

Unauthorised occupancy across the council's housing stock:

An assessment of policy and practice.

Report of the Housing Scrutiny Sub-Committee

April 2007



Contents

Introduction	3
Recommendations	4
Key Issues Identified	7
“Unauthorised Occupation” defined.....	7
Principal impact of the problem	8
Recovery of council revenue	8
Recovery rates	9
Tenancy checks and detection methods	11
Addressing the causes of unauthorised occupancy	14
Relationships with other stakeholders and multi-agency working	14
Response times and treatment of individuals who provide information	16
Unauthorised occupancy during regeneration.....	17
Application of appropriate software	18
Policy documentation and management	19
Community Impact Statement.....	20
Resource Implications.....	21
Legal Comment.....	21
Supporting Documents.....	21

Introduction

1. Southwark is the largest social landlord in London with homes for more than 44,000 tenants. The council's social housing stock comprises 35.4% of the borough's 119,274 households. Properties managed by registered social landlords comprise a further 11.8%. These figures combined bring the total of the borough's social housing to 47.2% of residential properties.
2. According to Southwark's Homesearch monitor at January 9 2007, the number of households in the borough that are waiting to be allocated council housing or to be transferred into a more appropriate property is 13,503. In view of this high number and the conditions that many people are compelled to endure while waiting, the recovery of unlawfully occupied properties is critical. A breakdown of the groups comprising this figure is illustrated in Appendix 1. The table also outlines the factors prompting people to request a more appropriate home, which include, for example, medical conditions adversely impacted by their current accommodation, relationship breakdown, and overcrowding.
3. The number of new homes built for social renting in London during 2004/05 is recorded at just 5,650, while in May 2006 there were 309,000 people on the capital's housing register. This imbalance has significantly increased severe overcrowding (where households lack two or more bedrooms) in council homes, which has risen by nearly 50 per cent since 1991.
4. The significant shortfall of housing available is caused by factors such as the lack of funding for new build, the exercise of the Right to Buy (RTB), and the high numbers of unlawful inhabitants. According to Southwark housing officers, the rate of unauthorised occupancy across the council's housing stock is estimated to range between 4 to 10%. Accordingly, the *minimum* number of properties affected is approximately 1600, which has a notional value of £41,600,000. (This figure is calculated by multiplying the estimated minimum number of properties affected by the lowest average saving made per property {£26,000}, by the other boroughs consulted, on properties recovered from unauthorised tenants.)
5. Southwark's Housing Scrutiny Sub-Committee has undertaken an inquiry into the issue of unauthorised occupancy across the council's residential properties. In view of the high demand for social housing, the review considered Southwark's policy and practice for detecting and reporting unauthorised occupants, and for recovering properties to ensure that they are made available to those entitled to dwell in them.
6. To this end the committee sought to identify best practice among other social landlords that manage property in Southwark, including Housing Associations (HAs) and Tenant Management Organisations (TMOs, which manage stock on behalf of the Council), and from the methods of other London boroughs. Details were obtained of the policies that guide such organisations' responses to instances of unauthorised occupancy.

Further information was also sought as follows:

- Methods for detecting, monitoring and evicting unauthorised occupants;

FINAL REPORT

- The number of households identified in recent years as illegally occupied; the number of evictions carried out; and those in progress;
 - The (estimated) percentage of the social landlord's housing under unauthorised occupancy, and the proportion of squatters, 'sellers of keys' and excessive occupancy within this group;
 - Information on the obstacles that hinder the organisation from detecting unauthorised occupants and expediting evictions.
7. The committee received information from 32 of the organisations approached (see Appendix 2) and considered further evidence that was obtained online from government departments, quangos, and local authorities. The committee also received information about a pending set of court proceedings against alleged unauthorised occupants. It agreed to take into account the information supplied while preserving the anonymity of those concerned.

Members of the sub-committee during the review:

- Councillor Tim McNally (Chair & rapporteur member for this issue)
- Councillor Andrew Pakes (Vice-Chair)
- Councillor Jelil Ladipo
- Councillor Gordon Nardell (Rapporteur member for this issue)
- Councillor Jane Salmon
- Councillor Althea Smith

Co-opted members:

- Mr Dave Clark (Leaseholder Representative)
- Mr Lionel Wright (Tenant Representative)
- Mr Al-Issa Munu (Reserve - Tenant Representative)
- Mr John Nosworthy (Reserve - Leaseholder Representative)

Recommendations

- i. That officers explore ways to resolve the lack of precision in statistics on unauthorised occupation. So far as legal definition ("sole or main residence") is a problem, officers should seek advice on altering the wording of the tenancy agreement in order to provide clarity, and report back to the committee on the improvements made.
- ii. That a higher performance target be set for the repossession of council properties under unauthorised occupancy.
- iii. That the council adopt, if it has not already done so, the practice of a rolling audit of the entire housing stock; and record the resulting data to help analyse relative incidence of problems and target other methods of detection and prevention.
- iv. That the council's current programme of audits and checks be extended to include all lettable spaces, in order to evaluate the potential for recovery.

FINAL REPORT

- v. That the practice of audit visits during the probationary period for new tenants be continued, but that postal checks be reserved as part of an escalating response to suspected unauthorised occupation.
- vi. That the new estate caretakers scheme be considered as a means for increasing the performance target of tenancy checks, and for providing further support as appropriate for the detection and investigation of unauthorised occupancy.
- vii. That the policy of giving advance notice to tenants of a tenancy check should be ceased, and the identity issues addressed by estate-based housing management staff wearing appropriate Southwark-issued tabards and carrying their photo ID.
- viii. That the council consider an amnesty of the kind operated by Barking and Dagenham, which is understood to involve an agreement that an unauthorised occupant will surrender the property without a possession order, in return for the council refraining from suing for mesne¹ profits, damages and costs.
- ix. That the council introduce a further amnesty, in which unauthorised occupants who satisfy certain criteria are offered a legitimate tenancy, and that the criteria include as follows:
 - the household appears likely to be accepted as one in priority need for housing if removed from the property;
 - the household has no arrears of rent or mesne profits; and
 - the household has no record of anti-social behaviour.
- x. That both proposed amnesties as outlined in viii and ix above be time-limited.
- xi. That the council investigate whether there is a link between kinds of household facing the most acute housing shortage and kinds of household most likely to participate in unauthorised occupation, with the view to inform the council's housing supply and residential planning policies.
- xii. That in the specification for new stock designs the council take into account design factors that tend to be conducive to unauthorised inhabitants remaining undetected.
- xiii. That the council assess whether Southwark's UDP and SPDs adequately address such design features that tend to make properties more prone to unauthorised occupancy and urgently take steps to preclude these in the current and future design of major housing projects.

¹ Mesne profits are sums of money paid for the occupation of land to a person with right of immediate occupation, where no permission has been given for that occupation. The payments accepted by the council from a tolerated trespasser of the council are mesne profits rather than rent.

FINAL REPORT

- xiv. That the council should consult with TRAs and Estate Street Leaders on how to support their mutual interests regarding the aversion and response to unauthorised occupancy, as well as on related issues (see recommendation xv). The council's relationship with, and the role of, TRAs and Estate Street Leaders should be a flexible one.
- xv. That the council consider what can be done, in conjunction with TRAs, to foster an ethos of community and good neighbourliness, which is likely to deter unauthorised occupation and lead to its readier detection. The council should, for example, consult TRAs on design improvements to deal with unauthorised occupation as on related issues such as designing out crime and anti-social behaviour. Council officers with crime and community safety responsibilities should take unauthorised occupation into account in their work.
- xvi. That the council improve the currently poor information and facilities/ incentives for reporting unauthorised occupancy on its website and in printed material.
- xvii. That those properties that have been the subject of RTB be identified to TRAs.
- xviii. That the council establish a strict target timescale to ensure prompt and effective investigation of reported unauthorised occupation.
- xix. That senior officers ensure that there are appropriate protocols for the treatment of those who provide information and that staff adhere to them.
- xx. That methods of reporting unauthorised occupancy be publicised to residents via the council website and publications.
- xxi. That on completion of the council's review of its voids policy, officers report back to the Housing Scrutiny Sub-Committee on the targets established and on the steps proposed to meet them.
- xxii. That the new integrated data warehouse and MDM tools should be applied as a key tool in the identification of mismatches of tenancy vs occupant, and that this form part of the early use of these tools.
- xxiii. That the MDM be used to support spot checks and to match data obtained during tenant induction, including photo ID.
- xxiv. That attention be given to ensure that the resulting personal data be processed strictly in accordance with the Data Protection Act 1998 (DPA), including the deletion of information when a tenant moves out, and that tenants are informed of the purposes for which data may be consulted or disclosed within the council and/or externally.
- xxv. That the council keep TRAs informed, be sensitive to any concerns they raise and provide feedback of the results from any TRA-initiated investigation.
- xxvi. That the council establish the post of a singular dedicated manager, whose responsibilities encompass the strategy and coordination of the

FINAL REPORT

various forms of unauthorised occupancy that affect the council's housing stock.

xxvii. That the council undertake a review of its policy in relation to the irregular forms of occupancy other than those on which this report focuses

xxviii. That the council publish a detailed but clear and comprehensible set of guidance notes to explain its policies and practices to occupiers of council stock and to assist staff in implementing them.

Key Issues Identified

From the initial design of the review and later from the findings of the information obtained, the committee identified the key issues for this report as follows:

- "Unauthorised Occupation" defined
- Principal impact of the problem
- Recovery of council revenue
- Recovery rates
- Tenancy checks and detection methods
- Addressing the causes of unauthorised occupancy
- Relationships with other stakeholders and multi-agency working
- Response times
- Unauthorised occupancy during regeneration
- Application of appropriate software
- Policy documentation and management

"Unauthorised Occupation" defined

8. "Unauthorised occupancy" potentially includes a variety of irregular forms of occupation of property. For the purposes of the review, "unauthorised occupancy" is defined as cases where occupation is a trespass (such as squatting or the like); a breach of the tenancy agreement (such as the wrongful subletting of the whole property, or 'selling of keys'); or a case of unlawful excessive occupation. We have not dealt with other kinds of "unauthorised" occupation, for example the position where a legitimate occupier who is not entitled to succeed to a tenancy remains in a property after the tenant's death. That is technically a trespass but raises different issues from the kind of cases we are concerned with.
9. However, even within the categories of unauthorised occupation the committee has examined, there are problems of definition.
10. Council policy defines an unauthorised occupant as "a person who has entered the property with the former tenant's permission and remains in occupation after the tenant has ceased to occupy the premises as her/his only home and as a result has lost their security of tenure. This includes joint tenants [who remain] after service of a Notice to Quit by one party to the tenancy." The concept of "own home" is closely linked to the key legal expression "sole or main residence". That is not always easy to define, and

FINAL REPORT

this makes some contribution to the uncertainty in Southwark's estimate of incidence of unauthorised occupation of its stock. We therefore make a recommendation about it. But the committee does not believe that the lack of definitional clarity is a primary cause of that uncertainty: see our findings and recommendations, below, on Southwark's audit and detection practices.

Recommendation

- i. That officers explore ways to resolve the lack of precision in statistics on unauthorised occupation. So far as legal definition ("sole or main residence") is a problem, officers should seek advice on altering the wording of the tenancy agreement in order to provide clarity, and report back to the committee on the improvements made.

Principal impact of the problem

11. Unauthorised occupancy prolongs the wait for an appropriate home by people in genuine need of social housing: It reduces the available housing stock and compels the use of provisional accommodation that can often be of a compromised standard and can fail to adequately provide for the needs of those listed on the housing register. The use of inferior temporary accommodation can have a detrimental impact on people required to use such accommodation, particularly on families and people with vulnerabilities.
12. Squatting in council properties that are part of a regeneration scheme can impede the scheme's progress and cause distress to neighbours. During re-housing, security issues can cause serious concerns for tenants when squatters move into void properties. Incidents of anti-social behaviour and vandalism can escalate, fostering suspicion and fear. A sense of security that may have previously existed through a familiar community is eroded.
13. Unauthorised occupancy deprives the council of revenue. Squatting foils the council's ability to collect rent, can incur considerable legal costs, and delay regeneration schemes; subletting and 'selling of keys' reduce the supply of affordable homes, adding to increasing costs for the provision of temporary accommodation.
14. A tendency of many people who occupy a property unlawfully is to avert contact with the council, with the intention to keep concealed their unauthorised status. This can obstruct necessary repairs that affect multiple properties and significantly increase long-term repair costs.
15. Illegal occupation can also be a first sign of further illegal activity, and significant financial loss can occur where unauthorised occupancy is linked with fraudulent applications under the RTB legislation, and benefit fraud.

Recovery of council revenue

16. Information submitted by other London boroughs indicates that substantial savings and recovery of revenue can be made through the repossession of

FINAL REPORT

unlawfully occupied properties, and that costs incurred for repossession are usually nominal in proportion to the savings made.

17. During the 2003/04 financial year, the work of two Housing Investigation Officers of the London Borough of Camden saved the council £1,121,220. This was achieved through the repossession of 43 unlawfully occupied properties, close to a third of which were soon to be purchased under the RTB legislation.
18. An audit undertaken by Newham Homes during the municipal year 2005/06 made contact with tenants of 5,370 of their properties. Through the irregularities detected and subsequent action taken, savings were made to the value of £2,780,865. Newham Homes has calculated the value of recoveries to be an average of £55,617 per property.
19. Through the repossession action undertaken by other councils, figures have been calculated for the value of a recovered property. Lambeth estimates this value at £38,000. Camden has valued this at £26,000. The savings made are based on the current average cost of keeping a family in B&B accommodation and on the amount of discount saved on each property that would otherwise have been sold under the RTB legislation to a person not entitled to buy it.
20. The cost of recovery is estimated by Newham Homes to be 0.2% of the revenue recovered. There are also cases where funding from outside bodies has been obtained for this purpose. For instance, through the recognition that unauthorised occupancy often goes hand-in-hand with benefit fraud, the London Borough of Greenwich funded its tenancy check programme with grants from the Department for Work and Pensions (DWP).

Recovery rates

21. Southwark recovered 99 unlawfully occupied properties in 2005/06, had recovered 60 by October within the current municipal year, and aspires to recover a total of 150 by the year's end. Figure 1 below was prepared by Southwark housing officers with the view to illustrate Southwark's comparative standing in the recovery of properties to other London boroughs.
22. It should be noted however, that the calculation methods for the data presented are not reliably uniform between authorities and that the categories of 'recovered property' included are likely to be discrepant. The Camden figures for example, do not take into account properties that were abandoned (and thus also recovered) following the service of a Notice To Quit (NTQ) and those that were recovered without court action. Lewisham have also had 115 instances of vacant possession within the last 12 months (raising the question whether these were really instances of recovery from unauthorised occupancy). Further, Homes for Islington have recorded 467 repossessions within the previous five years (and in October 2006 had a further 48 cases under current legal action), which amounts to an annual average of 92 recoveries.
23. Moreover, by subsequently adding two further columns -- one that lists housing stock volumes and one listing the relative percentages (as illustrated in figure 2) -- it becomes evident that Southwark's performance is

FINAL REPORT

comparable with that of other London boroughs in absolute terms, but less so in percentage terms. Further, whatever the limitations of the comparative figures, the proportion of stock recovered is conspicuously minimal when compared to the estimated extent of unauthorised occupancy affecting Southwark properties.

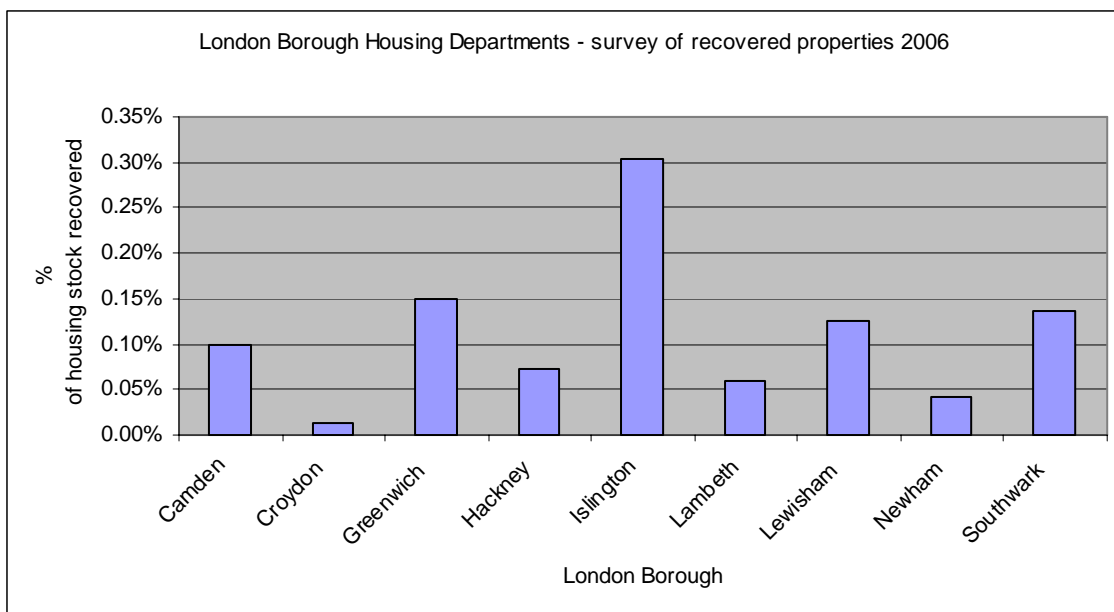
Recommendation:

- ii. That a higher performance target be set for the repossession of council properties under unauthorised occupancy.

Figure 1
London Borough Housing Departments - telephone survey conducted of recovered properties October 2006

London Borough	No. of properties recovered 2006	No. of properties recovered 2005	Volume of Housing stock	Proportionate percentage
Barking and Dagenham	/	/	21,500	
Brent	11	/	9,310	
Camden	22	28	22,000	0.1
City of London	0	/	2,747	
Croydon	2	2	14,153	0.014
Ealing	0	/		
Greenwich	39	40	25,904	0.150
Hackney	21	22	29,000	0.072
Hammersmith & Fulham	4	0		
Havering	0	8		
Hillingdon	0	/	10,613	
Hounslow	0	0	13,692	
Islington	82	91	26,896	0.304
Kensington & Chelsea	4	/		
Lambeth	18	/	30,033	0.059
Lewisham	31	/	24,500	0.126
Newham	8	/	19,000	0.042
Southwark	60	99	44,000	0.136
Waltham Forest				
Wandsworth	8	/	17,364	
Westminster	2		13,000	
	289			

Figure 2



Tenancy checks and detection methods

24. The Audit Commission has established key lines of enquiry (KLOE) that provide a framework for the Housing Inspectorate when undertaking an appraisal of the standards and performance of a social housing provider. One KLOE included within this framework is for the inspectorate to assess whether social landlords carry out periodic checks to ensure that the legal tenant is in occupation. Councils are also expected to be able to demonstrate that they act promptly and effectively to remove unauthorised occupants. Examples of good practice are published by the Audit Commission to illustrate effective methods for achieving such objectives.
25. The practice of Homes for Islington regarding tenancy checks is recognised and includes the following:
- Homes for Islington uses various tactics, with a view to ensuring tenants have as little prior warning as possible and are most likely to be at home when tenancy checks take place. The procedure includes keeping the timing and location of a check programme confidential, even to the extent of first announcing the location to the participating staff on the day or evening that the check commences. Initial visits are carried out only after 5pm on a Thursday or Friday, or before midday on a Saturday. Officers undertaking the checks also ensure that their identification badges are available, but not immediately displayed.
26. In 2003 Southwark established a Special Investigation Team (SIT) for carrying out targeted tenancy checks in those neighbourhoods considered at highest risk of unauthorised occupancy. The SIT is now undertaking a three-

FINAL REPORT

year programme to check every tenant (in those neighbourhoods, as the committee understands it) by way of a personal visit by 2009/10.

27. In 2002 the council introduced photo identification for new tenants. The policy was later extended to all existing tenants and the current estimate of photo-tenancies is 16,000. Tenancy checks carried out by the SIT in the high-risk areas will also be used to obtain further photo IDs.
28. Southwark's standard aim is to audit 10% of tenanted properties annually. Although it is not clear how this relates to the current 100% check programme, the figure is in stark contrast to some landlords who visit every property at least biennially or triennially (Lewisham: 24,500 housing stock). The new estate caretakers scheme might be a good opportunity as the 1:c500 ratio of caretaker to property makes this viable and should enable better knowledge of the actual tenants by the caretakers.
29. There is evidence that unauthorised occupancy of garages, block rooms (eg former drying rooms or community spaces including some tenant halls), and cupboards takes place. Its exact extent is unknown, but may be considerable, as record-keeping of the volume of letting of these appears to be very poor. An audit of all lettable spaces should be conducted in order to assess the potential for recovering income.
30. Southwark's methodology for carrying out tenancy checks includes informing tenants via a leaflet a couple of months prior to the visit that the check will take place. It is recognised that the purpose for the advance notice is to reassure elderly and vulnerable residents that the officers are not bogus callers. It should be feasible however, to assure tenants of council officers' identity through the use of the tabards and identification cards. Moreover, officers should give consideration to whether a check is needed where the council is satisfied that it has regular contact with the legitimate tenant.
31. However, within the council's programme of tenancy checks, it would be worthwhile to consider how the benefit to tenants and the council could be maximised by addressing ancillary issues. The London Borough of Greenwich add value to their tenancy checks by including the following:
 - a check of the general condition of the property;
 - a check with the tenant whether s/he has any specific concerns regarding the property;
 - noting any repair issues;
 - checking to see whether a tenant is claiming more benefits than they are entitled to, and conversely helping residents claim any unclaimed benefits and tax discounts where appropriate.
32. It was also noted that Barking and Dagenham initiated a period of amnesty for unauthorised occupants. This did not extend to any immunity of action over other offences such as benefit fraud, but was to encourage unauthorised occupants to surrender the possession of a property in order to avoid eviction and legal costs.
33. The committee believes that there is a case for a more substantial (but time-limited) amnesty in which unauthorised occupants who satisfy certain criteria are offered a legitimate tenancy. The purpose is to avoid the additional cost of families in priority need simply re-presenting themselves as homeless

FINAL REPORT

(£30,000 per year to social services), and to prevent deterioration in stock through the failure of unauthorised occupants to report repairs. The criteria should include:

- the household should be likely to be accepted as one in priority need for housing if the property were repossessed;
- the household should have no arrears of rent or mesne profits²; and
- the household should have no record of anti-social behaviour.

Recommendations:

- iii. That the council adopt, if it has not already done so, the practice of a rolling audit of the entire housing stock; and record the resulting data to help analyse relative incidence of problems and target other methods of detection and prevention.
 - iv. That the council's current programme of audits and checks be extended to include all lettable spaces, in order to evaluate the potential for recovery.
 - v. That the practice of audit visits during the probationary period for new tenants be continued, but that postal checks be reserved as part of an escalating response to suspected unauthorised occupation.
 - vi. That the new estate caretakers scheme be considered as a means for increasing the performance target of tenancy checks, and for providing further support as appropriate for the detection and investigation of unauthorised occupancy.
 - vii. That the policy of giving advance notice to tenants of a tenancy check should be ceased, and the identity issues addressed by estate-based housing management staff wearing appropriate Southwark-issued tabards and carrying their photo ID.
 - viii. That the council consider an amnesty of the kind operated by Barking and Dagenham, which is understood to involve an agreement that an unauthorised occupant will surrender the property without a possession order, in return for the council refraining from suing for mesne profits, damages and costs.
 - ix. That the council introduce a further amnesty, in which unauthorised occupants who satisfy certain criteria are offered a legitimate tenancy, and that the criteria include as follows:
 - the household appears likely to be accepted as one in priority need for housing if removed from the property;
 - the household has no arrears of rent or mesne profits; and
 - the household has no record of anti-social behaviour.
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FINAL REPORT

- x. That both proposed amnesties as outlined in viii and ix above be time-limited.

Addressing the causes of unauthorised occupancy

34. TRAs consulted for this review have commented that the undersupply of affordable housing creates incentives for people to find ways to jump the queue for a council home. It may therefore be beneficial for the council to investigate whether there is a link between the kinds of household that face the most acute housing shortage and kinds of household most likely to participate in unauthorised occupation.
35. In addition to the type of household(s) most often involved in unauthorised occupancy, the council should consider whether certain architectural features of its housing stock make properties more prone to unlawful occupation. For example, high-rise tower block properties and flats with sub-divided landings and corridors tend to frustrate contact between neighbours and are more conducive than other property types to unauthorised occupancy occurring undetected. These factors should be taken into account in the specification for new stock designs. Policy officers should consider whether Southwark's Unitary Development Plan (UDP) and Supplementary Planning Documents (SPDs) adequately address these concerns, which should be urgently considered in negotiations with residential regeneration partners regarding the current design of major housing projects.
36. The council should also identify those parts of its current housing stock with the worst physical characteristics in terms of unauthorised occupation, and prioritise these for re-design or refurbishment.

Recommendation:

- xi. That the council investigate whether there is a link between kinds of household facing the most acute housing shortage and kinds of household most likely to participate in unauthorised occupation, with the view to inform the council's housing supply and residential planning policies.
- xii. That in the specification for new stock designs the council take into account design factors that tend to be conducive to unauthorised inhabitants remaining undetected.
- xiii. That the council assess whether Southwark's UDP and SPDs adequately address such design features that tend to make properties more prone to unauthorised occupancy and urgently take steps to preclude these in the current and future design of major housing projects.

Relationships with other stakeholders and multi-agency working

37. Many of the organisations consulted for the review highlighted the role of other tenants regarding the detection of unauthorised occupants. The material

FINAL REPORT

submitted indicates strongly that social landlords with the fewest problems of unauthorised occupancy are those whose tenants tend to be aware of their neighbours. Several local authorities have a dedicated hotline and undertake a regular campaign to make tenants aware of the service. This is done, for example, by advertising the relevant number in the local press and arranging for positive press reports and feature stories that demonstrate the benefit of receiving confidential information from other residents.

38. From the responses received, there was little support for involving TRAs directly in reporting. TRAs quite understandably took the view that this was simply not their role. The committee agrees. However, we think that TRAs can play a positive role in promoting a culture of good neighbourliness and mutual interest and support, which would tend in turn to reduce the incidence of undetected unauthorised occupation. The council should consult with TRAs on how to achieve this. This would also have the beneficial effect of obtaining valuable input from TRAs on related issues such as designing out crime and anti-social behaviour.
39. Regarding the methods for reporting unauthorised occupancy, the review raised concerns about implications of the use of the customer service centre (CSC). Reporting suspected misconduct by another resident can be a particularly sensitive area and it is unacceptable for the person concerned to have to speak to a different member of staff on each occasion. The council should put in place arrangements where initial contact with CSC staff immediately results in the allocation of a specific Area Housing Officer to deal with initial follow-up.
40. It is important in the follow-up of information received that suspicion is not equated with guilt. At the same time it is critical that the council deals adequately with the initial evidence of breach. Effective training is key in this regard and it is necessary that frontline staff properly understand the issues.
41. One local authority received over 1000 calls in seven years, of which approximately 25% provided information that lead to properties being repossessed. It is also noted that in 2003 the Southwark Tenants Council raised concerns at the February 24 Council Assembly regarding unauthorised subletting of council homes, and called for increased efforts for the detection and eviction of unauthorised occupants.
42. Twynham Housing Association emphasises the benefits of working closely with other agencies such as the police and social services. This is likewise the case for Wandle Housing, who also exchanges information with SASBU, police neighbourhood wardens and education services. London and Quadrant Housing obtain assistance in identifying illegal occupants from staff who carry out gas safety checks and other contractors.
43. Several of the Housing Associations contacted have staff based on site on their estates. This presence is seen as a deterrent to unauthorised occupancy and conducive to familiarisation with residents, and includes the advantage of increased ease of detection when illegal tenancy occurs. It can also provide for an efficient system for visiting properties promptly on suspicion of abandonment or subletting etc. Wandle Housing Association uses caretakers, who are seen as adept at spotting anything unusual in terms of illegal occupation and are able to monitor a specific property where this is suspected.

FINAL REPORT

Recommendations:

- xiv. That the council should consult with TRAs and Estate Street Leaders on how to support their mutual interests regarding the aversion and response to unauthorised occupancy, as well as on related issues (see recommendation xv). The council's relationship with, and the role of, TRAs and Estate Street Leaders should be a flexible one.
- xv. That the council consider what can be done, in conjunction with TRAs, to foster an ethos of community and good neighbourliness, which is likely to deter unauthorised occupation and lead to its readier detection. The council should, for example, consult TRAs on design improvements to deal with unauthorised occupation as on related issues such as designing out crime and anti-social behaviour. Council officers with crime and community safety responsibilities should take unauthorised occupation into account in their work.
- xvi. That the council improve the currently poor information and facilities/ incentives for reporting unauthorised occupancy on its website and in printed material.
- xvii. That those properties that have been the subject of RTB be identified to TRAs.

Response times and treatment of individuals who provide information

- 44. Some evidence from TRAs and individuals indicates that reports of unauthorised occupancy are not always adequately progressed. In the case brought to our attention, the individual who initially provided information agreed to assist in legal proceedings against the occupants. But that individual subsequently encountered lengthy delays, multiple changes of responsible officer, and repeated requests for the same information. The committee is alarmed by the circumstances reported in that case, and would be horrified if the standard of treatment described were widespread. But even if such treatment is not the norm, it remains wholly unacceptable.
- 45. Poor treatment of individuals who provide information can provide a disincentive to those who submit information to the council, particularly where further information is necessary. Such cases also diminish perpetrators' sense of the likelihood of prompt action being taken against them. The council should ensure that systems are in place to ensure that reports of unauthorised occupation are promptly responded to and, where well-founded, followed through swiftly and effectively.
- 46. The policies of several local HAs submitted for the review highlighted prompt response times to suspected unauthorised occupancy:

FINAL REPORT

- (a) Broomleigh Housing Association responds to triggers such as repairs not being reported, rent not paid or failure of the tenant to contact their staff, with an automatic visit within 48 hours.
- (b) The policy of Family Mosaic is similar: As soon as there is an indication that a property has been abandoned, or that there may be unauthorised occupancy, the housing officer must visit the property within 24 hours of receiving the report. Squatted properties are likewise visited within 24 hours of the squatting becoming known.
- (c) Hyde Housing officers are required to visit a property the same day that a suspicion of illegal occupation is reported.
- (d) The Twynham Association arranges to investigate any report of an illegal occupier within one working day of the report being received.
- (e) Manchester City Council investigates unauthorised occupancy within 2 days of receiving information. Where there are suspected squatters, the council visits the property within one working of receiving information and determines a relevant action plan within two days.

Recommendation:

- xviii. That the council establish a strict target timescale to ensure prompt and effective investigation of reported unauthorised occupation.
- xix. That senior officers ensure that there are appropriate protocols for the treatment of those who provide information and that staff adhere to them.
- xx. That methods of reporting unauthorised occupancy be publicised to residents via the council website and publications.

Unauthorised occupancy during regeneration

- 47. The management of unauthorised occupancy during regeneration schemes is very important as the prompt blocking of voids can be an issue. Estate-based housing management staff and caretakers should be provided with relevant regularly updated information on those properties that should be void.
- 48. Several HAs outlined that they take additional security measures to prevent squatters from entering void properties. These include boarding up doors and windows; using steel shutters and doors with alarms. Wandle Housing also check all long-term void properties every two weeks. Where a property is due for extensive renovation, or feasibly demolition, Family Mosaic removes the sanitary fittings and other services, in order to make the property uninhabitable.
- 49. Measures taken by Ascham Homes in response to squatting have been recognised by the Audit Commission as good practice, particularly in response to problems where squatters had continually been breaking into empty properties and causing damage: Ascham obtained an injunction that prevented squatters from entering any council property within a specific area. This has parallels to Southwark's recent case, in which a court order relating to the Pytchley Road properties on the East Dulwich Estate prohibits squatters from moving into any of the flats in that building, rather than merely one specific property, and where this is breached can be sent to prison for

FINAL REPORT

disobeying the order. As the council affirmed at the time of ruling, the order cannot be transferred to another building, but an application could be made for a similar order on other named properties to address future problems. It is understood that the council is also currently reviewing its policy on void properties.

Recommendation:

xxi. That on completion of the council's review of its voids policy, officers report back to the Housing Scrutiny Sub-Committee on the targets established and on the steps proposed to meet them.

Application of appropriate software

50. Southwark is currently implementing an integrated data warehouse which includes a Master Data Management (MDM) project, with the view to create a single repository for all council data across the organisation. The project is expected to significantly improve the scope of data analysis and reporting, and has three principal objectives as follows:

- to improve customer service;
- to comply with central government requirements;
- to enable fraud detection.

51. The implementation of the MDM project will enable the council to identify mismatches and incongruent information that is linked to an individual or property as held by different departments. It will be possible for example to cross reference information such as households that report repairs, the provision of benefits, and the children of a household attending school, etc. It is anticipated that the MDM could have a key role in assisting with the detection of unauthorised occupancy, by helping, for instance, with the identification of links to benefit fraud and/or fraudulent applications to purchase properties under the RTB scheme.

52. Specifically, the MDM would enable the council to obtain the following:

- (a) a single view of a customer or property within a single business unit, impacting service delivery at an operational level;
- (b) a single view of a customer or property across the organisation;
- (c) a consistent and accurate single record of data pertaining to a customer or property, rather than duplicate and discrepant records held by various departments/ business units;
- (d) an understanding of the relationship that a customer has with a property in order to improve service delivery;
- (e) the capacity to facilitate a truly joined up service delivery if each of the departments / services are enabled to use the same record of customer or property information.

53. The committee is concerned however, that the benefits of being able to link the detection of unauthorised occupancy with types of fraud under this project will not be feasible until the implementation of Phase 2 of MDM, which

FINAL REPORT

currently remains open to change and has no fixed timeframe or secure funding. (As illustrated in Appendix 3 [still to be obtained electronically], Phase 1 of the programme is scheduled to go live in April 2007.) The committee is also anxious about the privacy implications of accumulation of data drawn from a wide range of interactions individuals may have with the council, and would want to be assured that strict safeguards are in place against unnecessary or improper processing of such data.

Recommendations:

- xxii. That the new integrated data warehouse and MDM tools should be applied as a key tool in the identification of mismatches of tenancy vs occupant, and that this form part of the early use of these tools.
- xxiii. That the MDM be used to support spot checks and to match data obtained during tenant induction, including photo ID.
- xxiv. That attention be given to ensure that the resulting personal data be processed strictly in accordance with the Data Protection Act 1998 (DPA), including the deletion of information when a tenant moves out, and that tenants are informed of the purposes for which data may be consulted or disclosed within the council and/or externally.
- xxv. That the council keep TRAs informed, be sensitive to any concerns they raise and provide feedback of the results from any TRA-initiated investigation.

Policy documentation and management

- 54. It would be desirable for the strategy and coordination of the various categories of unauthorised occupancy, *viz.*:
 - classic unauthorised occupancy
 - squatting;
 - excessive occupancy (HMOs)to be managed by a dedicated central manager rather than making this a secondary duty of an area housing manager. The council should also review the adequacy of its policy in relation to irregular forms of occupancy other than the ore forms of unauthorised occupation on which this report focuses (see the example in paragraph 8).
- 55. Southwark's policies and procedures in regard to unauthorised occupancy are not as well documented as those of other local authorities and HAs. Family Mosaic, for example, a local social landlord with 1038 homes in Southwark, manages a total 20,000 properties. The documentation of Family Mosaic's policies regarding unauthorised occupancy is recognised by the sub-committee as an example of best practice that Southwark should have regard to. There are 58 pages within Family Mosaic's Housing management manual that provide particularly comprehensive yet clear guidance notes covering the following policy areas:
 - Absent tenants and abandoned tenancies;
 - Unauthorised occupants;

FINAL REPORT

- Squatters,
and include useful features such as 'Quick guides' and templates of statutory notices. The committee will be pleased to contribute to the preparation of replacement material by commenting on drafts of the new documentation.

Recommendation

xxvi. That the council establish the post of a singular dedicated manager, whose responsibilities encompass the strategy and coordination of the various forms of unauthorised occupancy that affect the council's housing stock.

xxvii. That the council undertake a review of its policy in relation to the irregular forms of occupancy other than those on which this report focuses

xxviii. That the council publish a detailed but clear and comprehensible set of guidance notes to explain its policies and practices to occupiers of council stock and to assist staff in implementing them.

Community Impact Statement

56. The national Index of Multiple Deprivation ranks Southwark as the 17th most deprived local authority district of the 354 districts in England. One category of the data used to calculate this ranking is an assessment of barriers to housing and services. The sub-category, 'Wider Barriers' takes into account household overcrowding, the difficulty of ownership and the rate of applications for homelessness / housing assistance. Of the seven categories measured in Southwark's profile, "Barriers to Housing" is the most prevalent and acute type of deprivation across the borough.

57. The social consequences caused by unauthorised occupancy can be significant and can affect a broad range of people. It exacerbates the shortage of social housing in the London area and compels the use of temporary accommodation, which can adversely impact vulnerable groups, such as families and people with disabilities.

58. There are also cases where the illegal occupiers may be minors; parents with young children; people with mental health problems, physical disabilities, or other special needs. It is therefore necessary to be responsive to particular needs and to cooperate effectively with the Homeless Person's Unit, as well as the social services and children's services as appropriate.

59. It is recognised that the council already undertakes a number of measures to mitigate the effects of unlawful occupancy. For instance, security staff have been employed on certain estates during re-housing, where properties have been susceptible to squatting, vandalism and anti-social behaviour. The council also offers advice and assistance to a person occupying a squatted property, which includes arrangements for interpretation/translation, as necessary.

FINAL REPORT

60. Our recommendations contemplate that the council will, in addition to a general audit of stock, continue to target kinds of properties and households that are found to present a higher risk of unauthorised occupation. Any such profiling exercise carries risks from an equalities and diversity standpoint, and we would expect officers to involve in Equalities and Diversity Panel in the development of policy in this area.
61. If the recommendations outlined in this report were adopted, they would be subject to a full Equalities Impact Assessment. Further consideration would be appropriate, for example, to the need for sensitivity regarding instances of excessive occupancy by minority ethnic groups, in particular where the occupants comprise an extended family; and regarding measures to ensure that older people would not become fearful by unannounced visits carried out for tenancy checks.

Resource Implications

62. The sub-committee recognises that the establishment of a single dedicated manager to oversee the council's preventative and responsive action towards unauthorised occupancy, as well as the implementation of measures such as an assessment of all lettable properties, would require additional funding to that currently allocated to the detection and eviction of unlawful occupants. However, in light of the evidence obtained from other social landlords and considering the estimated extent of unauthorised occupancy affecting the council's housing stock, it is anticipated that such costs would be more than met through the recouped revenue.

Legal Comment

63. This report makes a number of recommendations that have implications for the council's policies and procedure as they relate to unauthorised occupancy. The borough solicitor recommends that officers work closely with the legal department if these recommendations are adopted to ensure compliance with relevant legislation and consistency with other related council policies.

Supporting Documents

The following supporting documents are attached in support of this item:

- Appendix (1) Southwark's Homesearch Monitor, comprising the numbers and types of households waiting for council properties (from January 9 2007);
- Appendix (2) List of external information sources;
- Appendix (3) Diagram illustrating the implementation of the Master Data Management project;
- Appendix (4) List of further background documents;
- Appendix (5) Action plan from housing officers - in response to the recommendations.

FINAL REPORT

Appendix 1

<u>Southwark</u>				
<u>Homeseach Monitor</u>				
As at 9th January 2007				
<u>Priority Categories</u>	<u>Band 1</u>	<u>Band 2</u>	<u>Band 3</u>	<u>Band 4</u>
Property Factors	50			
Shnag (Single Homeless Needs and Allocations Groups)	21			
Under Occupier	95			
Social Services Nominations (Families)	10			
	176			
Overcrowded and Medical		458		
Homeless and Medical		101		
Urgent medical		103		
Statutory Overcrowded		48		
Management Needs		45		
Soc Services (Care Leavers)		36		
Racial Harassment		2		
Overcrowded and insanitary conditions		1		
		794		
Overcrowded			3739	
Homeless			776	
Medical			772	
Relationship breakdown			36	
Insanitary conditions			9	
			5332	
Waiting List				3938
Transfer List				3121
Alternative Landlord (RSL tenants)				142
				7201
LIST TOTAL	13503			

All applicants are grouped in bands according to the priority awarded to their housing needs. Band 1 denotes the highest priority and Band 4 the lowest. (Medical priorities are determined by the extent to which a person's illness is affected by their present home.)

Appendix 2

Submission of information on unauthorised occupancy from external organisations and tenants.
Housing Associations – responses to requested information
Organisation
Affinity Housing
Broomleigh Housing Association
Family Mosaic
Hexagon Housing Association Limited
Hyde Housing Association Limited
London and Quadrant Bexley Homes
London and Quadrant Housing Trust
Peabody Trust
SLFHA (South London Family HA)
The Guinness Trust
Wandle Housing Association
Local Authorities – responses to requested information
City of London
London Borough of Barking and Dagenham
London Borough of Bexley
London Borough of Camden
London Borough of Greenwich
London Borough of Hackney
London Borough of Islington
London Borough of Lewisham
London Borough of Newham
Manchester City Council
London Boroughs – information obtained from website
Bracknell Forest Borough Council
Harrogate Borough Council
London Borough of Barking and Dagenham
London Borough of Lambeth
London Borough of Tower Hamlets
TMOs
Browning EMB
Delawyk TMO
Falcon Point MG Ltd
Leathermarket JMB
TRAs
Brandon TRA1
Bricklayers TRA
Camberwell Grove TRA
Caroline Gardens TRA
Ledbury TRA
Rodney Road TRA
Setchell Estate TRA
Individual submissions
Anonymous resident submission

Appendix 3 – Diagram illustrating the implementation of MDM

Master Data
Name, address, age, gender, ethnicity, aliases, type of tenancy, relationships to services/properties, any other common data between systems and services.

Citizen Data

Business Data

Phase 1

CSC – CRM
Housing – Tenants
Registrars – Electoral Register
Planning – LLPG property data

CSC – CRM
Revenues & Benefits – Non domestic rates
Planning – LLPG property data

Phase 2

Revenues & Benefits – Council Tax
Revenues & Benefits – Housing Benefit
Education – EMS
Government – single citizen a/c

E&L – Licensing and waste
Government – single business a/c

FINAL REPORT

Appendix 4 - List of further background documents

Title	Author
Audit Commission: No.6: Tenancy and estate management Key Lines of Enquiry Housing Inspectorate, April 2006.	Audit Commission
Library of Local Performance Indicators – Housing Management. Online address: http://www.local-pi-library.gov.uk/LIBRARY_ALL_PIS.ASP?MENUID=1190	Audit Commission & IDeA
Audit Commission – examples of positive practice, hosted by HouseMark (can be viewed online with subscriber access details).	Audit Commission
Housing Key Lines of Enquiry (KLOE) Guidance Notes, Housing Inspectorate, April 2006.	Audit Commission
Tenancy Audit 2003/04 – A Review of its Benefits, March 24 2004.	Broomleigh Housing Association
Absent Tenants and abandoned Tenancies; Unauthorised Occupants; Squatters - extracts from Housing Management Manual, March 2002	Family Mosaic Housing Association
Tenancy Management – extract from Housing Management Manual, July 1997.	Guinness Trust
- Housing Investigations Clienting Procedure, November 22 2004; - Tenancy Audits, February 2001.	Homes for Islington
Squatters and Unauthorised Occupants: Policy and Procedure, April 20 2000.	Hyde Housing Association Limited
'Crackdown on Bogus Tenants', Citizen Magazine, December 2003, Online address: http://www.barking-dagenham.gov.uk/2-citizen/citizen-menu.cfm?ID=1827	London Borough of Barking and Dagenham
- Unlawful Occupants, Report to Gordon Perry, Assistant Director (Housing Management), February 18 1999 - Illegal Occupancy Briefing, March 2005	London Borough of Camden
- Illegal Subletting, Briefing for Councillor Kotz, Cabinet Member for Housing and Neighbourhood Renewal, September 9 2005. - Court action: A High Price to Pay, March 2004	London Borough of Greenwich
'Taking Stock of Illegal Occupation', Alan Pickstock, London Housing Magazine, January 20 2006.	London Councils
Manchester City Council Unauthorised Occupants: Policies and Procedures.	Manchester City Council
Tenancy Audit Performance Report, May 2006	Newham Homes
Non Tenants, Housing Policy, April 2006	Peabody Trust
'Squatters declare: "We shall not be moved" from derelict Camberwell site', September 28 2006.	Southwark News
Estate problems could be happening again, August 17 2006.	Southwark News.

FINAL REPORT

'Southwark Council win landmark court case against squatters', 7 September 2006.	Southwark council website
Illegal Occupiers Policy, April 2005	Twynham Housing Association

FINAL REPORT

Appendix 5

Item No.	Classification: OPEN	Date: 26/03/07	MEETING NAME Executive Briefing
Report title:	Action Plan to Eradicate the Unauthorised Occupation of Council Housing Stock.		
Ward(s) or groups affected:	All wards		
From:	Denise Hadfield		

RECOMMENDATIONS

- 1 That the action plan be agreed.
- 2 That progress against the plan is reported at Executive Briefings on a bi-monthly basis.

BACKGROUND

- 3 A detailed report on the issue of unauthorised occupation of council housing stock was prepared by members of the housing scrutiny sub-committee and presented to its meeting on 7 March 2007. The report highlighted the following key areas for consideration:
 - "Unauthorised Occupation" definition
 - Principal impact of the problem
 - Recovery of council revenue
 - Recovery rates
 - Tenancy checks and detection methods
 - Addressing the causes of unauthorised occupancy
 - Relationships with other stakeholders and multi-agency working
 - Response times
 - Unauthorised occupancy during regeneration
 - Application of appropriate software
 - Policy documentation and management
- 4 The report also made twenty eight recommendations on how Southwark's policies and practices should be improved in order to deal with the problem. These are listed in Appendix A and are annotated to show how they will be actioned.
- 5 Housing welcomes the report and acknowledges the research which has been carried out to support its findings. Its timely arrival provides an opportunity to build resulting actions into the design of future service structures. In response, this report provides an action plan to deliver a major change in the way unauthorised occupation is dealt with in the borough and incorporates the sub-committee's recommendations.

UNAUTHORISED OCCUPATION – ACTION PLAN

6 Eradicating unauthorised occupation from Southwark's stock requires a three pronged attack. This action plan is, therefore, split into three parts;

- Action
- Prevention
- Communication

7 Within each of these parts there are activities which are obvious and easy to organise internally, some which involve other departments or organisations and so will take longer to implement and a third group which involves considerable research and consultation. These differences are reflected in the action plan by organising activities into quick wins, medium term (up to three months) and long term (3 to 12 months) achievements. This plan focuses on results not inputs.

Action

8 This section of the plan introduces some immediate changes in the way unauthorised occupancy is detected, medium term actions to deal with current occupants and a long term plan for identifying and effectively dealing with future unauthorised occupants. Action is required to deliver:

- A definitive Southwark policy
- Short, sharp effective procedures
- Clearly allocated responsibilities and fully trained staff
- Relevant performance targets
- Better use of IT systems in detection/identification

Prevention

9 This part focuses on closing the gaps which create the conditions for unauthorised occupancy to occur. The main reasons why people are able to occupy property without LBS's consent are related to inadequate/over complex policies or procedures and the way they are applied and the council's lack of knowledge or intelligence on individual neighbourhoods. This plan will prevent future unauthorised occupation through:

- Better void management
- Effective control over tenancy changes
- Focus on Neighbourhoods
- Tighter RTB procedures
- Intelligence on causes in relation to people and property
- Links with waiting list status

Communication

10 Sending out the message that the council, its staff and the residents of Southwark will not tolerate unauthorised occupation is essential in the drive to cure the current problem and prevent it happening in the future. Information and a clear message will be communicated to the following groups.

- Staff and contractors
- Tenants and TRAs
- Other agencies
- Current and possible perpetrators

11 More detail on the outputs from the action plan is included at Appendix B.

FINAL REPORT

12 If the action plan is agreed, speed of implementation will depend on the move to the new structures for housing services and the focus on neighbourhoods. However, detection rates will improve within six months of the new housing structures being created.

Appendix A

REPORT RECOMMENDATIONS:

- i. That officers explore ways to resolve the lack of precision in statistics on unauthorised occupation. So far as legal definition (“sole or main residence”) is a problem, officers should seek advice on altering the wording of the tenancy agreement in order to provide clarity, and report back to the committee on the improvements made.
Action Plan part: ACTION – EFFECTIVE PROCEDURES
- ii. That a higher performance target be set for the repossession of council properties under unauthorised occupancy.
Action Plan part: ACTION – PERFORMANCE TARGETS
- iii. That the council adopt, if it has not already done so, the practice of a rolling audit of the entire housing stock; and record the resulting data to help analyse relative incidence of problems and target other methods of detection and prevention.
Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS
- iv. That the council’s current programme of audits and checks be extended to include all lettable spaces, in order to evaluate the potential for recovery.
Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS
- v. That the practice of audit visits during the probationary period for new tenants be continued, but that postal checks be reserved as part of an escalating response to suspected unauthorised occupation.
Action Plan part: ACTION – EFFECTIVE PROCEDURES
PREVENTION – FOCUS ON NEIGHBOURHOODS
- vi. That the new estate caretakers scheme be considered as a means for increasing the performance target of tenancy checks, and for providing further support as appropriate for the detection and investigation of unauthorised occupancy.
Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS
- vii. That the policy of giving advance notice to tenants of a tenancy check should be ceased, and the identity issues addressed by estate-based housing management staff wearing appropriate Southwark-issued tabards and carrying their photo ID.
Action Plan part: ACTION – EFFECTIVE PROCEDURES
- viii. That the council consider an amnesty of the kind operated by Barking and Dagenham, which is understood to involve an agreement that an unauthorised occupant will surrender the property without a possession

FINAL REPORT

order, in return for the council refraining from suing for mesne profits, damages and costs.

Action Plan part: ACTION – POLICY & EFFECTIVE PROCEDURES

ix. That the council introduce a further amnesty, in which unauthorised occupants who satisfy certain criteria are offered a legitimate tenancy, and that the criteria include as follows:

- the household appears likely to be accepted as one in priority need for housing if removed from the property;
- the household has no arrears of rent or mesne profits; and
- the household has no record of anti-social behaviour.

Action Plan part: ACTION – POLICY & EFFECTIVE PROCEDURES

x. That both proposed amnesties as outlined in viii and ix above be time-limited.

Action Plan part: ACTION – POLICY & EFFECTIVE PROCEDURES

xi. That the council investigate whether there is a link between kinds of household facing the most acute housing shortage and kinds of household most likely to participate in unauthorised occupation, with the view to inform the council's housing supply and residential planning policies.

Action Plan part: PREVENTION – CAUSES

xii. That in the specification for new stock designs the council take into account design factors that tend to be conducive to unauthorised inhabitants remaining undetected.

Action Plan part: PREVENTION – CAUSES

xiii. That the council assess whether Southwark's UDP and SPDs adequately address such design features that tend to make properties more prone to unauthorised occupancy and urgently take steps to preclude these in the current and future design of major housing projects.

Action Plan part: PREVENTION – CAUSES

xiv. That the council should consult with TRAs and Estate Street Leaders on how to support their mutual interests regarding the aversion and response to unauthorised occupancy, as well as on related issues (see recommendation xv). The council's relationship with, and the role of, TRAs and Estate Street Leaders should be a flexible one.

Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS

xv. That the council consider what can be done, in conjunction with TRAs, to foster an ethos of community and good neighbourliness, which is likely to deter unauthorised occupation and lead to its readier detection. The council should, for example, consult TRAs on design improvements to deal with unauthorised occupation as on related issues such as designing out crime and anti-social behaviour. Council officers with crime and community safety responsibilities should take unauthorised occupation into account in their work.

Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS

FINAL REPORT

- xvi. That the council improve the currently poor information and facilities/ incentives for reporting unauthorised occupancy on its website and in printed material.
Action Plan part: COMMUNICATION
- xvii. That those properties that have been the subject of RTB be identified to TRAs.
Action Plan part: ACTION – EFFECTIVE PROCEDURES
- xviii. That the council establish a strict target timescale to ensure prompt and effective investigation of reported unauthorised occupation.
Action Plan part: ACTION – EFFECTIVE PROCEDURES & TARGETS
- xix. That senior officers ensure that there are appropriate protocols for the treatment of those who provide information and that staff adhere to them.
Action Plan part: ACTION – EFFECTIVE PROCEDURES & TRAINING
- xx. That methods of reporting unauthorised occupancy be publicised to residents via the council website and publications.
Action Plan part: COMMUNICATION
- xxi. That on completion of the council's review of its voids policy, officers report back to the Housing Scrutiny Sub-Committee on the targets established and on the steps proposed to meet them.
Action Plan part: ACTION – EFFECTIVE PROCEDURES & TARGETS
- xxii. That the new integrated data warehouse and MDM tools should be applied as a key tool in the identification of mismatches of tenancy vs occupant, and that this form part of the early use of these tools.
Action Plan part: ACTION – BETTER USE OF IT
- xxiii. That the MDM be used to support spot checks and to match data obtained during tenant induction, including photo ID.
Action Plan part: ACTION – BETTER USE OF IT
- xxiv. That attention be given to ensure that the resulting personal data be processed strictly in accordance with the Data Protection Act 1998 (DPA), including the deletion of information when a tenant moves out, and that tenants are informed of the purposes for which data may be consulted or disclosed within the council and/or externally.
Action Plan part: PREVENTION – CONTROLLING TENANCY CHANGES
ACTION – BETTER USE OF IT
- xxv. That the council keep TRAs informed, be sensitive to any concerns they raise and provide feedback of the results from any TRA-initiated investigation.
Action Plan part: PREVENTION – FOCUS ON NEIGHBOURHOODS COMMUNICATION
- xxvi. That the council establish the post of a singular dedicated manager, whose responsibilities encompass the strategy and coordination of the various forms of unauthorised occupancy that affect the council's housing stock.
Action Plan part: ACTION – EFFECTIVE PROCEDURES & TARGETS

FINAL REPORT

xxvii. That the council undertake a review of its policy in relation to the irregular forms of occupancy other than those on which this report focuses

Action Plan part: ACTION – POLICY

xxviii. That the council publish a detailed but clear and comprehensible set of guidance notes to explain its policies and practices to occupiers of council stock and to assist staff in implementing them.

Action Plan part: COMMUNICATION

Appendix B

THREE PART ACTION PLAN

Activity and Details Timescale

ACTION

POLICY

QW

Will incorporate:

Workable definitions

LBS attitude to UO

Measures LBS will take to eradicate it

Working with other agencies

PROCEDURES

Review the following:

Identification and removal of unauthorised occupants

MT

Assignment and succession

LT

Death of a tenant

LT

Void procedure

MT

Regeneration Area void planning

MT

RESPONSIBILITY & TRAINING

Identify responsibilities in new procedures

MT

Detailed training for identified staff

LT

Policy training to all staff and contractors

MT

PERFORMANCE TARGETS

MT

Identify targets which:

Help us to understand the causes of UO

Encourage detection

Facilitate removal

Highlight trends

PREVENTION

BETTER VOID MANAGEMENT

Shift emphasis to letting properties and quick turnaround

MT

FINAL REPORT

Neighbourhood officers to be responsible for whole void process	LT
In depth training for staff on their responsibilities	LT
Immediate lock change on all voids	MT
Curtains, grills, alarms as appropriate on voids	LT
Regular checks on all voids	LT
Accompanied viewings and follow up visits within 4 weeks	LT
Up to date intelligence on UO vulnerable neighbourhoods	LT
Void plan for each regeneration block and/or area	LT
EFFECTIVE CONTROL OVER TENANCY CHANGES	
Clarify relevant policies and update procedures	LT
In depth training for staff on their responsibilities	LT
Ensure links with waiting list are effective	LT
Rigidly apply policies	LT
FOCUS ON NEIGHBOURHOODS	LT
Responsibility allocated to Neighbourhood Officer	
Knowing the patch is crucial part of job	
Build effective relationships with residents and T&RAs	
Monitor voids, deliver quick turnaround	
Take immediate action if suspect UO	
Send out a clear message	
TIGHTER RTB PROCEDURES	LT
Review procedure, identify gaps and fill them	
Ensure responsibility for detection and action is clearly allocated	
Review performance targets including new targets to identify/prevent UO	
IDENTIFY CAUSES	LT
Collect and collate information to help identify:	
If UO can be prevented through property design	
Why people UO and how can we prevent them	
Which areas are particularly prone to UO.	
WAITING LIST	LT
Review links with waiting list in terms of cause and penalising perpetrators.	
COMMUNICATION	
Develop communication plan for target audiences	LT