

Decant Policy and Procedure

Policy Statement

Purpose

This decant policy and procedure is in place, to ensure customers are supported, informed, and accommodated during times we may need to move a customer out of their home, which is known as 'decant'.

Orwell recognises that moving home is a stressful time, particularly when it is not the customer's choice. We aim to ensure that there are clear guidelines and procedures for the fair and efficient management for supporting customers that are required to move out of their home whether it be temporary or permanent. We will always endeavour to allow customers to remain in their homes when possible and asking someone to move out will be a last resort.

Legal Obligations

Relevant legislation includes:

- Housing Act 1985
- Housing Act 1988
- The Home Loss Payment (Prescribed Amounts) (England) Regulations 2019
- Land Compensation Act 1973
- Planning & Compensation Act 1991
- Equalities Act 2010

This policy should be in conjunction with the following related guidance, policies and procedures:

Tenancy and Lettings Policy and Procedures
Complaints Policy and Procedures
Compensation Policy and Procedures
Repairs Policy and Procedures

Orwell's Commitment

- Support will be provided to all customers to ensure that any disruption or stress is kept to a minimum.
- Orwell aims to conclude decants within a reasonable timeframe.
- Orwell is committed to ensuring customers are kept informed throughout the process.

Types of Decant

There are various reasons as to why we may be required to move someone from their home. This may be temporarily due to an emergency such as a fire, or flood, or so we can carry out repairs or improvements or permanently – for example, because we're carrying out a regeneration project. We'll only ask customers to move out of their home if there's no other reasonable option.

The procedure follows this Policy Statement.

Procedure

This procedure provides guidance on what steps will be taken should a customer be required to move out of their home. This procedure will act as a guide for colleagues and customers.

Communication

At the point it is identified that a customer is required to move out of their accommodation, a discussion will take place to cover:

- The customers' needs and any vulnerabilities.
- Reasonable options of suitable alternative accommodation that reasonably meets the customer's needs.
- That the customer is not financially disadvantaged / out of pocket due to having to move out of your home.
- Communication preferences.
- Timeframes, ensuring that where possible the customer is given as much notice as possible.
- Any support that may be required from outside agencies.

Following an initial discussion, the customer should be issued with a written plan which sets out:

- The agreed method and frequency of updates
- The name and contact details of the Orwell colleague responsible for updating the customer and who will cover in cases of sickness or leave.
- Who to contact outside of office hours.
- The repair or improvement work that will be completed, and when we expect the customers home to be ready for you to move back into (if applicable)
- What will happen while the customer is away from their home (if applicable).
- All notes relating to decants and updates must be recorded on our CRM system.

Temporary Decants

There may be occasions due to an emergency or significant repair work where it is not practical or safe for a customer to remain in their own home and they will need to stay elsewhere whilst works are completed.

Friends or Family- For very short periods of time, a customer may choose to stay with family and friends and may prefer to do this rather than being provided with alternative temporary accommodation. Any increases in outgoings that result from this may be compensated, the amounts we can pay will be considered on a case-by-case basis.

Suitable alternative accommodation- When arranged the customers' needs should be taken into consideration. The customer should be consulted with regarding the size and composition of the household including any pets, and any health or disability-related needs or vulnerabilities and the location of the accommodation. This accommodation may be: Another Orwell home, accommodation provided by another landlord or accommodation agency, a hotel or bed and breakfast.

Allowance for food

If the alternative accommodation doesn't include cooking facilities, a food allowance should be provided and arranged to be paid into the customers bank account. The timing of the payment should be agreed with the customer and arranged with our finance department. The amounts we'll pay depend on the number of adults in your household, the number of children in your household and the type of accommodation you'll be staying in. This amount should be confirmed in writing to the customer as well as confirmation of how and when it will be paid.

Please see the table below:

Accommodation Type	Hotel/B&B/room only	Hotel/B&B-breakfast included	Hotel/B&B-full board	Accommodation with cooking facilities
Daily rate per adult	£25	£20	£10	£0
Daily rate per child	£15	£10	£6	£0

Pets

Where a customer has pets, we'll try to provide alternative accommodation where your pets will be allowed and that will be suitable for the whole household. If this isn't possible, we will work the customer to find a solution. We will reimburse any reasonable costs associated with accommodating pets.

Rent

Whilst living in temporary accommodation the cost of this will be covered by Orwell, therefore customers will remain liable for rent for their permanent accommodation where their tenancy agreement is held.

Tenancy

The tenancy agreement for the permanent accommodation will be remain in place whilst a customer is temporary living elsewhere and the intention is for them to return. Should the temporary accommodation being provided be another Orwell property then a Decant Tenancy Agreement will be issued. Rent will only be charged for the permanent accommodation.

Permanent moves and statutory home loss payments

There may be situations where we need to ask a customer to move out of their home permanently, for example.

- The property has become uneconomical to repair and is no longer suitable as a home; or
- It is necessary in order to carry out a regeneration project.

When this is the case, we will:

- Discuss the customers needs as detailed in the communication section.
- Pay a Statutory Home Loss Payment. This is a payment that customers are entitled to by Law under the Land Compensation Act 1973.
- Reimburse for any reasonable costs incurred due to having to move home, such as:
 - Removal Costs
 - Disconnection and reconnection of cookers
 - Disconnection and reconnection of phone, internet and television
 - Mail redirection
 - Floor coverings including curtains or blinds
 - School uniform costs if a change in school is required due to the move.
 - Loss of earnings for any adult household members
 - Travel Costs

To ensure that we agree costs are reasonable evidence of costs can be requested. If a customer is facing hardship, then advance payments should be considered. When payments are made, this should be documented to the customer covering what has been paid to them and exactly what these covers to avoid confusion.

Statutory Home Loss payments should be made within 5 working days of the outgoing tenant commencing their new tenancy. The current rate of the Home Loss Payment is available [online](#) and must be checked before payment is made.

Refusal to move

Should a customer refuse to move we must ensure that we work alongside them and offer them support. This may include liaising with our tenancy sustainment team, support workers, carers or other agencies.

Every effort should be made to make the process as stress free as possible for the customer and their family. Legal action should only be taken as a last resort.

Legal advice should be sought, and action will be considered on a case-by-case basis, only when relevant and proportionate.

Recharges

Should any damage be caused by customers to the accommodation provided during a decant, evidence will be provided, and customers will be charged the full amount of any costs incurred. Should we be due to make a payment of compensation, a discussion will be had with the customer about the most appropriate way for this to be paid, which may include a deduction from a compensation payment.

Complaints

Customers can raise any concerns they have regarding the decant process with any Orwell employee. They will have a dedicated Orwell employee assigned to support them throughout the process which will be outlined in writing ahead of having to move.

Complaints can also be raised [online](#) or by calling 0345 60 100 30.

Data Protection Act & GDPR

Legislation regulates the processing or use of personal information and gives members of the public a number of rights which can be enforced through the office of the Information Commissioner. One of the rights entitles a person to know what information Orwell holds about them and how it is used. Information should only be used for the purpose for which it was obtained and should not be passed to anyone else unless the person concerned was informed that might happen. Whilst investigating fraud if the personal information is being used for the prevention and detection of crime, apprehension or prosecution of offenders, or assessment or collection of a tax or a duty then the processor is exempt from the provisions relating to the right for the data subject to be informed.

Equality Diversity & Inclusion

Where an individual involved has a protected characteristic, is vulnerable, or **experiencing living with a mental health condition**, consideration should be made as to whether a safeguarding referral is appropriate. A record should be made of the decision and rationale as to whether these steps are appropriate to the circumstances. We will ensure that every customer is treated as an individual with their personal and family's needs always considered.