

	Title	EST 10 Disturbance Policy		
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1. Purpose and scope

- 1.1 To clarify scope, responsibility and financial guidance for NCHA in situations which require our customers to leave their home temporarily or permanently as a result of emergency situations arising or to enable major repairs or disposal of NCHA property. To ensure that sufficient risk assessments are carried out and the needs of the customers are met during periods of disruption to their home within justifiable financial parameters.

2. Responsibilities and risk

Failure to respond appropriately to emergency housing situations will have a number of potential consequences:

- inability to maintain NCHA's property to a reasonable standard of repair.
- inability to meet targets to assess and dispose of properties
- loss of NCHA's reputation in Local Authority and Registered Providers Organisations
- dissatisfied customers
- vulnerable customers need not being addressed
- inability to manage financial implications of emergency housing situations

3. Policy details and guidance

- 3.1. This policy sets out NCHA's intention to compensate any customers who have to move permanently through no fault of their own and advises of the compensation payable to customers who have to move (decant) on a temporarily basis.
- 3.2 In instances that require NCHA to dispose of or demolish a property alternative accommodation should be provided and a Home Loss Payment may be payable to a customer with an Assured or Secure Tenancy Agreement in line with the Planning & Compensation Act, the Land Compensation Act 1973 and Home Loss Payments (Prescribed Amounts) (England) Regulations 2021.
- 3.3 In some instances, it may be necessary to undertake major works to a customer's home. This may be because essential works have been identified by the Technical Officer or because the property is a House in Multiple Occupation and improvements are necessary.
- 3.4 **Customers will be advised of the decant process, what costs they will be reimbursed for, how to claim those and a named officer to be their main point of contact throughout the process.**
- 3.5 Customers who are moved into alternative accommodation during any redevelopment or other works, will be granted a tenancy with no less security of tenure on their return to settled accommodation.
- 3.6 Whilst undertaking these works, NCHA will meet the cost of all reasonable expenses to ensure that the customer is not out of pocket, **dependant on the length of time anticipated for the repairs work to complete. The Your Community Manager** will be responsible for managing a limited budget to meet these costs **and will arrange reimbursement of costs incurred on a fortnightly basis, where receipts are provided.**
- 3.7 NCHA has a responsibility to rehouse customers in emergency circumstances either because it is not safe for them to remain due to the probability of harassment or violence or because the property is unfit for habitation following a fire or flood or other major damage.

- 3.8 Although the Local Authority is the statutory agency with ultimate responsibility for homelessness and provision of emergency housing, there is a clear expectation that NCHA should share responsibility for rehousing customers facing emergency housing circumstances when it is required.
- 3.9 We recognise that certain groups of customer's are likely to need extra support and reassurance during any process which impacts on their usual home environment. This includes:
- the elderly
 - lone parents
 - non-English speaking households
 - customer's with mental health problems within the household
 - customer's with a physical disability within the household
 - customer's with a learning disability
 - drug or alcohol dependency issues within the household
- 3.10 We will take into account the extent of the customer's needs or other exceptional circumstances when we plan a decant process with the customer. Our aim is to be entirely flexible in managing this process and ensure the customer's needs are met when possible.
- 3.11 We will also take into account:
- the size of the accommodation and the needs and ability of the family
 - the distance of the accommodation from the place of work or education
 - the distance from the home of any member of the customer's family if proximity is a consideration to the wellbeing of the customer or their family
 - the location and design of the property in relation to any safety or security issues
- 3.12 Hotels / bed and breakfast accommodation will be used as a last resort or in an emergency situation.

4. Supporting documentation and key legislation

4.1 Forms

Technical Officer Decant Assessment Report
 Temporary Decant Agreement
 Decant Transfer Form
 Decant Transfer Promise
 Decant Management Recommendation Transfer Request form

4.2 Guidance

None

4.3 Legislation

[Land Compensation Act 1973](#)
[The Home Loss Payments \(Prescribed Amounts\) \(England\) Regulations 2021](#)

4.4. Related policies

Asset Management and Maintenance Strategy
 Anti-social Behaviour and Hate Crimes Policy

Allocations Policy
Domestic Violence and Abuse Policy
Compensation Policy
Recharge Policy

5. Monitoring and reporting

N/A

6. Definitions

N/A

7. Equality and diversity

7.1 This procedure has been written in line with NCHAs Equality, Diversity and Inclusion Policy and Equality Statement.

7.2 This policy is supported by an Equality Impact Assessment

8. Appendices

N/A

9. Policy Approval

9.1 This procedure has been approved prior to issue by the Director of Homes and Wellbeing or if applicable by NCHAs Board or Customer Committee.