

## Easy read policy

# Management of supported living tenancies and how to make decisions about accommodation



This is a policy about supported living and when vacancies occur.



Usually there are 2, 3 or 4 people living together in 1 house. Sometimes when a person moves out or sadly dies, finding a new person to move into the vacancy can take a long time.



Having a vacancy in a house costs money. The Council, care support provider or landlord has to pay the cost.



In the past some people thought they had to live in the same house forever, this is not true.



Sometimes it is decided that a house is not right for people.



It might be too old and not very safe or comfortable. It might be too expensive to live there.



Sometimes the people living there don't get on together or no one new wants to move in.



If this happens then the people still living in the house might have to move to somewhere else.



It is the Council's job to help them find a new home.



The Council will talk to the care support service and the landlord, and they might decide that keeping a house is not a good idea.



These are some of the things to think about to help decide if a house is suitable or not



Is the house suitable or does it need some building work?



Can the people still living there afford to pay the bills, even though there is a vacancy and not as many people to share the costs with?



How would the tenants feel if they had to move to a different house?



Will people need help to understand these decisions? Who will help them if they do?



Will the landlord, care provider or Council be able to pay the extra costs for the vacancy?

decisions



Different could be made for

different houses as the situations are not the same.



That is why this policy has been written so that people will think very hard about peoples' accommodation needs and try their best to be fair to everyone.

## Reviewing vacancies



Every 4 weeks the Social Work team have a meeting to talk about vacancies in houses. They talk about the people that need a house and they try and agree who might like to live where.



For vacancies longer than 6 months, a meeting called a 'tenancy evaluation' will be held about that house.



Anyone who thinks a house is not suitable for supported living can ask for a tenancy evaluation - they don't have to wait 6 months.



If a tenancy evaluation is needed the tenants will have support from their social worker and care support provider to say what they want from a house, what is most important to them about a home and who they would like to live

with.



Someone from the Council will run the tenancy evaluation meeting to make sure they get all the right information and that they know what the tenants want.



**Is a house suitable for supported living?**  
**Things to think about**



**1. Does the house meet the physical needs of the tenant(s) or can it be changed to meet those needs?**

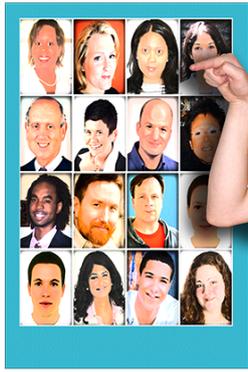
We will try very hard to change the property to meet the needs of the tenants, either through a Disabled Facilities Grant (DFG) or by the landlord agreeing to pay for this. If this cannot be done then we need to think about finding a more suitable house or a different kind of support.



**2. Can the tenant(s) pay the extra money needed to cover the vacancy - like rent or care support? Do they want to?**

If the remaining tenant/s cannot afford to pay all the bills that they are responsible for then a timescale should be agreed in which to find a new tenant/s. If after this time there is still no new tenant, then plans should be put in place to find another suitable house.

**3. Is it really possible to find a suitable new tenant/s?**



Enough time should be given to find new tenant/s. There is no rule of how long, as each tenancy is different.

The Council, Housing Provider and Support Provider (if there is one) should try and fill the vacancy as soon as they can.

As a guide, if a tenancy has had a vacancy for 6 months then it is unlikely that a suitable person will be found and a different house or flat should be considered for the remaining tenant(s).



#### **4. Can the Council or provider afford to pay for the vacancy?**

If the extra cost of care support is too high for the remaining tenants to pay because of the vacancy (compared to similar sized tenancies or other types of supported accommodation) then the

tenancy is not affordable.

If this happens the Council needs to decide (with the Support Provider if they are paying the cost) a time limit when this needs to stop. If after this time there is still no new tenant, then plans should be put in place to find another suitable house.



## **5. Can the Council or support provider afford the rent costs?**

Sometimes the Council or support provider will pay for the rent on a vacancy. This is paid as soon as the vacancy starts or sometimes after a period of time. We should not wait until we have to pay to consider that

the house may not be financially acceptable for the future.



## **6. What would be the physical and emotional effects of a tenant moving to another house?**

Moving house affects everyone differently. It is not always the right decision to live in the same house forever. If there is a vacancy where you live, you might end up with too much support, not

enough company and with higher bills to pay. You might have less money to spend; this might not be what you want.

Staff will support you with this and help you understand the different decisions that could be made. They will need to understand how this might make you feel.

If it is decided that a house is no longer suitable then alternatives need to be looked at for the tenant/s, unless there is a medical reason why the person/s can't move.



## 7. Mental Capacity

If the tenant can't make their own decision about moving somewhere else then a best interests decision will be made on their behalf. The person and their family/advocate will be fully involved in the best interests process as it says in the Mental Capacity Act 2005.

If anyone isn't happy with the decision, the Council will try and get people to talk and agree. If people can't agree the matter would need to be considered by the Court of Protection. An application to the Court of Protection will also be required if the person is subject to a deprivation of liberty.

Where a tenant has capacity to make a decision about moving to a different house, they will be supported by the social worker and care support provider to think about their options.

If staying in the property is not an option to the service user(s), then this should be reflected in the best interests process. The decision maker cannot decide on something that is not a reasonable option.



## 8. Legal implications

Sometimes there might be legal reasons which stop the Council or support provider from ending the

tenancy. This should not stop people thinking about whether a house is suitable for someone if it does not meet their needs. The terms of each Housing Management Agreement will be subject to review and where possible rewritten with the housing provider to make sure it is fit for purpose.



## 9. What suitable alternative accommodation is available?

Another suitable house must be found before it is agreed to stop using an unsuitable tenancy. A tenant should not be asked to leave until a suitable house has been found and the time for moving

has been agreed.

The Council has a duty to meet people's assessed needs but this does not have to be in a 'like for like' manner to what people currently get. Suitable alternative accommodation may be another type of provision such as a Shared Lives placement, extra care housing, residential care etc. It is important to help people maintain their independence and be involved with the community.

## Summary



The Council is responsible for making sure there is appropriate accommodation and support for people with learning disabilities.



Deciding that an existing supported tenancy is not suitable is a big decision. Vacancies cost money and all partners want to save money where they can and spend it on the most important things that improve peoples' lives and provide the best accommodation.



The accommodation evaluations, with the Council will consider all these things. If the Council decided that a house or flat is not suitable because of the condition or the costs, then they will write to people with a plan of action including details of other suitable houses. They will write to:

- The Housing Provider
- The Support Provider (if there is one)
- The individual tenant(s)

This letter will say why the decision has been made.



If a tenant does not agree with the decision, then he/she may complain by using the Council's Complaints procedure. The Council will ask for legal advice about what to do about each case.