

**Board 19 December 2018**

**BCT Office, 17 Raby Cross, Byker, Newcastle upon Tyne**

**AGENDA**

1. Reminder to switch off mobile phones
2. Apologies for absence
3. Declarations of Interest
4. Urgent Items which Board Members wish to raise, not elsewhere on the agenda
5. Health and Safety Update

**ITEMS FOR DECISION**

	<i>Page:</i>	<i>Presented by:</i>
6. To approve the Minutes of the meeting held 31 October 2018 and Matters Arising	1 – 4	<b>Chair</b>
7. Performance In Depth: Improvement Action Plan	5 – 20	<b>P Pollard</b>
8. Domestic Abuse Policy and Toolkit	21 – 44	<b>P Pollard</b>

**ITEMS FOR INFORMATION**

9. Chief Executive Monthly Progress Report	45 – 52	<b>J Haley</b>
10. AOB		

**CONFIDENTIAL ITEMS FOR DECISION**

11. To approve the confidential Minutes of the meeting held 31 October 2018 and Matters Arising		<b>Chair</b>
12. Rent Setting 2019-20		<b>J Clifford</b>
13. 2019-20 Budget Setting Assumptions		<b>J Clifford</b>
14. Interim Business Plan Update and Stress Testing		<b>J Clifford</b>
15. Cleaning and Security/Enquiries Contract – Appointment of Recommended Contractor		<b>P Pollard</b>
16. Comprehensive Environmental Upgrade – Appointment of Multi-Disciplinary Design Team		<b>M Bell</b>

**CONFIDENTIAL ITEMS FOR INFORMATION**

17. AOB
18. Date and time of the next Board 13 February 2019, 6:00pm – 8pm at the BCT office



**Minutes of Board 31 October 2018 6:00pm**

**Board Members Present:** Jim Coulter (Chair), Gordon Bell, Andrew Taylor, Christine Stobbs, Anthony Itiat, Geraldine Kay, Victoria Beattie and Amanda Senior.

**BCT Officers Present:** Jill Haley Chief Executive (CE), Philip Pollard (DoO), James Clifford (DoF), Michelle Bell (DoP), Krystian Szpunar, Jaime Flinn and Jenny Johnson (taking minutes)

**Observers:** Stephen Sheraton (Tenant)

**1. WELCOME**

1.1 The Chair welcomed everyone to the meeting, in particular Andrew Taylor who was attending his first meeting as an Independent Board Member.

**2. APOLOGIES FOR ABSENCE**

2.1 Apologies were received from Annette Patten, Nick Kemp, Nigel Emmerson and William Howe.

**3. DECLARATIONS OF INTEREST**

3.1 A Senior declared an interest on item 15. BCT Increased Investment Options. It was agreed that Amanda would remain for the discussion.

**4. URGENT ITEMS WHICH BOARD MEMBERS WISH TO RAISE**

4.1 There were no urgent items arising.

**5. HEALTH AND SAFETY VERBAL UPDATE**

5.1 The Health and Safety (H&S) update was covered under item 7 on the agenda.

**6. APPROVAL OF BOARD MINUTES AND MATTERS ARISING**

6.1 The Minutes of the last Board meeting held on 12 September 2018 were agreed as a correct record and signed by the Chair.

6.2 There were no matters arising.

**7. BI-ANNUAL BCT HEALTH & SAFETY UPDATE AND ASBESTOS POLICY REVIEW**

7.1 The DoP presented this report, which provided an update on H&S activity of the first 6 months of 2018-19. This confirmed to Board that BCT is complying with all relevant legislation.

7.2 Key points were;

- Item 8.1 demonstrated compliance on the main areas of H&S activity, all confirmed by an independent specialist. This included additional 5% quality checks on gas servicing;
- In response to the Hackitt review and Green Paper, BCT has commenced annual whole-building Fire Risk Assessments (FRA) of Chirton House, Avondale House and

would be carried out at Tom Collins House and Mount Pleasant once refurbishment works were completed.

- CE will write to NCC to request all H&S compliance records for the five district heating substations and district heating office.
- A discussion was held around self-evacuation within blocks over 4 storeys. It was queried how many disabled or vulnerable tenants do BCT have living 4 storeys or above and do they have the ability to self-evacuate? The DoP to follow-up and seek advice from the Fire Service on the best way to proceed. It was stated that the Customer Care Visits would identify any change in circumstances or disabilities since tenancy began
- Under item 4.1 it was suggested for accuracy purposes where it states that particular H&S responsibilities for construction related work over 30 working days fall upon clients and contractors, it should be made clear that BCT retains its H&S responsibilities in all circumstances.
- In order to demonstrate a good H&S culture, it was suggested that BCT Board should receive a report on all accidents and incidents, including near misses. The verbal H&S update agenda item will include near misses in future. It was also suggested that the KPI 'Number of consecutive days without injury' should be considered as a useful KPI for contractors.
- Board agreed that the current systems and controls provided assurance that all identified H&S risks were being managed and to commence the process of gas inspections and co-ordinate the removal of gas supplies (to include leaseholders).

### 7.3 **Asbestos Policy Review**

- Board reviewed the updated Asbestos Policy and Procedure. It was noted that the weaknesses identified within the arrangements following the internal audit had now been rectified. DoP to amend the Policy to ensure it is clear on the nature of the surveys carried out (management surveys or R&D surveys)
- Board formally approved the updated Asbestos Policy and Procedure subject to minor amendments and corrections.

## 8. **CHIEF EXECUTIVE'S MONTHLY PROGRESS REPORT**

8.1 The CE presented the report, which provided an update on progress since the last meeting, as well as any relevant, regional or national developments.

8.2 Key points were;

- Board formally approved the Customer Scrutiny Committee membership and the two confidential delegated decisions.
- The CE provided an update on the Regulatory Judgment Action Plan and advised that a strapline judgment for BCT was published today as G2/V2, however when the completed action plan and evidence is submitted following this meeting, the judgment would be reviewed and BCT would be given a narrative judgement. The strapline judgement follows the Regulator's review of the 2018 Financial Forecast Return and 2017-18 Annual Accounts.
- The Tenant Conference held today was well attended, all feedback received will be responded to and a summary of key action points will be drawn up for consideration at the Customer Scrutiny Committee and the Board Away Day. Board members and tenants in attendance reported a positive atmosphere at the event.
- A discussion was held around the STAR survey results, it was stated that the findings do not reflect the achievements and good work of BCT. It was noted that the main area of dissatisfaction from tenants (86%) was around refuse and waste management, although this is not within BCT control. CE advised that it was worth noting that there has been a significant increase in the STAR survey response rate since 2012. In addition to this, BCT tenants have a higher expectation and expect a

higher standard of service. BCT is now able to target the results in order to improve tenant engagement. BCT would look at how to improve based on the feedback received.

- The proposed Board and Committee dates for 2019-20 were agreed and calendar invites will be sent out electronically.
- The re-launch of Tom Collins House will take place on 16 November and an invitation has been sent to Board members.

## **9. PERFORMANCE IN-DEPTH ALLOCATIONS AND LETTINGS**

9.1 DoO presented this report, which provided an in-depth review of voids, allocations and lettings performance. In order to maximise strategic value of this work, the Chair suggested that an integrated improvement action plan be created across the three principal areas of activity. This action plan should link to the value for money discussion at the Board Awayday.

9.2 Key points were;

- DoO would confirm with Karbon Homes the collected/recovery rate against the total cost of re-chargeable repairs.
- The re-let times section in the report was challenged, particular attention was drawn to the average time taken for 'Survey and Repair'. Board requested more information on what this process entails.
- Clarification required on;
  - how the 14 trade operatives are managed and deployed to see if any improvements could be made to the void process as a whole.
  - Tyne and Wear Homes processes to identify any improvement in efficiencies e.g. policy changes. This should include policy conditions for transfers within the estate even where a tenant is adequately housed.
  - The figures for average time taken on Survey and Repair to ensure accuracy. It was suggested that there could be a categorisation issue i.e. standard voids and major voids conflated.
  - void turn around target for all voids and whether or not it is the right target set.
- The figures shown for terminations were discussed, with a focus on tenancy lengths of less than 1 year and whether there were issues around sustainability. DoO stated that the figures are for the full year to March 2018, which includes some tenants housed prior to the service transition. The 2018-19 data in the report next year should show an improvement in tenancy length.

## **10. Quarterly Operational and Financial Performance Update**

10.1 DoO presented this report, which demonstrated the operational and financial performance of BCT for the second quarter. Board members were directed to the scorecard provided.

Key points were;

- Board noted the covenant position was healthy and within the agreement with Yorkshire Building Society as part of our financial loan.
- Board noted the management accounts for first half year and a discussion was held on how capital expenditure information could be presented to distinguish between variances due to timing as opposed to cost variances. The DoF will amend the report for greater clarity.

## **11. Quarterly Strategic Risk Register Update**

11.1 DoF presented this report, which updated Board on the BCT Strategic Risk Register updated to September 2018.

Key points were;

- Board noted that BCT Audit and Risk Committee had reviewed the register ahead of the Board and a number of minor wording changes were made.
- SR14 – Litter, waste management and fly-tipping has been added to the SRR to reflect the reputational damage risk of high levels of litter and poor waste management on the estate.
- There were no score changes to any other risks.
- Board formally approved the SRR.

## **12. Quarterly Investment Programme Update**

12.1 DoP presented this report, which provided an update to Board on the delivery of BCT's Investment Programme.

Key points were;

- On the confidential cost report an amendment would be made on 'Total Commitments Spend' for District Heating Improvements -Work package 1 and 2 should read £6,673,275.00.
- The progress made on the Disabled Adaptations Programme was queried. DoP reported there are no problems and referrals are being progressed upon receipt.

The meeting adjourned at 7:15 pm to allow for the confidential section to take place.

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Chair of Byker Community Trust Board  
19 December 2018

**Title:** Performance In Depth: Improvement Action Plan

**Report By:** Philip Pollard, Director of Operations

**FOR INFORMATION AND DECISION**

<b>Business Implications</b>	
Risk	Quarterly performance reports to Board and Customer Scrutiny Committee provide close monitoring of key service areas including Income Management, Repairs and Maintenance (R&M) and Voids and Allocations. As demand led services, effective budget and performance management is essential to deliver against Key Performance Indicator (KPI) targets to achieve the requirements of the Business Plan.
Financial and Value for Money	R&M spend is monitored on a monthly basis to forecast accurate spend, with trends also being analysed monthly to ensure a planned approach is taken. Allocations and lettings and income collection are monitored weekly, to ensure that BCT achieves the requirements of the Business Plan. BCT strive to achieve HouseMark median peer group performance in all KPI's to provide improved value for money for tenants.
People/Consultation	By working closely with our tenants through Customer Care Visits, the Tenant Engagement Framework and various satisfaction surveys, BCT can establish customer priorities whilst also maintaining open communication channels.
Equality and Diversity	Byker has a very diverse community and by engaging with all residents through various channels we are able to reach people whose characteristics are detailed in the Equality Act.
Environment Implications	Improving income collection rates, maximising savings in the delivery of the R&M Service and reducing void rent loss and tenancy turnover will improve Business Plan performance and ensure the sustainability of the Investment Programme and other environmental improvements.
Contractor Implications	Karbon Solutions Ltd (KSL) provide Income Management and R&M Services for BCT. In depth analysis of each service area helps BCT to understand and manage performance and to introduce service improvements via KSL.

**1. Recommendations**

- 1.1 Board are recommended to consider and discuss the Performance In Depth Improvement Action Plan, as set out in Appendix A.

**2. Synopsis**

- 2.1 A thorough analysis of BCTs performance in relation to Income Management, Repairs and Maintenance, Voids, Allocations and Lettings has been presented to Board in a series of 'In Depth' reviews that have examined BCT services in greater detail.
- 2.2 At the October meeting, the Chair suggested that actions from the 'In Depth' reviews should be brought together as part of an 'integrated improvement action plan', linked to the value for money discussion at the Board Away Day. The proposed action plan has been developed and is attached at Appendix A.

**3. Contact Officer**

If you have any questions about this report that you would like clarifying before the meeting, you can contact Philip Pollard by telephone on 0800 5335 442 or email [Philip.pollard@bykerct.co.uk](mailto:Philip.pollard@bykerct.co.uk)





Objective	Action	Target Date	Responsible	Expected Impact	Status
To achieve median performance by 2020 for the total number of repairs per property.	Karbon Solutions Limited (KSL) call handlers will be instructed to rigorously check when logging repairs that the tenants contact details are up to date on the Open Housing Management System (OHMS).	September 2018 Ongoing	Director of Property & Development	Reduced number of non-access appointments, as improving the data held about tenants should improve the access rate with operatives calling ahead of appointments.	Ongoing Operatives are calling ahead of every appointment but still encountering problems with some tenant's phones not accepting withheld numbers and not answering.
	Obtain up to date tenant contact details through Customer Care Visits.	December 18 Ongoing	Head of Housing and Communities	Sample checks of completed Customer Care Visit data to be undertaken quarterly increasing the validity of data collected.	Ongoing
	Exploring a text messaging reminder system with Karbon Solutions Limited (KSL).	March 2019	Director of Property & Development	Tenants receive a text message reminder about their repairs appointments to help to reduce non-access appointments.	KSL have confirmed the text message system is in operation. There are some issues with data cleansing of the mobile field in the OHMS. BCT are undertaking a data cleansing exercise in order for KSL to electronically populate the mobile field. Where the mobile field is already populated, BCT are undertaking testing to check tenants received a text in advance of their appointment.

Objective	Action	Target Date	Responsible	Expected Impact	Status
	<p>Complete an analysis of repair trends on a monthly basis.</p>	<p>Monthly ongoing</p>	<p>Technical Services Manager</p>	<p>Trends will help to identify areas where a planned maintenance approach may be more cost effective by reviewing high cost / high volume work on a monthly basis.</p>	<p>There are currently almost 12k schedule of rates repair categories within the KSL handheld system and therefore the system is not being used to its full potential in analysing the repairs system beyond analysis by trade. BCT have established a system with KSL where each month a detailed cost report of the jobs completed is produced. This report splits costs into labour, plant and materials for operatives and subcontractor costs. From this information analysis can be undertaken to review any high cost and high volume jobs to see if there are better delivery mechanisms e.g. planned maintenance, increased internal resource rather than sub-contractors. In addition to monthly feedback from the operatives, this data will assist with identifying any emerging trends so rectification measures can be put in place.</p>
<p>Complete a desktop assessment of properties that have exceeded 5 repairs.</p>		<p>September 2018</p>	<p>Technical Services Manager</p>	<p>Repair types to be identified as well as the reasons behind the demand in order to ensure the appropriate action is taken.</p>	<p>Complete</p> <p>On investigation during 2017/18, 571 properties had reported 5 or more repairs. On a sample analysis of 100, the majority of these involved multiple trades which are logged separately and inflate the actual number of repairs per property. The recording of repairs in OHMS does not allow these to be linked and therefore the true number of actual repairs per property cannot be established using the</p>

Objective	Action	Target Date	Responsible	Expected Impact	Status
					KSL OHMS unless a manual exercise is undertaken. During Customer Care Visits, BCT are asking if tenants have any repair issues and reporting them so this is naturally inflating the current number of jobs being undertaken.
	Obtain operative feedback through team meetings.	Monthly ongoing	Director of Property & Development	Receive direct input from operatives in relation to types/trends of repairs or emerging issues.	BCT attending monthly meetings with KSL R&M team. Operatives have been briefed on the results of the STAR survey and the ongoing R&M In Depth Action Plan.
	Complete a cost appraisal of installing electric showers as part of the upcoming bathroom replacement programme.	February 2019	Investment Programme Manager	23% of high value repairs (£200+) during 2017/18 were for flooring repairs and associated plumbing. Operatives have reported a number of bathroom flooring replacements due to water damage from modern living expectations and in some instances cultural bathing habits. Completing future bathroom upgrades with the installation of an electric shower should have a positive impact on the demand for bathroom repairs.	As part of the investment profiling up to 2025, there are 383 bathroom replacements required to meet the decent homes standard. BCT have assumed £2500 for a full bathroom replacement programme and Karbon Homes have confirmed in their planned maintenance programme they are achieving the installation of an electric shower within this bathroom replacement budget.  BCT are submitting an application to Northern Power Grid to assess whether their service distribution capacities within the Byker Estate can facilitate the increased demand on the network with showers.
<b>Reduce the time taken to complete responsive repairs.</b>	KSL tendered for a new supplier of materials and will be moving to a new company from January 2019.	December 2018	Director of Property and Development	Travis Perkins appointed as the new supplier, which should reduce delivery times for responsive repairs and void materials.	Complete

Objective	Action	Target Date	Responsible	Expected Impact	Status
				KSL are deploying vans to collect and deliver materials to avoid operatives leaving site to collect materials, allowing for more productivity time.	
	KSL led review of materials which are routinely stored in the R&M vans.	December 2018	Director of Property and Development	Improved first time fix rates and reduction in repeat responsive repair appointments.	Complete
	Vehicle Management System installed in all operatives vehicles	November 2018	Director of Property and Development	System is expected to maximise vehicle management and operative's performance.	Complete
	Review of the number of responsive repair operatives in high demand trades.	January 2019	Director of Property and Development	Review the potential increase in costs for increasing the number responsive repair operatives in high demand trades versus a reduction in responsive repair completion time.	Detailed response awaited from KSL.
<b>Improve customer satisfaction with the Repairs and Maintenance Service</b>	Contact to be made with all tenants who request a call back to discuss their experience of the repairs and maintenance service.	Monthly Ongoing	Technical Services Manager	Resolution of any outstanding repairs and maintenance issues as well as identifying any opportunities for service learning and improvements.	A system is in place to log all call back data for review. Results discussed at monthly SLA meeting.

Objective	Action	Target Date	Responsible	Expected Impact	Status
	Increase the amount of customer satisfaction surveys completed for a six month period.	March 2019	Director of Property and Development	Obtain a larger representative sample of customer satisfaction surveys and reviewing the impact on the overall % result, will provide a greater level of satisfaction analysis as currently this is based on only 5% of completed repairs.	Number of customer satisfaction surveys completed per month increased to 50 from September 2018. Q3 performance will be presented to Board in February 2019.
	Complete a Customer Scrutiny Committee led review of Repairs and Maintenance.	July 2019	Director of Property and Development	Ensure that the customer element of the repairs and maintenance survey is customer friendly and meets customer needs.	Ongoing Meeting to be held with Customer Scrutiny Sub Group in January 2019 to agree categories for development of a scrutiny workplan.

## Voids, Allocations and Lettings

Objective	Action	Target Date	Responsible	Expected Impact	Status
To achieve median performance by 2020 for the time taken to re-let properties.	Fortnightly void meetings to be held with KSL to monitor void numbers and performance.	Ongoing	Head of Housing and Communities / Technical Services Manager.	Greater control over the number of void properties, repair timescales and key flow between BCT and KSL.	Void meetings held fortnightly and interim communications between teams on any issues or updates on forecast tenancy terminations or completion dates.
	KSL to produce a weekly list of void properties that are to be ready within 7 days.	Ongoing	Head of KSL	Improved co-ordinated approach with future tenants reducing the time taken from the property being available for re-let to the new tenant moving in.	Complete. Weekly void lists are now produced.
	Void reports to be produced weekly and discussed with Neighbourhood Housing Officers.	Ongoing	Head of Housing and Communities	Ensure that Neighbourhood Housing Officers are being proactive in liaising with future tenants with regard to commencement of tenancy dates. Identify trends for tenancy terminations and ensure BCT are doing all that is possible to retain tenants.	Weekly void and allocation meetings are held between Neighbourhood Housing Officers and Head of Housing and Communities.
	Contribute to the review of Tyne and Wear Homes, Choice Based Lettings Scheme.	September 2018	Director of Operations	BCT are able to provide feedback to be considered in terms of Tyne and Wear Homes policies, advertising portal and advertising content.	Feedback provided to the Tyne and Wear Homes review of Choice Based Lettings.
	Review Void Policy and Procedure	March 2019	Head of Housing and Communities / Technical	The Void Policy and Procedure is up to date and takes into account sector best	

Objective	Action	Target Date	Responsible	Expected Impact	Status
	Undertake an internal audit of the BCT allocations process as part of the BCT internal audit plan.	February 2019	Services Manager Director of Operations / TIAA.	practice and is streamlined where possible. Ensures compliance with BCT void and allocations policies.	
	Review of the number of void repair operatives.	January 2019	Director of Property and Development	Review the potential increase in costs for increasing the number of void repair operatives versus a reduction in void repair completion time and overall re-let time.	Detailed response awaited from KSL
	Review allocations incentive scheme.	March 2019	Head of Housing and Communities	Reduce the number of property refusals for poor condition or poor standard of decoration.	
	Review of lettable standard.	November 2018	Head of Housing and Communities / Technical Services Manager	Reduce the number of property refusals. Increase awareness for potential new tenants concerning the condition of property standards that should be expected at the point of tenancy sign up.	Complete November 2018.
	Production of weekly reports that break re-let times into repairs and	December 2018	Head of Housing and Communities	Identification of trends for reasons that delay in the re-let process.	Complete December 2018.



Objective	Action	Target Date	Responsible	Expected Impact	Status
	housing management categories.		/ Head of KSL	BCT can move resources to address any issues in the void re-let process.	
	Develop a definition of a "hard to let" property and associated scheme to tackle such properties.	February 2019	Head of Housing and Communities	Reduction in number of hard to let properties and more targeted approach to letting such properties.	
	Review the process to capture and produce information relating to property refusal reasons.	March 2019	Head of Housing and Communities	Clear evidence as to why properties are being refused that can be used to identify BCT investment priorities.	
	Consider a termination incentive scheme for departing tenants who leave properties in good condition.	March 2019	Head of Housing and Communities / Technical Services Manager	Reduced void repair costs and quicker re-let times for properties.	
	Complete a review of the 'survey and repair' process and reporting.	December 2018	Technical Services Manager	Ensure that the survey and repair process is streamlined to enable voids to be completed in the shortest duration, utilising existing operative resource.	Survey timescale commences when KSL receive the keys (KPI target 2 working days which includes the key receipt day). Asbestos surveys, electrical tests and EPCs are commissioned if a valid one is not in place. All void work is scheduled on the OHMS with an estimated cost/timescale based on the schedule of works required. The work hours dictate



Objective	Action	Target Date	Responsible	Expected Impact	Status
					the void categorisation and work is scheduled, including any clean and clearing, and any lead in time for materials where required. (KPI 18 working day target for all minor, routine and major void). Rechargeable repairs are identified by KSL and agreed with BCT prior to the outgoing tenant being invoiced. BCT need to commence a process of realigning void categorisations (and review KPI's) in line with HouseMark, as for example major voids in HouseMark are included within their structural voids category.
	Review of the deployment of trade operatives to maximise productivity.	December 2018	Technical Services Manager	Ensure that trade staff are deployed to maximise productivity in meeting R&M and Void KPI's	There are 14 trade operatives employed through the SLA for with KSL covering R&M, Voids and some areas of compliance. An additional temporary joiner has been employed since July 2018 to focus on responsive repairs.  The operatives are split equally between the voids and responsive repairs however if responsive repairs or voids increase operatives are moved to assist and balance KPI performance.
<b>To achieve median performance by 2020 for the number of tenancy terminations</b>	Analyse tenancy termination reasons on a monthly basis.	December 2018	Head of Housing and Communities	Identify any key trends that require BCT interventions to address such as property condition or ASB.	Report produced and tenancy termination reasons are now analysed on a monthly basis.
	Additional training for Neighbourhood Housing Officers	November 2018	Head of Housing and Communities	Reduced levels of tenancy terminations.	Complete November 2018.

Objective	Action	Target Date	Responsible	Expected Impact	Status
	for dealing with tenancy terminations.				Neighbourhood Housing staff have received training to improve the handling of tenancy termination requests.
	Review of BCT tenancy termination process.	November 2018	Head of Housing and Communities	Reduced levels of tenancy terminations.	Complete November 2018. Process reviewed and all Neighbourhood Housing staff have received training.

## Income Management

Objective	Action	Target Date	Responsible	Expected Impact	Status
<b>To achieve median performance for income collection and Former Tenant Arrears debt by 2020.</b>	Production of a monthly performance report identifying current and former income collection rates, court evictions, court applications and staged recovery actions.	September 2018	KSL Customer Accounts Manager	Performance information that identifies trends to allow BCT and KSL to quickly act upon any potential changes in collection rates and implement improvement measures when required.	Complete. Monthly reports developed and used to monitor performance.
	Introduce key performance measures for the BCT Income Team.	September 2018	KSL Customer Accounts Team Leader	Individual income officer targets have been set from April 2018. Regular 1-2-1 and team meetings are held. Individual performance reviews in place to ensure targets are being met.	Performance measures used during performance appraisals and 1-2-1 meetings.
	Review of resource required to collect Former Tenant Arrears (FTA).	Ongoing	KSL Customer Accounts Team Leader	To identify if suitable resource is in place to collect FTA's.	Consistent monthly FTA collection rate continues to be observed and is reviewed monthly.
	Production of monthly FTA write off reports.	Ongoing	KSL Customer Accounts Manager	To ensure that historic FTA debt that is unable to be collected is written off.	Monthly write off report is produced and actioned.
	Review of the rent statement process to identify opportunities for improvement.	July 2019	KSL Customer Accounts Manager	Improved automated actions, such as the updating of the Customer Relationship Management system and the opportunity to digitally index	

					documents directly to tenant records.	
	To have a dedicated SharePoint page for the storage of income management monthly reports.	February 2019	KSL Customer Accounts Manager	Improved access to performance management information for BCT and KSL.		
	Undertake an internal audit of the BCT Welfare Reform and Tenancy Sustainment Team.	March 2019.	Director of Operations / TIAA.	The audit will assess the action being taken by BCT to maximise income in the light of continued welfare reform changes.		
<b>Promote a positive payment culture amongst tenants.</b>	Review the option to develop an integrated payment platform in Capita Pay360.	April 2019	KSL Customer Accounts Manager	Increased payment options for tenants making it easier to pay rent. Reduction in payment collection costs for BCT.		
	Explore options that would enable all new tenants to make their first rent payment at tenancy sign up.	April 2019	KSL Customer Accounts Manager/Head of Housing and Communities	To reduce a build-up of rent arrears from the start of a tenancy, particularly in relation to those customers who need to make a Universal Credit (UC) claim.		
	To complete financial assessments for tenants who are in	September 2018	Tenancy Sustainment and Welfare Reform Officer	To ensure tenants are financially able to sustain a tenancy and reduce tenancy failure rates due to issues of affordability.	Complete. Financial Assessment process in place for all new tenancy applications.	

					Reduction in the the number of short term tenancies and subsequent reduced void costs.	
	Identify customers who are not actively using online rent payment facilities and undertake a targeted promotion.	April 2019	KSL Customer Accounts Manager / Head of Housing and Communities.		Increased awareness of payment options for tenants. Reduced income collection costs for BCT.	
	Promote direct debit as the payment method of choice as part of rent statement distribution.	Feb 2019	KSL Customer Accounts Manager		Increased take up of tenants paying rent by direct debit reducing income collection costs for BCT.	
<b>Provide practical support to tenants with Universal Credit (UC) applications.</b>	To be a strategic partner with the Department for Work and Pensions. (DWP)	July 2018	KSL Customer Accounts Manager		<p>KSL to act as be a first point of contact for the DWP in dealing with UC claimants, ensuring that claims are managed and payment are processed quickly thus keeping rent arrears to a minimum.</p> <p>Speeding up the UC process for tenants and ensuring that they have access to UC as soon as is possible.</p> <p>Sharing local and regional information in relation to UC,</p>	<p>KSL Income Team have trusted partner status with DWP. BCT can access the DWP Landlord Portal which allows support to be provided for tenants making UC claims and for BCT to make immediate Alternative Payment Applications (APA).</p>

					enabling BCT to manage any issues that may affect income collection.	
	Deliver a social media campaign to promote the services available from the BCT Tenancy Sustainment and Welfare Reform Team.	February 2019	Head of Housing and Communities	Increased awareness of BCT services available to support tenants with UC and income maximisation.		
<b>Provide support for tenants to improve their financial wellbeing and increase tenancy sustainment.</b>	Raise awareness of credit unions through promotion with the distribution of annual rent statements.	February 2019	KSL Customer Accounts Manager	Increased tenant access and to take up of savings accounts and affordable credit.		
	Maximisation of tenant income through a targeted campaign aimed at tenants aged under 25 who would be better off making an application for UC.	April 2019	Head of Housing and Communities	Increased income for tenants under 25 who are in employment but are eligible to claim welfare benefits.		
	Work with local banking organisations to promote appropriate banking products	March 2019	Head of Housing and Communities	Tenants are in a position to manage any UC or Welfare Benefit payments as well as having the facility to pay by direct debit.		

as part of pre-tenancy workshops.	June 2019	Head of Housing and Communities	Increased tenant awareness of the need to avoid loan sharks and door step lenders.			
Work in partnership with the Illegal Money Lending Team to tackle illegal money lending.	February 2019	Head of Housing and Communities	Tenants are appropriately insured for any loss of or damage to personal goods.			
Promote the Tenants Contents Insurance Scheme with the distribution of annual rent statements.	February 2019	Director of Operations / KSL Customer Accounts Manager	Increased options for BCT tenants to access employability or training opportunities.			
To work closely with Karbon Homes Employability Team to develop an employability offer that is suitable for BCT tenants.	Ongoing	Head of Housing and Communities / Tenant Engagement Officer	Increased options for BCT tenants to access employability or training opportunities.			BCT staff training delivered December 2018 by NU Foundation to raise awareness of available employability and training opportunities.
To promote employment and educational opportunities that are available with BCT's partners.						





**Title:** Domestic Abuse Policy and Toolkit

**Report By:** Philip Pollard, Director of Operations

**FOR DECISION**

<b>Business Implications</b>	
Risk	BCT are required to have the appropriate measures in place to safeguard vulnerable individuals.
Financial and Value for Money	No direct impact on Finance and Value for Money.
People/Consultation	No direct impact on People/Consultation
Equality and Diversity	BCT recognise that we need to treat everyone fairly and understand the diverse cultures on the Estate. This Domestic Abuse Policy has links to BCT's Equality and Diversity policy.
Environment Implications	No direct impact on environment.
Contractor Implications	Contractors need to be aware of BCT policy and procedures to ensure they are equipped and enabled to report concerns. BCT requires contractors to have appropriate safeguarding mechanisms in place.

**1. Recommendations**

- 1.1 The Board are recommended to consider the contents of this report and approve the following:
  - i. BCT Domestic Abuse - Policy and Toolkit. (Appendix A)
  - ii. BCT Domestic Abuse - Workplace Policy and Toolkit. (Appendix B)

**2. Overview**

- 2.1 Byker Community Trust (BCT) have signed up to the “Make a Stand” pledge which has been developed by the Chartered Institute of Housing (CIH) in partnership with Woman’s Aid and the Domestic Abuse Housing Alliance (DAHA). The “Make a Stand” pledge was created to encourage housing providers to make a commitment to support people experiencing domestic abuse.
- 2.2 Domestic abuse is one of the highest causes of homelessness amongst women with statistics showing that the number one barrier to women leaving abusive situations is the fear of being unable to be adequately housed.
- 2.3 Research has found that housing providers are ideally placed to identify and respond to incidents of domestic abuse, often as a first point of contact. Usually, the identification of such abuse comes in the form of reported complaints of anti-social behaviour.
- 2.4 The “Make a Stand” pledge asks that housing providers make four focussed commitments to provide support for people experiencing domestic abuse.
- 2.5 The four commitments are:
  - 1. To put in place and embed a policy to support residents who are affected by domestic abuse.



2. To make information about national and local domestic abuse support services available on our website and in other appropriate places so that they are easily accessible for residents and staff.
3. To put in place a policy to support members of staff who may be experiencing domestic abuse.
4. To appoint a champion at a senior level to own the activity and support people experiencing domestic abuse.

2.6 BCT is committed to providing support for victims of domestic abuse, whether that be tenants and residents or staff, as well as taking tenancy enforcement action against perpetrators of domestic abuse.

### **3. Progress against the pledges**

3.1 BCT have produced a draft Domestic Abuse - Policy and Toolkit to allow BCT to support tenants and residents who may be affected by domestic abuse.

3.2 A draft Domestic Abuse - Workplace Policy and Toolkit to raise awareness for all BCT staff, and to support managers in dealing with concerns that are raised with them, has also been produced.

3.3 Should Board approve both of these policies, they will be launched via a number of briefing sessions with all BCT staff and Karbon Solutions staff working in Byker during January 2019.

3.4 Following the briefing sessions BCT will then launch a new website page that will contain easily accessible and relevant information on local and national support services for those who may be affected by domestic abuse.

3.5 BCT's Head of Housing and Communities is the Lead Domestic Abuse Officer for BCT and is responsible and accountable for:

- Implementing BCT's Domestic Policy and Procedure;
- Representing BCT at appropriate multi-agency groups;
- Being a point of contact for anyone across the organisation who has a concern or query relating to Domestic Abuse.

### **4. Contact Officer**

4.1 If you have any questions about this report that you would like clarifying before the meeting, you can contact Lynsey Ward by telephone on 0800 5335 442 or email [lynsey.ward@bykerct.co.uk](mailto:lynsey.ward@bykerct.co.uk)

## Domestic Abuse - Policy and Toolkit

Responsible Officer	Head of Housing and Communities
This policy is applicable to	Byker Community Trust
Approved by	Director of Operations
Date approved	December 2018
Frequency of review	Every 4 years
Date of next review	December 2022
<b>Implementation date</b>	January 2018
<b>Key related documents (policy, procedure, customer literature)</b>	<ul style="list-style-type: none"> <li>• Safeguarding Adults and Children Protection Policy and Procedures</li> <li>• Anti-Social Behaviour Policy and Procedures</li> <li>• Data Protection Policy</li> <li>• Lone Working Policy</li> <li>• Domestic Abuse and The Workplace Policy and Toolkit</li> </ul>

### 1.0 Policy Statement

- 1.1 This policy sets out the steps that Byker Community Trust (BCT) will take to assist and support any person experiencing or threatened with domestic abuse; it applies to all customers including those living with our tenants.
- 1.2 Domestic abuse is still considered to be a hidden crime and measuring the true scale of the issue can be very difficult. We acknowledge that domestic abuse happens in all communities regardless of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- 1.3 As a registered provider of social housing BCT are well placed to recognise the signs of domestic abuse. It is also essential that we take all of the appropriate and necessary steps when information is brought to us to immediately support and work with the victim(s).
- 1.4 In addition, we will also seek to assist perpetrators of domestic abuse who wish to positively change their behaviours by helping them to access support and assistance.

### 2.0 What is Domestic Abuse?

- 2.1 The Home Office definition of domestic violence and abuse is:

*Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality.*

- 2.2 In 2014, the Government announced a new domestic abuse offence – controlling and coercive behaviour.
- 2.3 Controlling behaviour includes a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capabilities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 2.4 Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.
- 2.5 This law helps to protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive behaviour can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

### **3.0 Purpose**

- 3.1 The Domestic Abuse Policy sets out BCT's approach to identifying signs of domestic abuse, or receiving a disclosure and offering the appropriate advice and assistance. It is also in place to ensure that we provide a service which effectively assists and supports any person experiencing, or threatened with domestic abuse.
- 3.2 This policy and toolkit has been prepared to inform staff at BCT how to approach domestic abuse and how to deal with a disclosure. It is designed to enable staff to support and signpost in a sensitive and victim-led way. It also gives details of our approach to taking action against perpetrators who live in our properties.
- 3.3 The toolkit aims to provide staff with clear and practical guidance to ensure the victim is supported and protected.

### **4.0 BCT approach**

- 4.1 At BCT we believe that our customers should not live in fear of violence, abuse or harassment from a partner, former partner or any member of their household or family.
- 4.2 Anyone reporting domestic abuse to BCT will be treated in a sympathetic, supportive and non-judgemental way. Any disclosure of abuse will be taken seriously and advice and assistance will be given as a priority.

### **5.0 BCT staff responsibilities**

- 5.1 All staff within BCT who come into contact with customers are responsible for reporting any concerns that they may have in relation to safeguarding or if they believe that someone may be a victim or a perpetrator of domestic abuse. This

policy is therefore closely linked to BCT's Safeguarding Adults and Children Protection Policy and Procedures.

- 5.2 In addition, any member of staff who receives a disclosure of domestic abuse has a responsibility to signpost the victim to the correct support services and to gather as much information as possible to enable colleagues to investigate further.
- 5.3 The Neighbourhood Housing Officers (NHO's) are responsible for investigating any reports or dealing with any disclosures and ensuring that the appropriate safeguards are put in place for the victim.
- 5.4 The NHO's along with the Tenancy Enforcement and Interventions Officer (TEIO) must also consider whether or not it is appropriate to take enforcement action against the perpetrator in a proportionate way (depending upon the needs and wishes of the victim).

## **6.0 Dealing with a report or disclosure**

- 6.1 If a victim reports an incident in person they should be offered a confidential interview with a NHO immediately, in the absence of a NHO another senior member of the team must conduct the interview.
- 6.2 The member of staff carrying out the interview should take full details of the disclosure in order to support the person in the most appropriate way. Refer to Appendix 1 – Checklist for Initial Interview.
- 6.3 If a disclosure is not made in person (for example over the telephone or email), the details should be passed onto the NHO immediately. The NHO will then make contact with the victim as soon as possible, but within 24 hours of receiving the report.
- 6.4 It is important to identify a safe method of contact and this should be discussed with the victim as it is vital that we do not accidentally alert the perpetrator that a disclosure has been made.
- 6.5 If a member of staff is present at the home of a victim when a disclosure is made, it is important to gather as much information as possible if it is safe to do so. If the alleged perpetrator is in the property or is expected to return to the property imminently, the member of staff should offer to reconvene the discussion in an alternative safe place.
- 6.6 In all circumstances it is important to approach the situation in a supportive victim-led way. Members of staff should also ensure they are safeguarding themselves and the victim ensuring that our actions are not placing them in any additional risk.
- 6.7 Staff may receive a disclosure from a third party e.g. a neighbour, or family member. Disclosures may even take the form of a noise complaint within the household. These reports should be passed to the NHO immediately for investigation and as much detail should be taken from the third party prior to any contact being made with the alleged victim.

- 6.8 If any member of staff working for BCT, a Partner or Contractor suspects that a person may be suffering from domestic abuse they should contact a NHO to raise and discuss their concerns as soon as possible.
- 6.9 In all cases of safeguarding, concerns should be reported to Social Services at the earliest opportunity and in line with BCT's Safeguarding Adults and Children Protection Policy.

## **7.0 Links to Safeguarding**

- 7.1 Adults who need safeguarding can often be experiencing domestic abuse in some form.
- 7.2 If domestic abuse is an isolated issue and there are no other safeguarding concerns, support can be sought via other agencies which can be found at the end of the Domestic Abuse Toolkit.
- 7.3 If there are other safeguarding issues present such as, physical or mental health problems, or any potential risk to children, a safeguarding referral should also be made so that a coordinated approach can be taken.
- 7.4 There are links between domestic abuse and child abuse. Exposure to domestic abuse can be detrimental to children and impacts may vary depending upon how much or how little they witness and also the type of abuse. Children exposed to abuse at home may be affected by psychological, emotional or physical abuse, neglect and ongoing psychological damage.
- 7.5 In domestic abuse cases where children are present it is vital that a safeguarding referral is made to ensure that children are adequately protected. Staff should refer to BCT's Safeguarding Adults and Children Protection Policy for further information and always inform their line manager.

## **8.0 Ongoing support and next steps**

- 8.1 If the victim engages in ongoing support it may be appropriate and necessary for the NHO to attend multi-agency meetings and offer support from a housing perspective. Close links must be maintained with the victim and any support worker in order to sustain their current tenancy or support given to obtain an alternative.

## **9.0 Monitoring and Review**

- 9.1 Overall responsibility for this Policy lies with the Head of Housing and Communities and will be reviewed every 4 years or in line with business need or changes to regulation and/legislation. Appropriate training and guidance will be given to staff initially and as a result of any changes.
- 9.2 This Policy and Toolkit has been cross-referenced with good practice and Domestic Abuse Housing Alliance (DAHA) standards. There are no specific Domestic Abuse standards in the CIH Best Practice Manual.

## 10.0 Equality and Diversity

10.1 We are committed to the principles of equality and diversity throughout the organisation. In the context of dealing with domestic abuse cases, we aim to:

- Meet the needs and choices of people from all backgrounds and take into consideration, gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.
- Ensure our service is responsive and meets the needs of our existing and prospective customers.
- Understand the cultural implications and barriers to reporting domestic abuse.

Our Toolkit will ensure that customers are treated as individuals and with fairness and respect.

## 11.0 Data Protection and Privacy

11.1 We have a clear policy on data protection and sharing data with other partners/outside agencies under the requirements of the Data Protection Act 1998. This is clearly set out in our Data Management Policy which, along with the supporting Data Management Guidelines, must be followed throughout the operation of this policy.

11.2 This policy will adhere to the requirements of the General Data Protection Regulation (GDPR).

## 12.0 Regulation and Legislation

12.1 Relevant legislation:

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997
- Human Rights Act 1998
- The Data Protection Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2014
- Clare's Law, also known as Domestic Violence Disclosure Scheme

12.2 National Policy Links:

- HM Government Violence against Women and Girls Strategy and Action Plan (2010)
- CAADA Insights Report
- ADASS Adult Safeguarding and Domestic Abuse – Guide to support practitioners and managers



# Domestic Abuse Toolkit

## 1.0 Confidentiality

1.1 Information regarding any disclosure of domestic abuse will be treated in the strictest of confidence. Under the Data Protection Act we owe a duty of confidentiality to any victim of domestic abuse, unless we have a statutory duty to disclose information in order to:

- Protect the victim, or
- Prevent harm to someone else e.g. children or adult(s) at risk, or
- Prevent or detect a crime

1.2 Our NHO's have been trained to know when we have an obligation to share information, for example to the Police and/or Social Services. Others members of staff must not share any information without prior discussion with the NHO's or their line manager.

## 2.0 Disclosure of domestic abuse by customer

2.1 If a customer makes a report that they are subject to domestic abuse at the BCT Office, they should be immediately offered a confidential interview if they are not already in one. If the disclosure is not in person i.e. over the telephone or in an email then the information should be passed immediately to the relevant NHO to make contact within 24 hours.

2.2 If a member of staff is present at the home of a victim when a disclosure is made, it is important to gather as much information as possible if it is safe to do so. If the alleged perpetrator is in the property or is expected to return to the property imminently, the member of staff should offer to reconvene the discussion in an alternative safe place.

## 3.0 Disclosure of domestic abuse by third party

3.1 Staff may receive a disclosure from a third party e.g. a neighbour, or family member. Disclosures may even take the form of a noise complaint within the household. These reports should be passed to the NHO immediately for investigation and as much details should be taken from the third party prior to any contact being made with the alleged victim as this will need to be done in a safe way.

## 4.0 Concern raised by other BCT staff, Partners or Contractors

4.1 Any member of BCT staff, partners or contractors in contact with customers should be able to identify the potential signs of domestic abuse and know when and who to report their concerns to.

4.2 If any member of staff suspects a person or household to be suffering from domestic abuse they must contact the NHO's and report their concerns as soon as possible.



## 5.0 Conducting interviews

5.1 All interviews must be carried out in a sensitive and supportive way and in a safe environment that is agreed with the victim. You must also consider:

- Suitable venue that is accessible
- Same sex interviews
- Translation Services
- Third party representation/support
- Confidentiality
- Believing the person and reassuring them
- Keeping all notes as detailed and as accurate as possible
- Allowing the victim to do things for themselves – make calls if they are happy and able to do so
- Immediate risk and rehousing options including tenancy rights
- Referral to the Police and/or Social Services
- Referral to other support providers

5.2 Before you begin any interview you should:

- Ensure that you and the victim have enough time
- Explain that you are going to ask a series of questions (an information gathering checklist can be found in appendix 1) in order to gain a better understanding of their situation
- Establish their whereabouts of the alleged perpetrator and/or any children

5.3 At the start of the interview it is important to inform the victim about confidentiality and ensure they wish to proceed.

5.4 If the victim is unable to return to their home, establish if they have an alternative safe place to stay. In cases where they do not a referral to Housing Advice Centre (HAC) must be made.

## 6.0 Referrals and support

6.1 The NHO will need to support the victim by offering them support options, these options are covered in a list for service providers in section 11.0 of the Toolkit.

6.2 If it is necessary a Safeguarding referral will need to be made according to the Safeguarding Adults and Children Protection Policy.

## 7.0 Tenancy

7.1 Housing requirements should be discussed with every person experiencing domestic abuse. Every effort should be made to ensure that the attention is focussed on providing a safe environment for them and their dependents and staff should work alongside specialist agencies to provide advice and assistance.

7.2 Staff should reassure the person experiencing domestic abuse that they can remain in their own home if it is safe for them to do so. However, there may be occasions

when temporary emergency accommodation is required whilst safety measures are implemented. The duty to provide immediate temporary accommodation lies with Newcastle City Council under the Housing Act 1996 and Homeless Act 2002. A person experiencing domestic abuse should be given the details for the Homeless and Prevention Team on 0191 277 1731 and the HAC on 0191 277 1711. These organisations will be able to support the person in accessing emergency temporary accommodation.

- 7.3 Each case of domestic abuse will need to be assessed based upon the individual's situation and needs. Taking into account what the victim experiencing the abuse wants, how they feel and the severity of the abuse they are experiencing.
- 7.4 BCT will treat domestic abuse as a tenancy breach under section(s) 20 - Nuisance and annoyance and 21 - Racial and other harassment in our Tenancy Agreement.
- 7.5 We will make use of appropriate tools and powers to sanction and support those who are perpetrators of domestic abuse, including but not limited to injunctions, notice of seeking possession and possession proceedings. NHO's should discuss these options with the TEIO and Head of Housing and Communities.

## **8.0 Tenancy in joint names**

- 8.1 There is no statutory requirement for BCT to re-house victims of domestic abuse. However, we would support the victim and work closely with other service providers and through our partnership with Tyne and Wear Homes Choice Based Lettings Scheme. We would not recommend or support a re-housing request for customers within the Byker Wall Estate as due to its small scale we do not believe it would be safe or appropriate to do so.
- 8.2 Rent arrears should never prevent a person experiencing domestic abuse from moving, however rent arrears will not be ignored and a repayment plan will need to be discussed.
- 8.3 When a relationship has broken down as a result of domestic abuse and there is a joint tenancy, we may seek to re-house the perpetrator with their agreement. This however, does not mean that BCT condone the behaviour but it may have significant benefits to the victim, which can include:
- Quick removal of the perpetrator from the home, which also enables BCT and other agencies to make the property safe and secure.
  - Monitor their residence/location and where data sharing allows, to provide information to the Police and other appropriate agencies.
  - Manage their behaviour more effectively by placing them on a starter tenancy.
  - Engage with the perpetrator and offer support to enable them to change their behaviour.
  - Enabling the victim to stay in their home should they wish allowing them to remain within their current support network avoiding any potential isolation. This is especially important if there are dependants.
- 8.4 Neither a victim nor a perpetrator should be advised to terminate their tenancy. Each case should be discussed with the individuals and the best course of action taken.

- 8.5 The victim may also be able to access Family Law remedies to remove a perpetrator from the home and a NHO will be able to signpost to the appropriate relevant agencies.

## **9.0 Tenancy in perpetrators name**

- 9.1 Where the tenancy is in the perpetrators name staff should ascertain if emergency accommodation is required and signpost to HAC. They should also if possible support the victim in registering a housing application.
- 9.2 The NHO will need to explore if the property remains suitable for the needs of the perpetrator and make contact to discuss their housing needs. It may be that the property is under-occupied and may have financial implications to the detriment of the perpetrator.

## **10.0 Tenancy in victim's name**

- 10.1 When the tenancy is in the sole name of the victim the NHO will need to establish a best course of action. This may be signposting the person to HAC should they require immediate emergency accommodation until the perpetrator can be removed from the property and it made safe.
- 10.2 If the victim requests that the perpetrator leaves the property the NHO will need to work closely with partners such as the Police to have the perpetrator removed and target hardening measures put in place.
- 10.3 If the victim does not wish to remain in or return to the property the NHO will assist and support them with re-housing options, working closely with support services.

## **11.0 Domestic Violence and Abuse Services in Newcastle**

- 11.1 Domestic violence and abuse has a profound impact on individuals, families and communities. In Newcastle there are a broad range of services to support victims and survivors of domestic violence including raising awareness, reducing risk, providing support and moving victims and their families towards recovery. During an interview with a victim or perpetrator below is a list of support services where referrals can be made either by the person themselves or by you on their behalf:

### **Newcastle Women's Aid Freephone 0800 923 2622 or 0191 265 2148**

24 hour safe, emergency accommodation for women and children fleeing domestic violence and / or experiencing abuse and control. Outreach service also offers telephone support, advice and advocacy.

### **Panah Refuge 0191 284 6998**

Specialist project which offers safe refuge accommodation for black and minority ethnic women and their children.

### **Victim Support 0191 281 3791 or 0191 295 4958**

**Independent Domestic Violence Advisor (IDVA) Service**  
**Independent Sexual Violence Advisor (ISVA) Service**

Confidential advice and support for victims of domestic and sexual violence and abuse, including male victims, lesbian, gay, bisexual and transgender people.

**The Safe Project 0191 273 4942**

Practical and emotional support and advice to victims and survivors of domestic violence and abuse. Also provide specialist support for victims and survivors of honour based violence and forced marriage.

**EDAN (Ending Domestic Abuse in Newcastle) Outreach Service  
07501 227 780 or 07501 227 820**

Confidential outreach and support service for female victims of domestic violence and abuse.

**The Angelou Centre 0191 226 0394**

Support, practical advice and help on issues relating to domestic violence and abuse, including honour based violence and forced marriage and a children's service. Workers in the centre can speak a number of community languages including Urdu, Punjabi, Hindi, Arabic and French.

**Rape Crisis Tyneside and Northumberland**

**0191 222 0272 (general enquiries)**

**0800 035 2794 (helpline Tues, Wed, Thurs 6pm-8.30pm)**

Information, support and counselling for women aged 16 and over who have been raped or sexually abused.

**Domestic Violence Protection Project (DVPP) 0191 240 4800**

This project works with male abusers who want to change their violent behaviour. The programme offers men the opportunity to look at their abusive behaviour and learn new ways of thinking. The project can also work with women if their ex/partner is participating in the programme.

**Protecting Vulnerable People (PVP) Unit 101  
Northumbria Police**

The PVP Unit leads on issues relating to child abuse, domestic violence and abuse, rape investigations, management of dangerous offenders (MAPPA) and the protection of vulnerable adults.

**National Services:**

**A number of domestic violence services also operate nationally providing specialist support to victims of domestic violence, perpetrators and their families.**

**National Domestic Violence Helpline 0808 2000 247**

The 24/7 Freephone National DV Helpline can provide confidential advice for women experiencing domestic abuse, or others calling on their behalf, from anywhere in the UK. They can also point you towards domestic abuse organisations in your area.

**Men's Advice Line Freephone 0808 801 0327**

Advice and support for men experiencing domestic violence and abuse.

**Broken Rainbow 0300 999 5428**

Support for lesbian, gay, bisexual and transgender people experiencing domestic violence and abuse, their families and friends and agencies supporting them.

**Forced Marriage Unit 020 7008 0151**

The Foreign and Commonwealth Office's Forced Marriage Unit (FMU) is raising awareness about forced marriage across the public sector. We provide expert advice to professionals, especially those confronted by forced marriage for the first time.

**National Centre for Domestic Violence 0844 8044 999**

Free, fast emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation.

**Rights of Women**

Free confidential legal advice to women on the following advice lines: family law, criminal law and immigration and asylum. Check the website for telephone numbers and session times.

**Respect Freephone 0808 802 4040**

Confidential phone line for domestic violence perpetrators, male or female. They offer information and advice to support perpetrators to stop their violence and change their abusive behaviours.

## Checklist for Initial Interview

Customer name:

Address:

Safe contact number:

<ul style="list-style-type: none"> <li>• Where is the individual staying/calling from?</li> </ul>	
<ul style="list-style-type: none"> <li>• Is there any immediate danger?</li> </ul>	
<ul style="list-style-type: none"> <li>• Is the person pregnant?</li> </ul>	
<ul style="list-style-type: none"> <li>• Does the person have any dependents? Name/Sex/Age</li> </ul>	
<ul style="list-style-type: none"> <li>• Have the Police be called?</li> </ul>	
<ul style="list-style-type: none"> <li>• Is emergency accommodation required?</li> </ul>	
<ul style="list-style-type: none"> <li>• Are they safe to remain in the property? Is a lock change required?</li> </ul>	
<ul style="list-style-type: none"> <li>• Are there any other agencies involved or aware?</li> </ul>	
<ul style="list-style-type: none"> <li>• Any other risks or information we need to know?</li> </ul>	
<ul style="list-style-type: none"> <li>• Do they have access to personal belongings e.g. money, clothes, medication</li> </ul>	
<ul style="list-style-type: none"> <li>• Do they have friends and family? Do they need us to contact anyone on their behalf?</li> </ul>	

## Domestic Abuse - Workplace Policy and Toolkit

Responsible Officer	Head of Housing and Communities
This policy is applicable to	Byker Community Trust
Approved by	Director of Operations
Date approved	December 2018
Frequency of review	Every 4 years
Date of next review	December 2022
<b>Implementation date</b>	January 2018
<b>Key related documents (policy, procedure, customer literature)</b>	<ul style="list-style-type: none"> <li>• Safeguarding Adults and Children Protection Policy and Procedures</li> <li>• Anti-Social Behaviour Policy and Procedures</li> <li>• Data Protection Policy</li> <li>• Lone Working Policy</li> <li>• Domestic Abuse Policy and Toolkit</li> <li>• Code of Conduct</li> </ul>

### 1.0 Policy Statement

- 1.1 Byker Community Trust (BCT) recognises that its employees may be amongst those affected by domestic abuse; for example as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted upon by domestic abuse or as an individual who perpetrates domestic abuse.
- 1.2 We are committed to developing a workplace culture in which there is zero tolerance for abuse and which recognises that the responsibility for domestic abuse lies with the perpetrator. BCT has a 'zero tolerance' position on domestic abuse and is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate support and assistance.
- 1.3 This policy also covers the approach we will take where there are concerns that an employee may be the perpetrator of domestic abuse.
- 1.4 This policy is part of BCT's commitment to flexible working, and seeks to benefit the welfare of individual members of staff; retain valued employees; improve morale and performance; and enhance the reputation of BCT as an employer of choice.
- 1.5 Under the Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992), BCT recognises its legal responsibilities in promoting the welfare and safety of all staff. Therefore this

policy applies to all staff irrespective of gender, age, disability, gender reassignment, race, religion or belief, sexual orientation, marriage or civil partnership and pregnancy or maternity.

## **2.0 What is Domestic Abuse?**

2.1 The Home Office definition of domestic violence and abuse is:

*Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality.*

2.2 In 2014, the Government announced a new domestic abuse offence – controlling and coercive behaviour.

2.3 Controlling behaviour includes a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capabilities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

2.4 Coercive behaviour is an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim.

2.5 This law helps to protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive behaviour can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.

## **3.0 Impact of domestic abuse in the workplace**

3.1 It should be noted that there may be incidents which occur in the workplace or specifically affect the work of a member of staff.

Possible signs of domestic abuse may include:

- Changes in behaviour, including uncharacteristic depression, anxiety, distraction or problems concentrating
- Changes in quality of work
- Arriving late or leaving early
- Poor attendance or high presenteeism without an explanation
- Needing regular time off for appointments
- Inappropriate or excessive clothing
- Increased turnover

3.2 Domestic abuse can also affect people who are close to the victim and this may include work colleagues.



Some effects may include:

- Being followed to or from work
- Being subject to questioning about the victim's contact details and/or locations
- Covering for other members of staff during absences from work
- Trying to deal with the abuse and fear for their own safety
- Being unaware of the abuse or not knowing how to help

3.3 Domestic abuse can also have an impact of the organisation.

Some effects may include:

- Negative impact on productivity, performance and morale
- Staff turnover, as the employees may have to leave work or move away to escape the abuse

3.4 BCT expects all staff to report their concerns if they suspect a colleague is experiencing or perpetrating abuse. A member of staff should speak to their line manager or another senior member of the team about their concerns in confidence. Alternatively they can call the confidential reporting line through Crime Stoppers on 0800 111 444. This is a 24 hour hotline that allows any member of staff to report any concern they may have about a colleague or practices in the workplace. The hotline can also be used anonymously.

3.5 Our Head of Housing and Communities/ Domestic Violence Champion can also provide advice, support and guidance to all staff at BCT and can be contacted confidentially to discuss any concerns.

## **4.0 Identification of the problem**

4.1 Whilst it is for the individual themselves to recognise they are a victim of domestic abuse, there are signs which may indicate an employee may be a victim. These may include:

- The member of staff may confide in their colleagues/manager.
- Staff may inform their manager that a colleague is suffering from domestic abuse.
- There may be obvious effects of physical abuse (it is important not to make assumptions).
- It may come to light as a result of enquiries into a drop in performance or a significant change in behaviour.
- It may reveal itself as the background to poor attendance.

4.2 It is essential to understand that any of the above may arise from a range of circumstances of which domestic abuse may be one. Managers who support staff in such matters should address the issue positively and sympathetically

ensuring that the employee is aware that support and assistance can be provided.

- 4.3 BCT respects employees' right to privacy, whilst strongly encouraging victims of domestic abuse to disclose domestic abuse for the safety of themselves and all those in the workplace, we do not force them to share this information if they do not want to.

## **5.0 Confidentiality and Right to Privacy**

- 5.1 Employees who disclose experiencing abuse can be assured that the information they provide is confidential and will not ordinarily be shared with other members of staff without their permission.
- 5.2 There are, however, some circumstances in which confidentiality cannot be assured. These occur when there are safeguarding concerns about children or vulnerable adults or where the employer needs to act to protect the safety of employees.
- 5.3 In circumstances where BCT has to breach confidentiality we will seek specialist advice before doing so. If we decide to proceed in breaching confidentiality after having taken advice, it will always be discussed with the employee why it is necessary to do so and will seek the employee's agreement where possible. As far as possible, information will only be shared on a need-to-know basis.
- 5.4 All records concerning domestic abuse will be kept strictly confidential. No local records will be kept of absences related to domestic abuse and there will be no adverse impact on the employment records of victims of domestic abuse.
- 5.5 Improper disclosure of information i.e. breaches of confidentiality by any member of staff will be taken seriously and may be subject to disciplinary action.
- 5.6 Where domestic abuse in a same sex relationship is disclosed, due regard will be paid to the double disclosure of confidential information particularly where the individual recipient of abuse may not be out at work.

## **6.0 Support for individuals**

- 6.1 BCT recognises that developing a life free from abuse is a process not an event and will provide ongoing support for employees who disclose abuse.
- 6.2 BCT Managers will respond sympathetically, confidentially and effectively to any member of staff who discloses that they are experiencing domestic abuse.
- 6.3 Where domestic abuse has been reported line managers will treat unplanned absences and temporary poor timekeeping sympathetically.

6.4 Line managers may offer employees experiencing domestic abuse a broad range of support. This may include, but is not limited to:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments.
- Temporary or permanent changes to working times and patterns.
- Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role.
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls.
- Using other existing policies, including flexible working.
- Signpost to counselling/support services.

6.5 Line managers will respect the right of staff to make their own decision on the course of action at every stage.

6.6 Other provisions may include an occupational health referral or signposting to self-referral independent counselling and support services.

## **7.0 Support for Managers**

7.1 BCT is committed to ensuring all line managers are aware of domestic abuse and its implications in the workplace. Information sessions will ensure that all managers are able to:

- Identify if an employee is experiencing difficulties because of domestic abuse.
- Respond to disclosure in a sensitive and non-judgemental manner.
- Provide initial support – be clear about available workplace support.
- Discuss how the organisation can contribute to safety planning.
- Signpost to other organisations and sources of support.
- Understand that they are not counsellors.

7.2 If you suspect that a member of staff is experiencing domestic abuse, you should facilitate a conversation to discuss this and identify / implement appropriate support.

7.3 Ignoring the subject can perpetuate fear of stigma and increase feelings of anxiety. Often staff will not feel confident in speaking up, so making the first move to begin a conversation can be key.

7.4 You should ask the member of staff indirect questions, to help establish a relationship and develop empathy. Below are some examples of questions that could be used:

- How are you doing at the moment? Are there any issues you would like to discuss with me?

- I have noticed recently that you are not yourself. Is anything the matter?
- Are there any problems or reasons that may be contributing to your frequent sickness absence / under-performance at work?
- Is everything all right at home?
- What support do you think might help? What would you like to happen? How?

7.5 Avoid victim blaming. It is important that you are able to provide a non-judgemental and supportive environment. Respecting boundaries and privacy is essential.

7.6 Even if you disagree with the decisions being made regarding a member of staff's relationship, it is important to understand that a victim of domestic abuse may make a number of attempts to leave their partner before they are finally able to do so. Your role is not to deal with the abuse itself but to make it clear that members of staff will be supported and outline what help is available.

## **8.0 Safety planning**

8.1 BCT will prioritise the safety of employees if they make it known that they are experiencing domestic abuse.

8.2 When an employee discloses domestic abuse, they should be supported and encouraged to contact a specialist support agency who can undertake a Domestic Abuse Stalking and Harassment (DASH) risk assessment and make appropriate referrals where necessary.

8.3 BCT will work with the employee and any specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety at work and at home as well as address any risks there may be to colleagues.

## **9.0 Perpetrators of Domestic Abuse**

9.1 Domestic abuse perpetrated by staff will not be condoned nor will it be treated as a purely private matter. Staff should be aware that domestic abuse is a serious matter which can lead to criminal convictions. Conduct outside of work may lead to disciplinary action being taken against a member of staff; as such conduct may undermine the confidence and trust the organisation has in them. However, BCT recognises that it has a role in encouraging and supporting perpetrators to address violent and abusive behaviour of all kinds.

9.2 If a member of staff discloses perpetrating domestic abuse, the police should be informed as well as the member of staff's line manager so that the disciplinary or other internal procedures can be considered. However, the member of staff will be provided with information about the services and support available to them. Details of all support can be found in section 12.0 of the Policy.

This procedure can be applicable in cases where a member of staff has:

- Behaved in a way that has harmed or threatened their partner
- Possibly committed a criminal offence against their partner
- Had an allegation of domestic abuse made against them
- Presented concerns about their behaviour within an intimate relationship

BCT will ensure:

- Allegations will be dealt with fairly and in way that provides support for the person
- who is the subject of the allegation or disclosure
- All staff will receive guidance and support
- Investigations will be sufficiently independent

The accused member of staff will be:

- Treated fairly and honestly
- Helped to understand the concerns expressed and processes involved
- Kept informed of the progress and outcome of any investigation and the implications for any disciplinary process

9.3 In cases where both the victim and perpetrator of domestic abuse work for BCT; appropriate action will be taken.

9.4 In addition to considering disciplinary action against the perpetrator, action may need to be taken to ensure that the victim and perpetrator do not come into contact in the workplace.

9.5 Action may also need to be taken to minimise the potential for the perpetrator to use their position or work resources to find out details about the whereabouts of the victim. This may include a change of duties or withdrawing the perpetrators access to certain computer programs. Further advice can be sought from the head of Housing and Communities/Domestic Abuse Champion.

## **10.0 Review**

10.1 This policy will be reviewed in line with organisational procedures unless there are changes in legislation, best practice or other organisation policies impact on its effectiveness.

## **11.0 Regulation and Legislation**

11.1 Relevant legislation:

- The Housing Act 1996
- The Family Law Act 1996
- Protection from Harassment Act 1997

- Human Rights Act 1998
- The Data Protection Act 1998
- Domestic Violence, Crime and Victims Act 2004
- Police and Justice Act 2006
- The Equality Act 2010
- Protection of Freedoms Act 2012
- Anti Social Behaviour Crime and Policing Act 2014
- Serious Crime Act 2014
- Clare's Law, also known as Domestic Violence Disclosure Scheme

#### 11.2 National Policy Links:

- HM Government Violence against Women and Girls Strategy and Action Plan (2010)
- CAADA Insights Report
- ADASS Adult Safeguarding and Domestic Abuse – Guide to support practitioners and managers

## 12.0 Domestic Violence and Abuse Services in Newcastle

12.1 Domestic violence and abuse has a profound impact on individuals, families and communities. In Newcastle there are a broad range of services to support victims and survivors of domestic violence including raising awareness, reducing risk, providing support and moving victims and their families towards recovery. During an interview with a victim or perpetrator below is a list of support services where referrals can be made either by the person themselves or by you on their behalf:

### **Newcastle Women's Aid Freephone 0800 923 2622 or 0191 265 2148**

24 hour safe, emergency accommodation for women and children fleeing domestic violence and / or experiencing abuse and control. Outreach service also offers telephone support, advice and advocacy.

### **Panah Refuge 0191 284 6998**

Specialist project which offers safe refuge accommodation for black and minority ethnic women and their children.

### **Victim Support 0191 281 3791 or 0191 295 4958**

#### **Independent Domestic Violence Advisor (IDVA) Service**

#### **Independent Sexual Violence Advisor (ISVA) Service**

Confidential advice and support for victims of domestic and sexual violence and abuse, including male victims, lesbian, gay, bisexual and transgender people.

### **The Safe Project 0191 273 4942**

Practical and emotional support and advice to victims and survivors of domestic violence and abuse. Also provide specialist support for victims and survivors of honour based violence and forced marriage.

### **EDAN (Ending Domestic Abuse in Newcastle) Outreach Service**

**07501 227 780 or 07501 227 820**

Confidential outreach and support service for female victims of domestic violence and abuse.

**The Angelou Centre 0191 226 0394**

Support, practical advice and help on issues relating to domestic violence and abuse, including honour based violence and forced marriage and a children's service. Workers in the centre can speak a number of community languages including Urdu, Punjabi, Hindi, Arabic and French.

**Rape Crisis Tyneside and Northumberland**

**0191 222 0272 (general enquiries)**

**0800 035 2794 (helpline Tues, Wed, Thurs 6pm-8.30pm)**

Information, support and counselling for women aged 16 and over who have been raped or sexually abused.

**Domestic Violence Protection Project (DVPP) 0191 240 4800**

This project works with male abusers who want to change their violent behaviour. The programme offers men the opportunity to look at their abusive behaviour and learn new ways of thinking. The project can also work with women if their ex/partner is participating in the programme.

**Protecting Vulnerable People (PVP) Unit 101**

**Northumbria Police**

The PVP Unit leads on issues relating to child abuse, domestic violence and abuse, rape investigations, management of dangerous offenders (MAPPA) and the protection of vulnerable adults.

**National Services:**

**A number of domestic violence services also operate nationally providing specialist support to victims of domestic violence, perpetrators and their families.**

**National Domestic Violence Helpline 0808 2000 247**

The 24/7 Freephone National DV Helpline can provide confidential advice for women experiencing domestic abuse, or others calling on their behalf, from anywhere in the UK. They can also point you towards domestic abuse organisations in your area.

**Men's Advice Line Freephone 0808 801 0327**

Advice and support for men experiencing domestic violence and abuse.

**Broken Rainbow 0300 999 5428**

Support for lesbian, gay, bisexual and transgender people experiencing domestic violence and abuse, their families and friends and agencies supporting them.

**Forced Marriage Unit 020 7008 0151**

The Foreign and Commonwealth Office's Forced Marriage Unit (FMU) is raising awareness about forced marriage across the public sector. We provide expert advice to professionals, especially those confronted by forced marriage for the first time.

**National Centre for Domestic Violence 0844 8044 999**

Free, fast emergency injunction service to survivors of domestic violence regardless of their financial circumstances, race, gender or sexual orientation.

**Rights of Women**

Free confidential legal advice to women on the following advice lines: family law, criminal law and immigration and asylum. Check the website for telephone numbers and session times.

**Respect Freephone 0808 802 4040**

Confidential phone line for domestic violence perpetrators, male or female. They offer information and advice to support perpetrators to stop their violence and change their abusive behaviours.

**13.0 Support for perpetrators**

**Respect** 0808 802 4040

<http://respect.uk.net/>

Support service for male perpetrators



**Title:** Chief Executives Monthly Progress Report

**Report By:** Jill Haley, Chief Executive (CE)

**FOR INFORMATION**

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**1. Recommendations**

1.1 The Board are recommended to note and discuss the contents of this report.

**2. Synopsis**

2.1 This report aims to bring Board Members an update of information and progress since the last meeting, as well as any relevant, regional or national developments.

**3. Actions from last Board meeting**

3.1 All outstanding actions from the minutes of the meeting of 31 October 2018 were reported separately in an email to Board on 27 November. Any further progress in relation to ongoing actions will be reported at the meeting.

**4. Delegated Decisions**

4.1 There has been no delegated decisions since the last Board meeting on 31 October 2018

**5. Bolam Street Feasibility Update**

5.1 Following the October Board meeting, the CE wrote to Michelle Percy, Interim Director of Place at Newcastle City Council (NCC) to challenge the planning classification of the St Lawrence and Byker South sites and to seek redress for the potential loss of income to the BCT Business Plan, as a result of the restricted densities. A meeting has been scheduled with Michelle Percy on 19 December 2018 to discuss these matters.

5.2 The initial results of the intrusive site investigations show evidence of contamination in the parcel of land currently owned by NCC (not included in the stock transfer 'call off option'). More detailed cost analysis is now being undertaken.

5.3 BCT are working to finalise the pre-planning application and an Open Space Assessment for submission to NCC.

5.4 A meeting with the agreed panel of Board members will be convened when there is more certainty of costs and negotiations with NCC have progressed. A completed feasibility study will then be presented to Board for approval.

**6. Regulator of Social Housing (RSH) Regulatory Judgement**

6.1 Following an In Depth Assessment by the RSH in December 2017, BCTs Governance

rating was downgraded from G1 to G2 – Compliant. In March 2018 the RSH agreed a Governance Improvement Action Plan and since that date progress towards completion of the Action Plan has been included as part of this report.

6.2 The Action Plan was completed on time and submitted to the RSH along with a comprehensive evidence portfolio on 08 November 2018. BCT's Regulation Manager previously confirmed that should the governance judgement be regraded following his review, it would result in a Narrative Judgement. We await the result of the review.

## 7. Cost Sharing Exemption (CSE) VAT Exemption Threat

### 7.1 Reminder of the changes made which restrict VAT exemption to public interest activities only

7.1.1 Following the decision of the Court of Justice of the European Union (CJEU) in *DNB Banka (C-326/15)* and *Aviva Towarzystwo (C-605/15)* on 21 September 2017, which confirmed that the exemption can only apply to 'public interest activities', HMRC have published a Policy Paper and Information Sheet confirming additional conditions that must be met.

7.1.2 From 22 March 2018 onward the following changes were made to Cost Sharing Groups (CSG):

- CSGs will be restricted to UK members only:
- Those members must engage in exempt activities that fall within one of the following Schedule 9 VAT Act 1994 groups:
  - Postal services (group 3)
  - Education (group 6)
  - Health and welfare (group 7)
  - Subscriptions to trade unions and professional bodies (group 9)
  - Sport (group 10)
  - Fund raising by charities (group 12)
  - Cultural services (group 13)

7.1.3 Housing Associations (HA's) are categorised as "Real Estate" and are not covered under CSE but following lobbying led by BCT, HMRC allowed HA's to continue to rely on the old guidance whilst it considered how the CJEU decision impacts upon them. We are awaiting further guidance from HMRC on this matter.

### 7.2 Recent changes to "directly necessary 85% rule"

7.2.1 A further evolution of the judgement with effect from 1 January 2019, is the removal of the "85% rule" which states:

- If a member of a CSG has exempt or non-business activities which form 85% or more of their total activities, all the supplies received from the CSG are deemed to be directly necessary for the exempt or non-business activities.

7.2.2 This means that VAT exemption will only apply to BCT services which are "directly necessary" for relevant activities.

7.2.3 Currently Karbon Solutions Limited (KSL) provides a range of services to BCT through the CSG. Most of these services are directly necessary to the relevant activities of BCT but some services fall into different VAT categories as this table shows:

## 7.2.4

<b>Activity</b>	<b>Status</b>
Responsive Repairs	Directly relevant
Voids	Directly relevant
Compliance	Directly relevant
Income recovery	Directly relevant
Grounds maintenance	Directly relevant
Sheltered accommodation	Directly relevant
Rechargeable repairs	Not directly relevant
Repairs to disabled accommodation	Not directly relevant
Major repairs under VAT shelter	Not directly relevant
ICT services	Residual Service – apportion
Finance services	Residual Service – apportion
Office Repairs	Residual Service – apportion

7.2.5 KPMG have provided initial advice to KSL detailing the status of the activities above, and are considering the status of repairs and other services provided to leaseholders. BCT have requested a copy of the formal KPMG advice to KSL regarding this matter, when it is received. KSL and BCT staff will continue to work closely, to ensure that invoicing carried out under each SLA is split to show the breakdown of different activities. This will allow us to maintain sufficient records to satisfy HMRC.

7.2.6 The costs of “back office” or “residual” services such as finance and ICT need to be apportioned to “directly relevant” and “not directly relevant” based on BCT’s overall activities. BCT already has a method agreed with HMRC for this purpose, and this will need to be applied to the Finance and ICT SLAs in the future.

### 7.3 Implementation.

- 7.3.1
- Existing CSGs that have been correctly applying the 85% test can continue to do so until 31 December 2018.
  - BCT/KSL staff ensure record-keeping is clear from January 2019.

7.3.2 KPMG agree apportionment rate with HMRC based on the information provided by BCT.

## 8. **BCT Board Awayday - 24 November 2018**

8.1 The Awayday was structured around a platform of participative sessions to allow Board to discuss and agree the strategy for the coming year (leading up to 2020) and to refocus on its associated value for money (VfM) targets and objectives. Please see Appendix A, Board Awayday summary note.

8.2 The Awayday Agenda included:

- Chairs Introduction and Overview - Understanding the environmental challenges facing BCT.
- Four Global Trends & BCT’s role.
- VfM Metrics & BCT Benchmarking Story – How good are BCT services?
- Direction of Travel – Predicting the Future & Corporate Planning.
- VfM Strategy & The Perfect Storm – Challenging the Status Quo
  - a. Risks & Opportunities
  - b. Vision & Mission
  - c. Needs & Aspirations
  - d. Deployment of Resources
- What are the Boards top VfM Priorities?
- Action Planning & What do we need to change?

- 8.3 To summarise:  
The key themes identified by Board on the Awayday were:
- The need for BCT **to simplify** what it can do, as opposed to what needs to be done (people, places and partnerships);
  - **What partnerships/contributions** need to be **delivered by others** (where do we lead/follow);
  - **Resources we commit:** distinguish between core services as a landlord and any 'extras', e.g. can we define a purpose/expected outcome for our interventions?
- 8.4 The key action points identified by Board for the next 1-3 years:
- **Appendix A** highlights **actions** in bold;
  - The **actions** represent BCT's **short term** (1year) **Corporate Plan priorities**;
  - The **actions** reinforce the need for BCT to be **flexible, responsive** and to **refocus** our **VfM** strategy around **targets and outputs** in relation to the short term Corporate Plan priorities.
- 8.5 The Chair and CE will discuss the action points which require Board's further consideration and agree arrangements for developing them in more detail early in the new year.

## 9. Chair Recruitment Update

- 9.1 Advertising to recruit a new Chair went live on 23 November 2018. The targeted advertising campaign which is being managed by Campbell Tickell, includes a wide range of online media channels and Inside Housing Magazine.
- 9.2 The closing date for applicants is 11 January 2019 and final Interviews will take place on 25 January 2019. Following this, it is anticipated that the successful applicant will meet the Board on 13 February 2019, ahead of being recommended to the Board for appointment by the BCT interview panel.

## 10. Contact Officer

- 10.1 If you have any questions about this report that you would like clarifying before the meeting, you can contact Jill Haley by telephone on 0191 290 3910 or email [jill.haley@bykerct.co.uk](mailto:jill.haley@bykerct.co.uk)

## Appendix A

### Byker Community Trust (BCT) Board Away Day - 24 November 2018

#### 1. Global trends and thinking about BCT's role

- 1.1 Understanding the environmental challenges which could have multiple effects on BCT;
- Brexit has risks including inflation impact, funding costs among other factors;
  - Austerity is by no means over and poses specific challenges to BCT and residents, especially UC migration and the ongoing benefits freeze; and
  - Public policy changes sound friendly but they are also reinforcing regulation as a driver of behaviour and the publication of metrics in league tables which will be very tough for BCT given our starting point.
- 1.2 The groups identified top global trends.
- 1.3 Conclusion of the session was that BCT needs to change, adapt and develop in response to them.

#### 2. VFM and benchmarking story

- 2.1 The data told the story of the pressures faced, discussions were about some of the underlying reasons, no big surprises and it focused everyone on VFM issues.
- 2.2 Discussion on the pros and cons of BCT positioning itself as the 'go to' organisation.
- 2.3 Need to review sub targets with Karbon Solutions Limited (KSL) around void management.
- 2.4 Acceptance of being an organisation under financial pressure due to inherited Business Plan, poor performance of previous managing agent, Grade II\* listing, stock types, high levels of deprivation.
- 2.5 Benchmarking – there are no organisations the same as BCT and the peer group organisations have only 1 or 2 similar attributes, but there is still an opportunity to learn from others.

#### 3. Predicting the future and reviewing BCT Corporate Plan

- 3.1 Tenant perception - issues arise due to the community seeing BCT as the 'go to' organisation. However, the main areas of dissatisfaction are around services which are out of BCT's control but it is getting criticized and suffering reputational damage because of them.
- 3.2 Tend to do community engagement rather than community development due to lack of strategic partner resources.
- 3.3 Social Justice Agenda – how can we secure a transformation and plan ahead?
- 3.4 A view that the vision is out of date and needs re-writing and some of the current corporate objectives are not strategic objectives. A new Corporate Plan will be agreed next year to take effect from 2020 - consultation with residents will start at Family Fun Day, summer 2019.

3.5 Thinking about strategic objectives - making sure staff resources/money are going that way.

3.6 Strategic themes around exploring the BCT Vision could be;

- Making Byker an Estate of choice.
- Contributing to the Byker Estate's sustainability and viability.
- Ensuring BCT's sustainability and viability.

3.7 Given the history and deprivation issues which are prevalent in Byker, the determination to transform Byker in the next 5 - 7 years will need to focus on people however, as a small housing association with limited resources, BCT is restricted in the difference it can make.

#### **4. VFM Strategy and the perfect storm**

4.1 Risks

- Business Plan vulnerability.
- Income stream – UC, affordability, sustainability of tenancies = Welfare Reforms.
- Less resources than other organisations = small staff team and reliant on key people.
- High turnover of properties – reputation and desirability of Byker = waiting lists.
- Cost Sharing Vehicle threat.
- Health & Safety.
- Fraud.
- Transition of new Chair.
- Stock Quality.

4.2 Opportunities – there is room in the Business Plan to improve, a clear horizon point is refinancing in 2025

- Development
- Expansion of Biomass and/or CHP
- Agility / Transformation / Innovation
- Environmental Improvements and make most of community engagement in this regard

4.3 Other key issues discussed and for further consideration:

- The possible cost implications arising from a review of decent homes, big gap between vision for Byker versus available resources.
- Opportunities to improve the Business Plan are few but include new development sites and renewable technologies added to the district heating system.
- What other strategic partnerships could we bring on board to assist the vision?
- Board are aware of the mergers voluntary code and would benefit from building on Septembers discussion about merger, by creating a checklist of what a good partner would look like. The trick for the organisation is to look at merger at the right time as a positive move and not just a mitigation.
- Lengthy discussion about strategic direction/objectives and making sure that BCT resources are going that way.
- Discussion on zero tolerance approach but mindful to be seen to be a responsible social landlord.
- Consider new balanced lettings approaches.

- Need new properties to clearly demonstrate incentivising of good behaviours.
- Financially BCT is not on a knife edge but a new 5 year plan is needed to determine future priorities and deployment of resources to counteract BP funding sensitivities and plug gap.
- New chair recruitment process and overlap period – smoothing integration of new ideas with established Board.
- Downgraded but waiting for narrative judgement and Board is able to strongly build back from this.
- Was the BCT vision too ambitious because we can't have a single handed impact on the economics and demographics of the Estate? We need to be realistic as to the change we can actually bring about as a small housing association with limited resources and to do the big stuff in partnership with others.

#### 4.4 Action Points

- The need to keep under review the appropriate corporate structure/partner in case of adverse economic and other factors putting the Business Plan under greater risk to viability. This would include identifying what factors to consider in the event of a need to review BCT's independent status. Does the Board have an ideal organisation in mind?
- Need more realistic deliverables in the new mission.
- Create a shared agenda with the community for BCT's next Corporate Plan.
- Involve community and understand their priorities working towards a new strategy for 2020/25 - events within the neighbourhood about the BCT's future vision, online forum, social media.
- Resurrect the community family fun days for tenant consultations and link community art initiatives.
- Develop a 'trust' relationship with residents, engage more and address dissatisfaction areas.
- Community means jobs, education, schools and business.
- BCT being a strong advocate for Byker.
- Tensions between BCT vision and mission compared to Estate vision – subtle differences.
- Consider how to generate more capacity through partnering and leveraging in funding from strategic partners or innovative funding sources. Consider seeking out funding applications to North of Tyne Combined Authority.
- Review the gap in the Business Plan and an appropriate timeline for changes to be made if that can't be reversed.
- Look at staffing resources to review VFM around a) void process and lettings b) income generation around arrears. Has BCT got capacity to increase resources - look at service areas where we do have capacity to change things e.g. voids.

### 5. The Board driving the value for money agenda and action planning

#### 5.1 Action Points: 1 - 3 years

#### 5.2 BCT Objective - Engaging, empowering and supporting residents:

- **Review how we engage with residents and create new activities and opportunities to consult on the new Corporate Plan.**



- 5.3 **BCT Objective - Contributing to the economic health of the neighbourhood:**
- New housing development & district heating growth opportunities in place.
  - Concentrate on what we can realistically do as a small housing association and agree on some partnership aims in order to lever in further investment for the people and community needs.
  - Maximise external investment - affordable homes grant / innovation challenge strategy fund.
- 5.4 **BCT Objective - Establishing a framework and timetable for new contracts:**
- Review cyclical investment programs back and investigate if painting can be done as part of KSL.
  - Reduce concierge and cleaning contract costs (£100K) – new contracts.
- 5.5 **BCT Objective - Underpinning VFM and financial security of BCT:**
- Moving towards median performance.
  - Match resources to strategy – push it as far as we can afford to help stabilise the Estate and BCT income stream. Can we invest to save / improve on R&M and income collection?
  - Valuation and NPV assessment of various stock types and their performance.
  - Think about collaborative consumption of assets – what we have – what to keep / leave / dispose – what can we share e.g. Raby St Centre/Byker Community Centre.
  - Use digital to get resources where they are most needed.
  - The need to keep under review the appropriate corporate structure/partner in case of adverse economic and other factors putting the Business Plan under greater risk to viability. This would include identifying what factors to consider in the event of a need to review BCT's independent status. What type of entity would BCT want to/not want to partner with to secure Byker's future?
- 5.6 **BCT Objective - Ensuring that we continue to have a sustainable Business Plan:**
- Begin to reduce hole in Business Plan.
- 5.7 **BCT Objective - Continuing to aim for first class governance:**
- New chair appointment.
  - Restate Corporate Plan objectives in short term and agree the steps leading to new 2020 plan. Simplify the vision and focus on new actions - pick a handful of things that are deliverable in the next few years.
- 5.8 **Action Points: 3 - 5 years**
- Investment - fixing the hole in the Business Plan / new housing developments.
  - Increased rental income stream from new properties on Bolam/Ayton St sites.
  - Expanding DHS to create more RHI – Biomass 2 & CHP 2.
  - Attract large scale funding.