

Decant Policy

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CORPORATE FIT	
Corporate Strategy	✓
Risk Register	✓
Business Plan	✓
Regulatory Standards	✓
Equalities Strategy	✓
Legislation	✓

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1. Introduction

1.1 Statement of Objectives

The Decant Policy aims to ensure that the Association provides an effective housing operations service that complies with its landlord obligations in respect of decants.

In terms of this policy, to decant a tenant means to move a tenant temporarily or permanently from their home in one of the following circumstances:

- following fire, flood or other emergency.
- where it is deemed to be unsafe or unreasonable for a tenant to remain in their property; or
- to enable major works or demolition to be carried out.

Our objectives include ensuring that:

- tenants who require to be temporarily decanted are given information in advance and are consulted in an effort to identify needs and preferences for the decant accommodation.
- tenants are advised on the progress of the works being undertaken and given the correct advice re the payment of allowances, where appropriate.
- any tenant who requires to be decanted on a permanent basis is consulted / advised of their entitlement to Home Loss and Disturbance payments; and
- decant properties achieve our Minimum Lettable Standard.

1.2 Compliance with Regulatory Standards

In terms of the Scottish Social Housing Charter, the Scottish Housing Regulator has identified a number of key indicators relevant to decant accommodation by which it will measure landlord performance, including the following:

- Quality of housing – tenants' homes, as a minimum, meet the SHQS by April 2015 and continue to meet it thereafter, and when they are allocated, are always clean, tidy and in a good state of repair.
- Repairs, maintenance and improvements – tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choice about when work is done.
- Value for money – tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

1.3 Expected Outcomes

Key outcomes of operating an effective Decant Policy include:

- minimising use of decant accommodation.
- minimising any decant periods that occur.
- ensuring that decant accommodation is safe and secure; and
- ensuring that any decants are managed in a seamless and consistent manner.

1.4 Informing and Involving Stakeholders

We will promote our Decant Policy in line with our Customer Engagement Strategy.

1.5 Corporate Fit

1.5.1 Legislation and best practice

We will comply with all relevant legislation and associated regulations, including:

- The Housing (Scotland) Act 1987, 2001 and 2010; and
- The Scottish Social Housing Charter.

Common law, statute and the contractual obligations within our tenancy agreement set out our responsibilities as landlord and those of our tenants.

Our Decant Policy is consistent with our:

- Corporate Strategy.
- Business Plan.
- Customer Allowances Policy.
- Housing Allocation Policies.
- Risk Management Strategy; and
- Standing Orders and Delegated Authority Policy.

1.5.2 Equalities

Our Decant Policy complies with CVHA's Equality Policy to ensure equality of treatment for all tenants without discrimination or prejudice. At all times CVHA will therefore consider all tenants, regardless of sex, faith or religion, race, ethnic origin, sexual orientation, mental or physical health, disability or marital status.

1.5.3 Confidentiality

CVHA recognises that confidentiality is important to tenants and will treat their tenancy information in the strictest confidence under the Data Protection Law and in line with CVHA's Openness and Confidentiality Statement.

1.5.4 Business Plan and risk management

The Decant Policy provides a framework for temporary and permanent decanting of tenants and ensures that provision is made for tenants who require to be decanted from their home, within CVHA's budget. CVHA aims to minimise risk by ensuring that decanting is only carried out where necessary in accordance with the policy and that decant accommodation is safe and secure.

1.5.5 The Board

The Customer Services Director has responsibility for overseeing the implementation of the Decant Policy and the Customer Services Manager is responsible for key aspects of the day-to-day service delivery with delegation of specific tasks to appropriate staff.

The Board will receive updates on the implementation of the Decant Policy so that they can have reasonable assurance that it is operating effectively in practice. The Audit and Risk Committee may also seek assurance in this regard.

2. Key Principles – Decant Policy

2.1 Use of Decant Accommodation

CVHA reserves the right to use an unlimited number of properties as accommodation for tenants who need to be decanted on a temporary or permanent basis. The decision to decant on a temporary or permanent basis will be made by the Customer Services Manager. Each case will be assessed on its own merit and no case will be deemed to have set a precedent for another.

In the majority of cases tenants who are decanted will not be eligible for Home Loss or Disturbance payments but may be entitled to other allowances depending upon the circumstances. These payments are set out within the Customer Allowances Policy. CVHA tenants who are decanted permanently may be eligible for Home Loss and Disturbance payments. The details of these allowances are contained within our Customer Allowances Policy.

2.2 Criteria for Decanting

In general, we will decant a tenant if:

- during maintenance works or planned programme renewals, essential facilities within a tenant's home such as water supply, toilet facilities, electricity or water heating are not likely to be restored by the end of the normal working day.
- maintenance works or planned programme renewals are likely to take more than a working week to complete, the work is extensive and likely to disrupt daily living.
- a tenant is considered to be vulnerable and unable to cope with the anticipated disruption to daily living.
- the work required means that the property is likely to be insecure during part or all of the work.
- the nature of the work could lead to health problems for the tenant or someone in the household.
- in CVHA's opinion the work would be carried out more efficiently, effectively and safely if the tenant was living elsewhere.
- it is considered that the nature of the work in or around the home is likely to pose a Health and Safety risk to the tenant; or
- there may be occasions where CVHA has to insist that a decant is necessary, even if the tenant does not wish to move, if there is deemed to be a possible risk to the tenant.

2.3 Arranging Decant Accommodation

When making decant arrangements we will consider the following principles:

- CVHA will endeavour to offer other suitable accommodation where there is a need to decant on a temporary or permanent basis.
- tenants decanted on a temporary basis will require to sign a declaration stating that they will return to their own home on completion of the works – if they refuse to return to their tenancy on completion of works, CVHA will initiate legal action.
- if a tenant is only likely to be decanted temporarily for a short period of time or if it is unlikely that a suitable property will become available, CVHA may offer a temporary decant in the form of bed and breakfast or hotel accommodation.
- CVHA acknowledges that in some cases tenants may prefer to find their own temporary accommodation by staying with family or friends - in such cases the rental

charge for their permanent home will be suspended for the period of the decant, however they will be entitled to a range of allowances as outlined in the Customer Allowances Policy.

- CVHA will continue to charge the tenant the level of rent due for their original tenancy, but if the decant property has a lower rent level then this lower rent will be charged during the decant period; and
- CVHA will arrange the temporary and permanent decant of tenants as required and will pay costs and allowances associated with these as outlined in the Customer Allowances Policy.

2.4 Remaining in Decant Properties

CVHA will only consider a tenant's request to remain in their decant accommodation where the tenant is on the transfer list and meets the transfer criteria detailed within CVHA's Housing Allocation Policy.

Tenants who have been given permission to remain in their temporary decant accommodation or who decant permanently to another home will enter into a new Scottish Secure Tenancy Agreement and rent will be charged as appropriate from the agreed date of entry.