> Involve tenants as the policy is implemented to ensure any comms are customer focussed. Involve tenants in testing any system developments
RSLs	17th and 22nd Nov	Supportive of proposals and service model. Bedroom and matching rules more closely align to their policies. <u>Main asks</u> Improved networking between BH and RSL Improved nomination detail Review of web content
Partners	17th and 22nd Nov	Supportive of proposals and service model, in particular the move towards lettings on need first and the service model which supports tenancy ready. <u>Main asks</u> Involve wider community as the policy is implemented – to improve accessibility

Consultation Activity	**Date**
Elected Members – sharing of key principles presentation slides and band rules followed by an online survey	2nd Dec
RSLs – sharing of policy draft followed by an online survey	2nd Dec
Partners – sharing of key principles presentation slides and band rules followed by an online survey	2nd Dec
Public – a small random sample of the housing register and existing tenants to attend a presentation on the key principles and service model	15th/16th Dec Online (Zoom) max 50 attendees each session 19th Dec 2pm-4pm Barnsley Library max 30 attendees Followed by a survey with deadline 13th Jan 2023. A copy of the survey results summary is located at appendix B1.

Berneslai Homes Involved Tenants Consultation on implementation with a practical focus on communications and system usage.	Post White Cabinet Approval