



TRANSFERtoday

A newsletter for all those involved in stock transfer

Next round gets low-key launch

Deputy prime minister John Prescott has finally given the go-ahead for this year's stock transfer round in May, after some six months of delay.

The announcement came in a brief passage in a speech on sustainable communities and he gave no further details of the timetable.

Left in limbo

Local authorities that want to transfer their homes to a housing association have been in limbo since the stock options appraisal exercise ended last July, because the Office of the Deputy Prime Minister did not set out any times for the programme or indicate its scale last autumn, as had been expected.

The ODPM has been

reticent about the reasons for the delay, but these are thought to be connected to the Treasury's decision to defer the start of the next three-year comprehensive spending review from this year to the next.

Transfer has been linked by ministers with the sixth round of bids for housing arm's-length management organisations, and the Treasury is understood to have been wary of making commitments that stretched into the next review period.

Decency deferred?

The delay is likely to mean that the government will have to relax the 2010 target date for completion of the decent homes standard for the local authorities concerned.

This is because the ODPM is unlikely to confirm places in the transfer programme until the autumn, which would mean that local authorities would be unable to ballot tenants until early next year.

The delay poses a problem for councils because their transfer campaigns may have lost momentum in the interim

New transfer housing associations would then have barely three years to complete the work, which would be beyond the scope of all but the smallest.

The delay also poses a problem for local authorities that began to give tenants information

The government may have to relax the 2010 target date for completion of the decent homes standard for the councils concerned

last year when they opted to pursue stock transfer, because their campaigns

may have lost momentum in the interim.

It remains unclear whether gap funding will be available for councils that need this support from the government to make their transfers viable, beyond the £182m already announced.

Councils will be encouraged to offer matched funding to the ODPM for this. ■

PROGRAMME

News:	Fourth option firmly rejected	2
	First academy sponsorship	2
	ODPM error lands councils with bills	3
Facts & figures:	Yes and no votes	4
Staff focus:	Rights on transfer extended	5
Finance:	Changes to social housing pensions	5
Feedback forum		6
Knowledge exchange:	Corporate personality	6
Federation eye:	Success and saving money	7
Point of contact		7
Policy & practice:	Starter tenancies	8

TRANSFERtoday

Issue 30 May 2006

Next year's list

The following councils expected to apply for places on the new transfer programme:

- Brighton and Hove
- Castle Morpeth
- Daventry
- Gedling
- Harborough
- Mole Valley
- North West Leicestershire
- Rochford
- Salford
- Salisbury
- South Kesteven
- South Northamptonshire
- Tamworth
- Three Rivers
- Wansbeck
- Watford.

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business for neighbourhoods



'Fourth option' firmly rejected

A council that plans to transfer its homes has had confirmation from the Office of the Deputy Prime Minister that there will be no change of heart by the government on the so-called fourth option.

Braintree council leader Graham Butland received a letter from housing minister Yvette Cooper.

This said: "I can categorically assure you that the government simply cannot afford to provide to authorities the additional investment that is being levered in through transfer.

He had sought confirmation of the position ahead of the ballot, so that tenants would be clear

"We are not considering any proposal which would involve local authorities being able to match the funding available to bring the homes for stock transfers up to the decent homes target."

'The government simply cannot afford to provide to authorities the additional investment that is being levered in through transfer'

Labour conferences have twice backed the fourth option, which would allow councils to gain government money to meet the decent homes standard without using transfer, the PFI or an arm's-length management organisation.

Ministers have consistently rejected this as it would leave the money required on the public sector balance sheet.

Speculation about the fourth option flared following reports from a Labour meeting in February that party treasurer Jack Dromey had indicated that the idea was under consideration.

But party sources have since said that what they are examining is whether the Welsh Assembly's community housing

mutual model could be used in England.

Under this system, each household that transferred gains a stake in the association and this direct ownership is felt to make transfer more acceptable to residents.

Mr Butland said he had sought confirmation of the position from Ms Cooper ahead of Braintree's ballot, so that tenants would be clear.

He said: "If we transfer our homes and housing staff, an extra £160m will be invested in our homes over the next 30 years.

"If our tenants vote no in the upcoming

secret ballot, services would have to be cut and we still wouldn't have enough money to bring all of our homes up to standard." ■



Better homes: but only through transfer, PFI or arm's-length management

First academy sponsorship puts focus on learning

New Charter Housing Trust is set to become the first transfer landlord to sponsor a school under the government's academies programme.

Chief executive Ian Munro met prime minister Tony Blair at Downing Street in March to discuss the project and the link between social housing and education.

The academy is likely to cost £24m, of which New Charter would contribute £2m between 2007 and 2011, and the government the remainder.

New Charter was formed by the transfer of Thameside council's homes in 1999. The recent incorporation of Aksa housing association has brought its stock total to 15,000.

Mr Munro said: "The prime minister was clearly excited about the role of housing associations in helping provide new schools."

He said that sponsorship of the academy provided an excellent opportunity to

'We believe raising achievement will help to complement our massive investment in homes and neighbourhoods'

show what the National Housing Federation's iN business for neighbourhoods programme could mean in practical terms.

"We believe raising achievement and ambitions of the young will help to complement our massive investment in homes and

neighbourhoods," he explained.

"As well as being a landlord, we are also a big local employer which is here for the long term.

"We believe raising achievement and aspirations of the young will help to complement our investment in homes and neighbourhoods."

Thameside council has supported the proposal.

The academy plan would bring together two high schools on a new site in Ashton-under-Lyne and its contribution would give New Charter a controlling influence on the governing body.

There will be specialisms in sport, health and construction.

Mr Munro said many other large landlords had

expressed interest in potential involvement in education.

Academies draw on the skills of sponsors and other supporters and have normal admissions criteria with no selection of pupils.

Their aim is to challenge cultures of educational underachievement and all are located in areas of disadvantage.

New Charter acted because it felt that academies had a key role in community regeneration and that a new academy would be a significant focus for learning for the area's pupils and other local people.

The trust will be involved in building the academy, which will be designed to high environmental standards. ■

BRIEFING...

Reasons behind high costs in Scotland

Early stock transfers in Scotland ran up high costs because those involved lacked a good "route map" from by the Scottish Executive. That is the conclusion of an investigation by Audit Scotland into the programme, which also found that the workload proved greater than forecast. Auditors noted: "There were limited incentives to contain the £59m transaction costs. There was no pilot work to help the planning and implementation of the first transfers."

Selby says no

Tenants of Selby Council have rejected transfer to Town & Village Housing, with a 65.4% voting no on a 75.6% turnout. Transfer would have brought some £26.5m of investment.

Cash for a better environment secured

Residents of Aldridge and Brownhills housing trust's Redhouse estate are benefiting from an environmental improvement project, which also provides jobs and training. The trust, part of Walsall housing group, has collaborated with Walsall council and Groundwork Black Country to secure £300,000 towards the project.

Tower blocks on the rise again

Two Northampton tower blocks that have undergone an £8m refurbishment by Leicester housing association have been opened by housing minister Yvette Cooper. Leicester HA took them over at nominal value then borrowed to invest in them. Around two-thirds of the flats will be for affordable rent, with the remaining 48 for shared ownership. David Seviour, LHA-ASRA group chief executive said: "The project shows this is an effective model for regeneration."

Inspectors give a star or two

Atlantic Housing in Eastleigh has been given two stars for providing a good service with promising prospects for improvement by Audit Commission inspectors. Weaver Vale housing trust, in Vale Royal, was given one star. It provided a fair service but had uncertain prospects for improvement. Aspire Housing, in Newcastle-under-Lyme, had one star, having a fair service with promising improvement prospects.

ODPM: Pay up after our error

An error by the Office of the Deputy Prime Minister has landed councils that transferred their homes before 2004 with unexpected bills running into tens of thousands of pounds.

Stephen McAllister, the ODPM's head of housing strategy finance, told councils that it had forgotten to notify those that had closed their housing revenue accounts about a

The ODPM had forgotten to notify those that had closed their housing revenue accounts about a change in the capital receipts system

crucial change in the capital receipts system.

These local authorities were not told that they must pay receipts from certain transactions that originated from when their HRA was open into the ODPM's housing finance pool.

These include disposals of land bought with HRA funds, repayment of mortgages given to



former tenants, receipts from disposal of a mortgage portfolio and repayment by former tenants of a right to buy discount.

There was some initial alarm among local authorities that agreements with large-scale voluntary transfer associations to share future receipts from sales to former tenants would also be affected.

This would have produced bills running potentially into millions of pounds, but was ruled out by the ODPM.

Mr McAllister admitted: "The ODPM is correcting an oversight."

"When the ODPM contacted local authorities with details of how to make their pooling payments, those that had closed their HRA were not contacted." ■

TAKEN AS READ... current research and recent publications

MAKING IT WORK: APPROACHES TO IMPROVING SERVICE DELIVERY

Price: £32.50, members:



£29.95. Credit card order: 0870 010 7676 or email: bookshop@housing.org.uk. How services are provided is driven by tenants' expectations, new technology, demands for greater efficiency and new opportunities. What is right for your association will depend on your situation, challenges and aims. This guide considers different approaches, gives case studies and will help you choose the best.

DIRECTORY OF CONSULTANTS FOR STOCK TRANSFER

www.nhfdirectory.co.uk/consultants/ or contact Corine Meier, tel: 020 7067

1034 or email: corinem@housing.org.uk

The online 11th edition details consultancy and advisory work. You can search for consultants, areas of expertise, councils and housing associations. It includes links to some consultants' websites and outlines the consultancy and advisory work undertaken for transfers over the past two years.

DEPRECIATION MATRIX 2006

Price: £25.00, member price: £20.00. Credit card order: 0870 010 7676, or email: bookshop@housing.org.uk. The depreciation matrix

referred to in *Guidance on depreciation and impairment* is now available

DIRECTORY OF MEMBERS 2006

www.nhfdirectory.co.uk. Price: £125, members: £50. Credit card order: 0870 010 7676 or email: bookshop@housing.org.uk.

This year, for the first time, the directory is available as both a book and online. The online version includes member information, with links to their websites. Searches can be made by member, region, number of units or number of staff. The online version includes a directory of suppliers.

Results of every ballot

Most ballots have had a yes vote. Of 293 ballots to date, 229 (78%) resulted in a vote for a new landlord.

The research also found that, where councils repeated ballots following no votes and held further consultation, tenants voted yes. These councils include Maidstone, Mid Bedfordshire, Torbay and, more recently, Sefton.

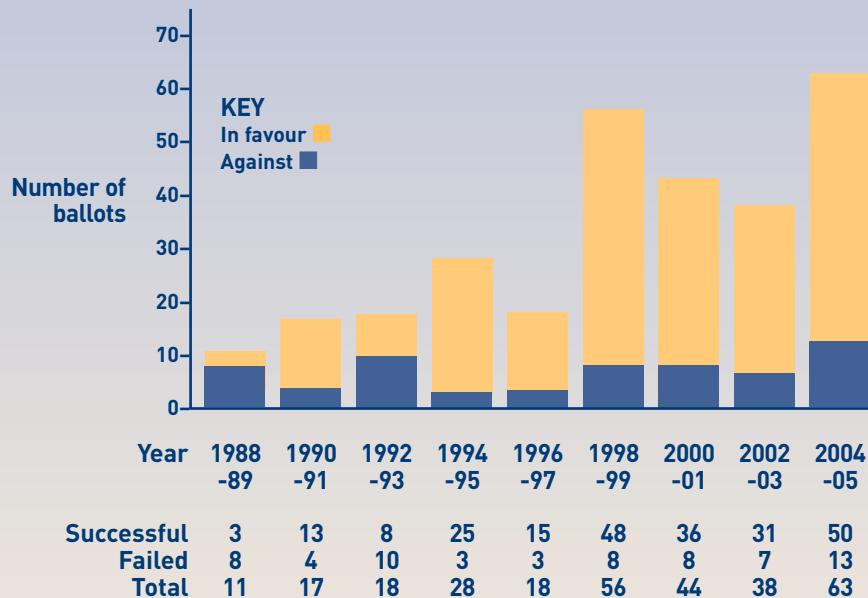
Recent yes votes include Aylesbury Vale, Derwentside, North Lincolnshire, Pendle and Rossendale. Recent no votes include Cannock Chase, Mid Devon, Selby and Waverley.

Recent transfers include Hyndburn, Kings Lynn & West Norfolk, North Norfolk, North Somerset, Teesdale and Sheffield..

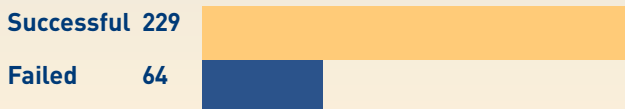
Recent no votes include Cannock Chase, Mid Devon, Selby and Waverley. ■

Information source: ODPM. Contact: Joanne Kelsall, national stock transfer manager, tel: 01543 274154, email: joannek@housing.org.uk.

BALLOTS IN FAVOUR OF AND AGAINST TRANSFER



TOTAL TO DATE



FORTHCOMING

The National Housing Federation runs events and conferences on transfer and housing in general. More details of Federation services appear on our website at www.housing.org.uk. To find out more or to book a place contact business support team on 0870 01607 676 or bss@housing.org.uk.

17-18 May
HR in housing conference and exhibition
Birmingham

23-24 May
Affordable home ownership conference
Manchester

7 June
Stock transfer conference
Nottingham

29-30 June
Development, regeneration and maintenance conference
Coventry

11-12 July
Housing care and support conference and exhibition
Leicestershire



TUPE regulations extended

Regulations that cover staff transferring to a new employer – the TUPE regulations – now cover more situations from April and have been revised to clarify where they apply.

Services

They now apply where there is a change in service provider. This will extend the scope of TUPE to mean that, subject to limited exceptions, they will apply to the contracting out of services, the changing of a contractor and bringing a service back in house.

Information on staff

Employers have to provide "employee liability information" before a transfer: the original

employer has to inform the new employer of the identity of each transferring employee, and of all related rights and liabilities that will pass across.

Only the new employer is entitled to this – there is no duty to give the details to bidders.

Where the transferor breaches this obligation, the High Court may order it to pay a penalty of up to £75,000 to the transferee. It has been suggested that transferees may see this as an incentive to apply to the High Court to assert breaches.

Insolvency

There will also be greater flexibility where the transferor is insolvent. The new regulations will provide

two ways of promoting the transfer of the business as a going concern to the benefit of the purchaser.

Dismissals

In addition, the new regulations clarify changes to terms and conditions and transfer-related dismissals.

Transfer-related changes to the terms and conditions of transferring staff are not forbidden, provided that:

- ▶ They are not as a result of the transfer but only for a reason connected to it;
- ▶ They are made for an economic, technical or organisational reason;
- ▶ Staff freely give consent.

For an economic, technical or organisational reason to apply under UK caselaw, the employer must be planning to 'change the

overall numbers or the functions of the employees comprising the workforce'.

It seems unlikely that employers wishing to downgrade the terms and conditions of transferring staff to match those of their existing staff will be able to argue that this is an economic, technical or organisational reason.

Any such changes are likely to be void under the new regulations if they are connected with the transfer, even if employees give their consent. ■

Contact: Joanne Kelsall, national stock transfer manager, tel: 01543 274154, email: joannek@housing.org.uk

FINANCE

Changes to pensions mooted

The social housing pension scheme is undergoing a major review of its benefits and funding structure in response to the pressures all final salary schemes have been facing.

The key change gives its 700 employer associations a choice of the benefit structure they will adopt individually from April 2007. Consultation and decision on this choice needs to take place over the next few months.

Contribution rates to the SHPS are likely to need to rise significantly. Reasons for this include:

- ▶ Those managing the scheme being more cautious about investment returns;
- ▶ People living longer;
- ▶ Salary increases in the

sector being significantly greater than assumed.

- ▶ Possible need to make up valuation deficits faster than in the past.

The vast majority of housing associations want a range of choices so that they could adapt the present scheme if necessary to their own financial position.

Most want to be able to differentiate between existing and new staff.

Alternative schemes

As a result of these clear views, proposed alternatives have been developed, in addition to retaining the existing benefit structure:

- ▶ Retaining a final salary basis but at a 1/70th accrual rate (in place of 1/60th)
- ▶ Moving to a career average revalued earnings basis, but retaining the

1/60th accrual rate. An average revalued earnings scheme still has defined benefits, but these are based not on final salary but on each year's salary, linked to RPI until retirement.

Under both options, benefits earned to date would be protected.

A money purchase scheme was not recommended. SHPS was set up to provide defined benefits and cannot provide such a scheme under its current rules. A money purchase scheme transfers all investment and other risks to staff and it was thought that this would not be appropriate for SHPS to

Under both options for future pensions, benefits earned to date would be protected

provide, even as an option.

Associations will need to consult staff under the Pensions Act 2004. SHPS will provide guidance.

- A series of quarterly updates on pension advice is being produced for federation members.

The updates are written by Stephen Duckworth, the federation's representative on the SHPS pensions committee and an independent finance consultant.

They will be complemented by a series of regional SHPS roadshows this spring. ■

Contact: Jane Greenoak, director of corporate services, email: janeg@housing.org.uk

Feedback forum

Letters, advice and opinion welcome. Write to: The Editor, *Transfers Today*, NHF, Lion Court, 25 Procter Street, London WC1V 6NY. Email: joannek@housing.org.uk

APPREHENSIVE TIMES

Uncertainty over the 2006 transfer programme announcement led to some heated questions at the national stock transfer meeting held in London earlier this year.

Delegates were very keen to hear about the 2006 programme from speakers from the ODPM, and for confirmation that there would be no fourth option.

Unfortunately, Stephen Churley and Sally Turner, of the decent homes division at the ODPM, were unable to confirm timescales of the programme, saying only that an announcement would be likely around "Easter time".

Delegates were left feeling apprehensive about continuing consultation with tenants and losing momentum without guidance on the timescales.

One asked: "What happens if we are ready to ballot tenants and the programme has not been announced?"

To date, more than one ballot has taken place, even though councils' places on the programme have not been confirmed.

A session on procurement methodology was presented by Rob Carter of KPMG, and the final session included Kevin Thompson, chief executive of North Hertfordshire Homes, describing its experience of transfer. ■

● See 'Next round gets low-key launch', p1

The views in *Transfers Today* do not necessarily reflect the views of the editor or the National Housing Federation

KNOWLEDGE EXCHANGE: REPUTATION

Reputation at stake

In *The Hitchhikers Guide To The Galaxy*, the answer to Life, The Universe and Everything is 42 – a fine example of a poor-quality question receiving a less than useful answer.

At DWA, we are reminded of this when RSLs ask us for advice on choice of landlord bids. Too many RSLs are asking: How do we win? What's the trick? as if there were some simple quick-fix solution to what is a complex process.

Over the years, we have seen both choice of landlord and managing agent competitions get tougher. Because of this, an RSL's reputation really does matter.

Yet, for many, it remains a blind spot. This is where your corporate personality comes in (see box).

Unlike a corporate image, your corporate personality cannot be manufactured. We see it in how you behave at the bidders' conference, in your bid and in your expression of interest. We see it in your presentation, in your answers to our questions and on the visit.

Yes, it's about your culture and underlying beliefs. Yes, it's about your attitudes and values.

But it is much more than that. It is about who you really are – and how you present yourself to the world under the harsh lights of a competitive process.

There is no quick fix to winning choice of landlord competitions – nor should there be. We are advising two very good RSLs on how to improve performance and it is demanding work.

Do you have any good practice, experience or knowledge that could benefit others? Contact editor Joanne Kelsall, email: joannek@housing.org.uk

How you come across

DWA has identified seven corporate personalities and their culture type. These personalities are about how RSLs come across. Our archetypes are only summaries and are not mutually exclusive.

Eager beavers

Come across as exciting. Likely to be very young organisations and are usually selective in bidding. Pay close attention to the needs of all stakeholders.

Task culture

Staff well motivated at many levels. Good internal communications. High levels of customer satisfaction.

Toffs

Usually long established. Very traditional. Come across as solid. Reliable. Courteous. Working very hard to become more modern but can be too focused on the needs of fellow professionals.

Role culture

Internal tension only if some senior managers try to "modernise". Often poor internal communications. Satisfactory levels of customer satisfaction.

Ms and Mr Right

Appear to be exactly what you are looking for. Usually because they work hard at finding out what you want and are selective in their bidding. Give impression of being solid, safe and secure. Pay close attention to the needs of all stakeholders.

Task culture

Very effective senior management team. Staff motivated at many levels. Good internal communications. Good levels of customer satisfaction.

Empire builders

Often large organisations and groups. Ambitious, explore all opportunities and initiatives. Offer safety and security but

can appear too focused on the needs of senior staff and less on those of other stakeholders.

Power culture

Highly competitive. Highly motivated chief executive. High levels of internal discipline. Lower levels of customer satisfaction.

Loveable eccentrics

Often traditional caring housing associations, if a little unworldly. Can appear somewhat eccentric. Some not very focused. Do not "see" stakeholders, only people.

Role/people culture

Senior management team long serving. Low staff turnover. Sometimes poor internal communications. Lower levels of customer satisfaction – but often high levels of customer loyalty.

Show-offs

Come across as highly ambitious and driven. Use a lot of housing and management jargon and can make "a strong business case for progressing your ambitions".

Power culture

Senior management team highly motivated. Internal communication may be less effective. May have lower than expected customer satisfaction levels.

Also rans

Nothing particularly distinctive about them. Remove the logos and it is hard to differentiate between many of them.

If you have observed other corporate personalities, we would like to hear from you.

You can win choice of landlord if you are good enough: by being a good employer and by getting your communications right, presenting information effectively and managing your reputation. Finally, if you display the right corporate personality, you

can succeed in the choice of landlord process. ■

David Williams
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The UK's best places to work

Nine housing associations - including two transfer landlords - have been named as the country's best places to work.

Tower Homes topped the *The Sunday Times*'s list of best small to medium employers (SMEs) in the UK.

Transfer organisations Richmond Housing Partnership and Irwell Valley housing association in Manchester made the top 100, along with Foundation Housing in Leeds, Thames Valley housing association and Tyneside-based supported housing charity and federation member Norcare.

Southdown housing association, based in of Sussex, came 10th in the 100 best companies overall to work for, along with Manchester Methodist

Housing associations are not only committed to safe and prosperous neighbourhoods – they also provide a rewarding environment for employees

Housing Group and Plus Housing Group of Liverpool.

The best companies to work for survey covered 522 companies, with 226 competing for places on the main list and 39 for a position among the top 20 big companies.

The survey comprises

70 questions and is the most comprehensive study of the British workplace undertaken.

David Orr, chief executive of the National Housing Federation, said: "We offer our warm congratulations to all the housing associations named as top employers.

"Their high placing is a ringing endorsement of our sector.

"It demonstrates that housing associations are not only committed to safe and prosperous neighbourhoods – they also provide a rewarding environment for their employees." ■

Successes and benefits

The federation is celebrating a number of successes.

► It persuaded the ODPM to change the model for Homebuy – in its original form, it would have threatened associations' financial viability.

► Its recommendations on rent restructuring were accepted, saving housing associations £40m a year for the next seven years. The ODPM's decision to support our proposals included revised bedroom weightings in the rent restructuring three-year review.

► We protected the sector's independence on issues

including recycled capital grant fund and EU regulation.

► High-profile lobbying for an exemption from stamp duty land tax saved charitable associations up to £10m a year.

SAVING YOU MONEY

Federation membership provides benefits.

These include liability insurance for directors, and officers and free tax advice

NHF recommendations on rent restructuring were accepted, saving housing associations £40m a year for the next seven years

from Deloitte & Touche.

Affinity deals with software providers provide discounts as high as 75%. For example, MS Office through the deal costs £59 plus VAT, compared to its normal price of around £200 plus VAT.

Members receive up to 35% off NHF conferences and events and up to 25% off over 150 training courses.

The benefits of membership and value for money from the annual affiliation fee are outlined in a new leaflet, which can be downloaded from www.housing.org.uk. ■

POINT OF CONTACT

These are regional NHF contacts. If you have a problem or issue about transfer, they can usually put you in touch with someone with relevant experience.

CENTRAL REGION

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NATIONAL HOUSING FEDERATION

New tenants put on probation

Chelmer Housing Partnership launched its starter tenancy initiative two years ago, as part of its drive to tackle antisocial behaviour and nuisance.

This came in a direct response to extensive resident and stakeholder consultation.

Antisocial behaviour and nuisance are key areas of concern among residents.

Chelmer's own research highlighted that incidents of antisocial behaviour were disproportionately high at the early stages of new tenancies, and therefore an area of particular concern.

Also, following changes brought about by the Homelessness Act 2002, Chelmer gave new residents fully assured tenancies instead of more temporary assured shorthold tenancies.

This meant a more complicated legal process

Extensive resident consultation found there was 97% support for the introduction of the scheme



Starter tenancies should be part of an overall strategy to combat antisocial behaviour and have the support of the local authority

was needed to resolve incidents of antisocial behaviour caused by new residents.

Research undertaken before the scheme was introduced highlighted that about 40% of all incidents of antisocial behaviour and nuisance reported to Chelmer were in the first year of tenancies.

Extensive resident consultation found there was 97% support for the introduction of the scheme

Background

The Housing Act 1996 introduced starter tenancies (or introductory tenancies) as one of a number of tools to combat antisocial behaviour.

While initially intended solely for the use of local authorities, starter tenancies have since become an option for housing associations.

Vulnerable residents receive extra support to help them manage their tenancies

Housing associations are able to use starter tenancies under a general waiver from the Housing Corporation, provided that they meet certain conditions.

For example, starter tenancies should be part of an overall strategy to combat antisocial behaviour and have the support of the local authority.

Difference in tenure

Starter tenancies are a version of an assured shorthold tenancy and last for the first 12 months.

They are converted to assured tenancies after this time if the tenant has conducted their tenancy properly.

If the conduct of the tenancy was unsatisfactory during the first 12 months, tenancies can be ended using a section 21 notice.

Section 21 of the Housing Act 1988 (as amended) removes the need to apply for possession at county court, as is the case for fully assured tenants. Tenants have a formal right of appeal to a panel made up of Chelmer board directors.

Chelmer's local authority partners fully support the initiative, which allows Chelmer to deal more quickly and effectively with incidents of antisocial



behaviour and nuisance.

Starter tenancies also help prevent reoccurrence of antisocial behaviour and supports neighbourhood well-being.

The council advises new tenants about the starter tenancy initiative in advance of their nomination. They also receive a minimum of two specified support visits after taking up their

Research highlighted that about 40% of all incidents of antisocial behaviour and nuisance were in the first year of tenancies

tenancy. Vulnerable residents receive extra support to help them manage their tenancies.

Backing the initiative is a comprehensive monitoring programme as well as a full review to evaluate the success of the scheme. ■

Marion Jordan, deputy head of housing, Chelmer Housing Partnership, email: marion.jordan@chelmerhp.org.uk

