

Charter of Rights for Residents of Supported 'Exempt' Accommodation:

Guidance For Providers and Landlords



A right to decent living conditions

A right to feel safe and protected

A right to security of property

A right to clear information on your support entitlement

A right to seek advice and assistance, and to challenge

Endorsements

This work is endorsed and supported by the following organisations and individuals:



Jess Phillips, MP



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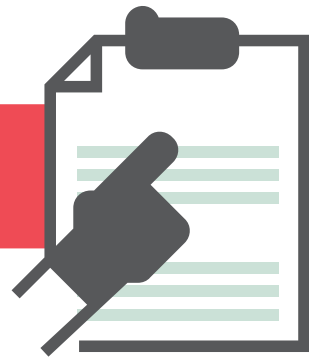
This work has also been listed as good practice in the National Statement of Expectations for supported housing, published by the Ministry of Housing, Communities and Local Government in October 2020:

<https://www.gov.uk/government/publications/supported-housing-national-statement-of-expectations/supported-housing-national-statement-of-expectations#annex-b-related-strategies-guidance-and-useful-links>

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How To Use This Guide



This guide is intended for use by providers of non-commissioned exempt accommodation operating within Birmingham. It has been designed to help providers understand, and work with, the Residents' Charter of Rights.

This document does not set out a series of 'rules' or 'regulations' that you are expected to rigidly follow. It is acknowledged that there is no 'one size fits all', and that not all information within this guidance will be relevant to all organisations. Similarly, you may feel that you are already aware of, or have implemented, much of the following content.

However, this guide is intended to help organisations consolidate, clarify, and build upon their existing practices. This will ensure that they are able to respond to their residents safely, effectively, and consistently, and identify clear linkages between management practices and resident experience. **You may find the Good Practice Recommendation Checklists in Section 5 of this Guide helpful in this aim.**

The Charter and accompanying guidance are as much about **values and principles** as they are about **policy and procedure**. This is in line with our belief that we should hold the highest aspirations for both resident experience and the exempt sector as a whole.

This guidance is divided into six sections:

- **Section 1** describes some of the key terms used throughout this guide
- **Section 2** provides background and detail on the Charter; its development, aims and principles
- **Section 3** describes the core principles that underpin the Charter
- **Section 4** provides the detail behind each 'right' contained within the Charter and what this may mean for your organisation and your practice
- **Section 5** contains a checklist with good practice recommendations that relate to each right
- **Section 6** contains suggested further resources that you may wish to consult as you begin work to implement the Charter within your organisation

Section 1: Defining Our Terms



What is exempt accommodation?

'Exempt accommodation' is not an 'official' term used in legislation or policy, although you will hear many practitioners refer to certain types of supported or managed accommodation in this way and may even use the term yourself.

'Exempt accommodation' is, technically, not a form of accommodation at all, but a set of provisions within Housing Benefit and Universal Credit Regulations.¹ These Regulations were first introduced in 1996 and define 'exempt accommodation' as:

“accommodation which is...provided by a non-metropolitan country council, a housing association, a registered charity or a voluntary organisation where that body or a person acting on its behalf also provides the claimant with care, support or supervision”.

If a provider or landlord meets these criteria, they are exempt from the rules that usually limit the amount of rent covered by a Housing Benefit award. This means a provider or landlord may be able to yield rent levels, paid for through Housing Benefit, that are far in excess of 'general needs' social sector rents, or private sector Local Housing Allowance levels.

These Regulations cover a wide range of supported housing arrangements and schemes. However, regardless of the type of accommodation, it is important to note that the rental yields under these provisions are not intended to cover the cost of providing any 'care, support or supervision' to residents. They are, instead, intended to cover the housing-related costs of providing such a service.

This guidance does not cover the Regulations and any criteria around exempt Housing Benefit claims. Further details can be obtained from the local authority Housing Benefit team.

What is non-commissioned accommodation?

In this guide, 'non-commissioned' exempt accommodation refers to accommodation that uses the 'exempt' provisions of Housing Benefit to cover rental costs, but is not commissioned by a local authority. This includes any homelessness or housing support funding regimes, any agreement with the local authority for the provision of 'Specialist Supported Housing' (SSH), or social care packages.

As [Section 2](#) sets out in more detail, ongoing research and development work has highlighted significant 'gaps' in both governance and practice within the non-commissioned exempt sector. This is not at all to suggest there are no examples of good practice within the sector. Similarly, the important role exempt providers play in housing a range of individuals should be acknowledged. However, the absence of any mandatory standards or collectively agreed aims have contributed to a lack of assurances and consistency within the sector.

¹ Defined as 'Specified Exempt Accommodation' under The Housing Benefit and Universal Credit (Supported Accommodation) (Amendment) Regulations 2014

Particularly relevant to this piece of work are the gaps and inconsistencies around resident 'voice' and the limited opportunities for many residents to have any control or say over their environments. This is despite choice, control and 'voice' being something residents considered as very important to them. Such issues are perhaps compounded by fact that, unlike accommodation commissioned by a local authority, non-commissioned exempt accommodation does not come with any frameworks or monitoring around resident involvement and experience.

In light of these factors, the Charter and guidance were developed with non-commissioned providers of exempt accommodation in mind. The Charter can, of course, be adopted and used by commissioned accommodation providers to complement or enhance any other initiatives they may have in place, but will be of most immediate benefit to non-commissioned providers.

What is a Charter of Rights?

A Charter can most commonly be described as a **statement of rights of a particular group of people**. Charters can be agreed, endorsed, or mandated by a governing body, or one with significant influence or control. However, there are also Charters created by campaigning or advocacy bodies that aim to ensure certain social groups have access to the information and resources they require. In this way, many Charters will have an aim of **empowering** as well as **informing** or **supporting**.

You can find examples of Charters or 'Bills' of Rights in many areas of life; including those closely linked to particular areas of law (such as the Human Rights Act or the Mental Health Act) or aimed towards consumers of various commodities or products, such as Fuel Poverty Action's Energy Bill of Rights.² You will also find Charters aimed towards certain groups of people who are seen to be marginalised or disenfranchised, or most at risk of having their rights or autonomy contravened, such as those who are rough sleeping or living in precarious housing conditions.³

'Rights' (noun): "the fact that a person or animal can expect to be treated in a fair, morally acceptable, or legal way, or to have the things that are necessary for life".

Cambridge Dictionary

'Right' (noun): "an entitlement considered to arise through natural justice (whether or not enshrined in legislation) and which is applicable to all members of a particular group".

Oxford English Dictionary

"Human Rights are the basic rights and freedoms that belong to every person in the world, from birth until death. These basic rights are based on shared values like dignity, fairness, equality, respect and independence".

Equality and Human Rights Commission

This Charter and guide use a definition of 'rights' which encompasses both legal and 'social justice' dimensions, and associated notions of empowerment, fairness, dignity and necessity.

'Rights' is not always an easy concept to apply; particularly to sectors which are vast and, in some senses, 'unregulated'. Many will immediately link the concept of rights to the law. Others may be concerned about what it means to suggest someone has a 'right' that appears abstract or is not directly backed up by legislation or policy. Despite any anxiety or confusion that the notion of 'rights' may cause, retaining the terminology 'Charter of Rights' was seen as centrally important for those residents consulted for this piece of work.

² See <https://www.fuelpovertyaction.org.uk/energy-bill-of-rights-2/>

³ See Brighton's Homeless Bill of Rights: <http://justfair.org.uk/wp-content/uploads/2018/10/BrightonHomelessBillOfRights.pdf>

The Charter also comes with an awareness that ‘responsibilities’ often accompany any concept of ‘rights’; particularly in housing-related settings. It is acknowledged that for any housing scheme to work well for all involved, there must be a balance between the two, and that residents must be made aware of their responsibilities. However, we are also aware from extensive work within the sector that the nature of housing management can mean that the balance inevitably tips towards enforcing or reinforcing responsibilities, without the accompanying strengths and rights-based frameworks.

In addition, and as the following guidance makes clear, ensuring residents are aware of their responsibilities is, in fact, a ‘right’ they hold, and should be fulfilled by accommodation providers.

Finally, it is our belief that Charters work best when collectively agreed, understood, and endorsed by all involved. [Section 2](#) looks in further detail at the concept of ‘rights’ in relation to both the Charter and to the exempt accommodation sector as a whole. This is in order to address any potential concerns and give greater clarity to the aims and ethos behind the Charter.



Section 2: Background And Context



In 2019 Spring Housing were asked by Birmingham City Council to develop and produce a Charter of Rights for residents living in, or considering living in, non-commissioned exempt accommodation.

This project was commissioned after extensive research and engagement work carried out within the non-commissioned exempt sector over the previous three years. The most significant pieces of work around this were two reports published in 2018 and 2019. The first report '**Risk, Safety and Wellbeing in Non-commissioned Exempt Accommodation**' (Raisbeck, 2018) was commissioned by Birmingham Safeguarding Adults Board and carried out by The Housing and Communities Research Group at the University of Birmingham, in partnership with Spring Housing. The second report, '**Exempt from Responsibility?: Ending social injustice in exempt accommodation**' (Raisbeck, 2019) was commissioned by Commonweal Housing, and carried out by Spring Housing and the Housing and Communities Research Group.

Both reports were commissioned in response to increasing concerns about the size and large variances in quality and scope within the non-commissioned exempt sector in Birmingham, and the potential impacts on residents; many of whom are marginalised. Broadly, the research publications highlighted the following key issues:

- The lack of agreed standards, independent oversight, and monitoring; both at Regulatory levels and once residents are housed
- The wide range of untracked and unmonitored referral points
- The potential risks if groups of residents are housed together without appropriate pre-assessment and monitoring
- The lack of transparency and understanding about what the sub-sector is 'offering' to residents, and attendant concerns about whether it is always equipped to meet resident need

Further to this, extensive engagement work with tenants has highlighted:

- The lack of choice, understanding and control many residents feel they have over their accommodation placements and living environments
- Common experiences of isolation, insecurity and lack of privacy, and the corresponding negative effects on mental health, wellbeing, and safety
- A lack of awareness of rights, and a lack of opportunities for residents to have any input or involvement in their accommodation and their communities

Since the publication of these reports, there has been extensive work within Birmingham to address some of these issues; ensuring the sector works consistently, and works best, for the residents it is designed to help and support. This work aims to engage and support both providers and residents, with the overall aim of improving standards, consistency, transparency, and communication.

The **Quality Standards for non-commissioned exempt accommodation**, developed by BVSC, are intended to ensure a baseline of quality is achieved for exempt accommodation. The Charter of Rights is designed to complement these Quality Standards but can be adopted and used by your organisation independently of the Quality Standards framework and assessment processes.

As a provider of supported housing, you must also be familiar with the National Statement of Expectations for supported housing that was published by the Ministry of Housing, Communities and Local Government in October 2020:

<https://www.gov.uk/government/publications/supported-housing-national-statement-of-expectations/supported-housing-national-statement-of-expectations#annex-b-related-strategies-guidance-and-useful-links>

The Development of the Charter

Work on the Charter began in the summer of 2019 and was completed June 2020.

The engagement and development phases adopted a 'participatory' approach; in close partnership with current residents of exempt accommodation, or those with lived experience. Resident-participants were consulted at every step of the process, to ensure the final product was meaningful, useful, and accessible.

Two consultants who specialise in community and participatory approaches were contracted to carry out the engagement work with residents. Neither consultant had any prior experience of the exempt sector in Birmingham, and so were able to approach the project with complete independence, ensuring residents' views and voices could be centralised throughout the process.

Five initial workshops were carried out with residents, in which they discussed their experiences, views, what they would like to see included within the final product, and how it should look. Following this, two separate all-day drop in sessions were held, giving both those who had attended previous workshops, and any other interested people with lived experience, the opportunity to feed back on the initial development of the Charter's content. The first session also allowed participants to engage and collaborate with the graphic designer who was commissioned to produce the final materials.

Once a draft of the Charter had been written and designed, a second all day drop in session was held, for participants to review the draft document, give further feedback and ideas, and discuss how they could best use the material.

Over 50 individuals with lived experience participated across the development stages.

Aims

The Charter has been developed with the following aims:



The Charter is intended to ensure residents who are accessing or living in non-commissioned exempt accommodation are aware of what they should expect from their housing provider and their living environments. It aims to ensure residents can increase their confidence about speaking up if they need clarity or feel that they are not being treated fairly. It also aims to give residents access to a tool that will help them understand both their experiences and concerns and communicate these to the relevant individuals or organisations.

The Charter is designed to be as inclusive and accessible as possible and will be made available to a wide range of residents; many of whom will have literacy needs or English as a second language.

‘Rights’

Many of the rights within the Charter have clear links to existing housing policy or legislation; others are based on more abstract ‘universal’ or ‘Human Rights’ principles, such as equality, fairness, and dignity. Despite the fact people may be entitled to such fundamental or universal rights, not all people will have access to them, or experience them equally.

The basic rights most of us enjoy are ones we take for granted and are what we would want and expect for ourselves, our friends and loved ones, and our communities. They are minimal, achievable, and workable. However, it is undeniable that many of the individuals and groups who we designate as ‘vulnerable’, or display behaviour we view as ‘problematic’, often find it much harder to access and realise their basic rights and entitlements.

It is acknowledged that, if some of the rights within the Charter are breached, there is not necessarily a single piece of policy or law that can be used to address the concerns. It is, instead, often the case that management practices, communication and transparency will enable a provider to address these issues with their residents and create an environment in which those residents can fully access their rights and entitlements.

Residents, of course, can be dissatisfied with their accommodation or housing provider for a variety of reasons. Some of these reasons will be personal to that individual and their circumstances, and not necessarily linked to any rights-based frameworks, or through any fault of the housing and support provider. Nonetheless, a Charter that can be accessed by both residents and housing staff will allow for more effective communication and clarity, aiding problem resolution.



Section 3: Core Principles



Underpinning this work are a set of core principles that will help providers to embed the Charter within their organisation and their management practices. Many providers of exempt accommodation will have developed their own organisational values to which these principles will apply, and the following list is not exhaustive. However, by understanding and embedding these core principles, providers will be able to work with the Charter of Rights in the most effective and useful ways:

- **Residents have fundamental, universal rights that should be respected and upheld. This includes access to basic amenities, a right to be treated with dignity and respect, and a right to live free from harassment, neglect, fear, or abuse**
- **Service provision should be consistent and fair, and within strong principles of anti-discrimination. This applies to both referral and access procedures and to housing management practices**
- **In order to live well and progress, residents need to feel safe. Providers must apply their responsibilities around safeguarding and risk management stringently**
- **Living environments should be secure, safe, well-managed and promote good health and wellbeing**
- **Providers should conduct their business and their interactions with residents in a fair, open, and transparent way**
- **Providers should display a keen willingness to continually adapt and improve their practice; learn constructively from their mistakes, and promote shared learning within the sector**
- **Exempt accommodation should be a 'stepping stone', for residents to progress with their lives and improve their housing situations**
- **Residents should be provided with opportunities and support to integrate into both their accommodation and their communities**
- **Residents should have clear channels of communication with accommodation providers; be included in decisions that affect them and regularly consulted about whether their housing or support is meeting their needs. This includes effective and clear mechanisms for complaints handling**
- **Information should be provided to residents as and when needed, including upon request. Information should be clear, accessible, and in a variety of formats to cater for language and literacy needs**
- **Residents' rights to privacy and confidentiality must always be respected and upheld: including during 'one to one' or support sessions**
- **Providers should work in the spirit of partnership, collaborating holistically with a range of agencies to enhance resident experience and ensure safety, wellbeing, and progression**

How should the Charter be used?

As previously highlighted, the Charter is as much about **values and principles** as it is about **policy and procedure**. It is not intended to be prescriptive or exhaustive and is rightly aspirational in its aims.

Adopting and working with the Charter is not mandatory, and there is no external 'enforcement' of the Charter as a whole. Accommodation providers will not be formally assessed on whether they use it within their organisation, and it does not automatically affect any existing agreements or arrangements they may have with the local authority or any other bodies. Equally, it does not replace any external enforcement or monitoring procedures to which a provider may be subject.

The Charter and guidance should not be viewed as a 'how to' guide for running a successful exempt accommodation scheme. It centres residents' priorities and concerns and provides a baseline framework for creating an open, inclusive, and safe environment for your residents. However, it is recommended at a minimum that you:

- **Display the Charter in a prominent position within your accommodation schemes (such as a hallway, kitchen, or other communal space)**
- **Give new residents a copy of the Charter when they move into your accommodation**
- **Have a supply of additional copies available for residents if they request one; and ensure staff have a supply for use during support sessions or house meetings**
- **Ensure all staff members are familiar with the Charter and understand its background, principles, values, and aims**
- **Promote that your organisation has adopted and works with the Charter by displaying this information on your website, or on any promotional materials (such as referral forms, leaflets, etc.)**
- **Use the information contained in Section 4 of this guide to ensure you are familiar with the background and context to each right and are able to adequately meet these for your residents**
- **Make use of the Good Practice Checklists, suggested further reading and reference materials to complement and enhance your existing work, and to increase staff capacity and knowledge**

Whilst adoption and use of the Charter is not mandatory, it is important to bear in mind that it will be available for distribution from a wide range of organisations and venues within Birmingham. It is also important to note that Birmingham City Council (BCC) has endorsed this approach for current commissioned and non-commissioned services. BCC is also looking for quality indicators from non-commissioned accommodation providers that want to work in partnership with the City. Such partnership working will include receiving referrals from the many commissioned 'Hubs' operating within Birmingham, and one such quality indicator will be adoption of the Charter of Rights.

Many residents will have had access to the Charter before they move into your accommodation, and others may obtain a copy after they move in. As such, it is advisable that your organisation and staff are at the very least aware of the Charter, its aims, and principles, and are sufficiently prepared to engage effectively with residents who have access to it.

Section 4: The Rights-Based Framework



A right to feel safe
and protected

“At night the atmosphere changes, it’s like living in a jungle’.

“I feel threatened if I complain to people about their behaviour”.

“My landlord definitely really checks people out to make sure they’ll be able to live together safely. He’s really hot on that”.

Everyone has the right to feel safe and secure within their home. This is a basic, natural entitlement we all have, and which many of us take for granted.

Some residents may only be with an accommodation provider for a short period of time, and the majority of exempt accommodation is in some way ‘temporary’ or ‘transitional’. Nonetheless, residents have every right to feel ‘at home’ within their surroundings. This includes feeling safe and free from harassment, harm, or abuse.

Feeling unsafe within their accommodation or around other residents, and feeling they had little or no privacy, were key concerns for many of those who participated in the production of the Charter. Many participants felt that they or other residents had not been sufficiently ‘vetted’ before being accepted into the accommodation. Others felt problems that impacted upon safety and stability within their household were not dealt with swiftly or effectively enough. Concerns about perceived or actual harm to residents, and the potential effects of feeling unsafe on their wellbeing and progress, were also key issues highlighted within the two research reports mentioned in [Section 2](#) of this guidance.

Residents who felt such issues were managed well within their accommodation said that their accommodation provider ensured anyone who came to live in the household would ‘fit in’ and gave new residents a full introduction into the household. Other areas of good practice included regular house meetings to work through any problems and frequent opportunities to talk with a staff member in private.

Those coming to live in exempt accommodation will often have had a range of negative life experiences and may be feeling socially isolated, vulnerable, or affected by past trauma. As a provider of exempt accommodation, your role is to ensure all residents can live safely, peacefully, and well within their environment.

We are aware that shared living can be difficult for anyone and often takes compromise, negotiation, and communication. However, there are several things you can do as a provider to facilitate this, and to maximise the safety, and positive experiences, of your residents:

Safeguarding

“Safeguarding means protecting an adult’s right to live in safety, free from abuse and neglect. Safeguarding involves people and organisations working together to stop abuse and neglect occurring, and intervening effectively in situations if we do see abuse taking place”. Birmingham Safeguarding Adults Board (BSAB)

Your organisation and staff should understand and be committed to Adult Safeguarding protocols and responsibilities.

Housing staff are well placed to detect signs of abuse or neglect, but must be aware of what to look for, how to approach concerns with residents, and where to report any concerns.

All staff, including repairs staff and contractors, should be appropriately trained in Adult Safeguarding. They should know how to spot the signs of abuse and neglect, know how to make and respond to safeguarding referrals, and how to manage risk positively and proactively.

Residents should regularly be made aware that they have a right to live free from abuse, neglect or fear, and made aware that they can speak to a staff member or an external agency in confidence if they have any concerns. Residents should also be made aware of their responsibilities to each other, and that they must not behave in a way that causes harassment, fear, or harm.

Organisations should ensure they are familiar with Birmingham Safeguarding Adults Board (BSAB), have access to their website and, where appropriate, join their mailing list. <https://www.bsab.org/>

All safeguarding concerns, referrals and outcomes should be recorded and monitored, and organisations should be open to sharing learning and participating in any inquiries or reviews.

It is important that organisations are aware that not all cases will meet the statutory ‘threshold’ for Adult Safeguarding. Organisations must have protocols and mechanisms in place to support and protect residents who are otherwise vulnerable to, or experiencing, forms of harassment and abuse. This includes ensuring your staff have a good working knowledge of external forms of support, advice, and assistance.

All staff should have a current Disclosure and Barring Service (DBS) certificate and be appropriately trained and skilled to work with vulnerable adults, and those with a range of support needs.

Further reading:

Information on Adult Safeguarding is available from BSAB here:

<https://www.bsab.org/downloads/file/63/what-do-i-do-if-i-have-a-safeguarding-concern>

A free basic online Safeguarding awareness course for organisations in Birmingham can be accessed through The Learning and Development Service here:

<https://tlds.learningpool.com/course/index.php?categoryid=71> or by emailing: tldsadults@birmingham.gov.uk

If an organisation requires bespoke training they can contact The Learning and Development Service who are able to put a package together at a cost.

BSAB also provides a free workbook for those who are unable to access e-learning facilities:

<https://www.bsab.org/downloads/file/117/birmingham-safeguarding-adults-basic-awareness-workbook-2020>

Other housing-specific training on Safeguarding can be found here: ⁴

<https://www.scie.org.uk/training/safeguarding/adults-housing-staff>

⁴ Please note this training must be paid for by your organisation

It is also important that your organisation and staff are aware of issues around Modern Day Slavery and Hate Crime, and are able to understand, report and manage concerns effectively:

Modern Day Slavery:

<https://www.westmidlandsantislavery.org/>

https://www.birmingham.gov.uk/info/50047/crime_and_safety/1653/modern_slavery_and_human_trafficking_msht

Hate Crime:

<https://www.victimsupport.org.uk/crime-info/types-crime/hate-crime>

<https://www.west-midlands.police.uk/your-options/hate-crime>

Referrals and Assessment

Appropriately and safely managing referrals and assessments for prospective residents can be a regular challenge for many providers. Residents are often also acutely aware that they do not feel they, or other residents, were appropriately assessed before being placed into a household, whether this is actually the case or not.

Effective referral and assessment mechanisms can reduce risk, enhance resident and neighbourhood experiences, aid household stability, and reduce abandonments and evictions.

Referrals into exempt accommodation are not an 'exact science', and many providers will use a combination of existing protocols and professional intuition. It is also the case that not all issues or risks will be apparent during the referral and assessment process. However, there are several things providers can do to enhance their existing practices, and to ensure they are adequately prepared and equipped to prevent and swiftly detect issues that may arise once a resident has settled into their accommodation. Please refer to the [Good Practice Recommendations Checklist](#) in [Section 5](#).

Continual and Proactive Safety and Risk Assessments

As part of overall housing management duties, and when providing one-to-one support, staff should be practiced in formally and informally assessing risk and safety issues for individuals and the wider household.

Staff should regularly risk assess residents on their caseload and ensure clear case notes are made. Staff should also be attuned to detecting issues around risk and safety whilst performing routine inspections of a property, or when visiting a household for less planned or 'formal' interactions. They should be trained to spot the signs of harm or abuse and be able to proactively and sensitively enquire if 'something doesn't seem right'.

As noted, not all risks or safety issues will be apparent during referral and assessment procedures. This is why regular, proactive and consistent monitoring is required to ensure any issues that arise can be dealt with swiftly, sensitively and robustly.

The principles of **prevention**, **detection** and **early intervention** provide a solid framework for approaching risk and safety within households and can often provide the best outcomes. This can only happen if staff are regularly visiting properties and regularly interacting with residents in one-to-one and, where appropriate, group settings. Organisations must be mindful of not encroaching on residents' rights to privacy and their right to feel 'at home' within their surroundings. However, regular visits, with prior notification, are good practice within schemes that provide care, support, or supervision.

It is also important to ensure that staff feel safe and secure when visiting properties or performing housing management or support functions. Staff should be trained in effective lone-working practices. They should be encouraged to discuss, openly and confidentially with management, any issues with residents or households that they feel are impacting upon their ability to carry out their role safely and effectively.

The Suzy Lamplugh Trust provides information and training on safe and effective lone working:

<https://www.suzylamplugh.org/faqs/lone-working>

Staffing and Out of Hours Contact

Organisations should ensure residents have a named worker that they can contact, and an out of hours number should be made available for emergencies (evenings and / or weekends).

Residents often reference the fact that staff turnover within some organisations can seem high, and that they were not able to build up a trusting and productive relationship with one staff member. Whilst this cannot always be avoided, it is best practice for residents to have one allocated and named worker that they can contact and meet with privately. Part of a 'prevention, detection and early intervention' framework includes ensuring you create an environment within which residents feel able to disclose issues or discuss what is happening for them. It is less likely they will do this if they are not able to build up rapport and trust with staff members.

Weekends can be a particularly difficult time for some residents. Many organisations will only run a skeleton staffing base during these times, or sometimes none at all. Many other agencies your residents rely on for support will also be closed during the weekend. It is important that you are able to connect with vulnerable residents after weekends and follow up promptly on any issues that may have arisen.

Please refer to the Good Practice Recommendations Checklist in Section 5 for guidance on policies and training around safety and risk.



A right to decent living conditions

“We’ve not had a lock on the bathroom door for ages; I’ve given up reporting it”.

“It’s a good quality place and they work hard to keep it that way, always checking on things”.

Resident experiences of their property conditions varied considerably. Those who had positive experiences felt that their accommodation was well-managed, that repairs were carried out swiftly and effectively, and that properties were reasonably clean and well-kept.

Those with less positive experiences suggested that repairs were only carried out after long delays, if at all. This included repairs to vital and basic amenities such as heating and hot water. Others said that properties were ‘dirty’ or in a poor state of repair and that bathrooms, toilets, and sometimes even bedrooms, did not have working locks on the doors.

Shared accommodation with a high turnover of residents can swiftly impact on property conditions. It is your responsibility as a provider to ensure that you respond to resident repair requests within a reasonable timeframe, and carry out proactive inspections of your accommodation to ensure the health and safety of your residents and the integrity of the building.

There is often a suggestion that it is difficult to maintain a good level of repair and cleanliness within shared ‘exempt’ accommodation when catering for residents with ‘complex needs’. However, every provider of exempt accommodation has certain responsibilities and duties that they must uphold, and your organisation must be properly financed to maintain decent property standards, taking full account of the client groups that you cater for.

Every provider of exempt accommodation has certain responsibilities and duties around property conditions. Other mandatory, or legally enforceable, requirements will depend on organisational circumstances and arrangements.

The following guidance is not prescriptive, but **Section 1 and Section 2 detail the minimum standards expected from every organisation providing non-commissioned ‘exempt’ accommodation within Birmingham**, regardless of individual organisational structures and arrangements.

Some of these areas of law and practice can be complex, and it is suggested that your organisation seeks independent advice if necessary, and carefully reads the ‘further information’ and website links enclosed below.

Section 1: General Property Standards:

Repairs:

You must ensure that properties are kept in a good state of repair. This means ensuring repairs are carried out swiftly and competently; particularly those that impact on the health and safety of residents and staff. Repairs that could impact on the health, safety, and security of residents, such as the provision of heating/hot water should be prioritised.

Residents should be provided with information on the repairs you are responsible for carrying out, how to report repairs and on using household spaces and amenities responsibly. It is good practice to have a Responsive Repairs Policy and ensure you can clearly communicate to residents the projected timescales for certain types of repair. You should also provide them with guidance on what to do if a repair has not been completed within an appropriate timescale.

It is important to note that residents are often worried about reporting repairs or poor standards, or of complaining if repairs are not carried out, for fear of eviction. Regular property inspections will help to 'pick up' issues that have not been reported by residents.

The Housing Health and Safety Rating System (HHSRS):

The HHSRS a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings.

This applies to all residential dwellings in England and Wales.

All exempt accommodation should be free from 'Category 1' and significant 'Category 2' hazards.

The HHSRS is a complex area. The link below is aimed at non-specialists and will help organisations to understand the requirements under the Housing Act 2004 in relation to the HHSRS and what action they need to take to ensure their property is free from 'Category 1' and significant 'Category 2' hazards:

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>

Communal Areas, Refuse and Cleaning:

You should ensure communal areas are kept clean and tidy. Your organisation may provide external cleaning services, funded via residents' service charges. If this is not the case, it is good practice to provide cleaning materials such as a vacuum cleaner and cleaning supplies, and encourage household participation in cleaning tasks. Untidy communal areas can be a cause of discord within households, and regular house meetings may help to resolve any issues.

Residents should be provided with adequate facilities to dispose of waste. They should be provided with details of refuse collection timetables and information on the disposal of hazardous and non-biodegradable materials.

Fire, Electrical and Gas Safety:

Gas Safety:

If the property has a gas supply then the entire gas installation (appliances, pipework, and flues) must be maintained in safe working order. The gas installation must be examined and tested annually by a Gas Safe Registered contractor. A landlord's gas safety certificate should be kept on record and available to residents upon request.

Further information on your legal duties and responsibilities are available here:

<https://www.hse.gov.uk/gas/landlords/#:~:text=As%20a%20landlord%2C%20you%20are,on%20each%20appliance%20and%20flue>

Fire Safety:

As a minimum, you should be aware of and adhere to the following pieces of legislation around fire safety:

The Housing Health and Safety Rating System (HHSRS) under the Housing Act 2004: This details the main requirements of fire safety in rented properties.

The Regulatory Reform (Fire Safety) Order 2005: applies to the 'common parts' of multi-occupied residential housing. It requires landlords or housing owners to carry out a Fire Risk Assessment and implement appropriate precautions:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/14879/making-your-premises-safe-short-guide.pdf

Furniture and Furnishings (Fire Safety) Regulations 1988: This applies to furnishings that are 'in situ' and provided for tenants' use, such as mattresses and sofas.

<https://www.firesafe.org.uk/furniture-and-furnishings-fire-safety-regulations-19881989-and-1993/>

More comprehensive guidance on fire safety (LACoRS) can be accessed here:

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

Fire safety advice for residents of shared accommodation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/475170/Fire-Safety-in-Shared-or-Rented-Accommodation.pdf

Electrical Safety:

All providers should carry out regular inspections of their property to ensure they are adhering to HHSRS risk assessments around electrical hazards. You must ensure wiring and electrical installations are in safe working order. This includes plug sockets, fuse boxes and light fittings.

From 1st June 2020 private landlords must ensure all electrical installations are inspected and tested by a registered electrician. This must be completed every five years:

<https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-landlords-electrical-safety-standards-in-the-private-rented-sector>

Section 2: Houses in Multiple Occupation (HMOs):

Repairs:

The law around Houses in Multiple Occupation is contained within the Housing Act 2004. Only certain HMOs must be licensed under existing legislation. It is your responsibility as a provider to establish whether this applies to you:

https://www.birmingham.gov.uk/info/50248/houses_in_multiple_occupation

Although the following standards apply to HMOs under the Housing Act 2004, Birmingham City Council expects all those providing shared accommodation to meet the following minimum requirements:

Property and Management Standards:

Please see Birmingham's Standards here:

https://www.birmingham.gov.uk/downloads/file/1630/houses_in_multiple_occupation_hmo_property_and_management_standards

Room Sizes:

From October 2018, the government introduced new minimum bedroom sizes for HMOS:

Room used for sleeping by 1 adult: No smaller than 6.51m²

Room used for sleeping by 2 adults: No smaller than 10.22m²

Please note that these room size specifications are separate from the criteria used for determining Housing Benefit entitlements. Housing Benefit Regulations do not define (in detailed description or through size criteria) what constitutes a 'bedroom'. This did not change with the introduction of the Removal of the Spare Room Subsidy (the 'Bedroom Tax') in 2013, although appeals around the 'bedroom tax' often use the space standards in the Housing Act 1985 (which are more typically used to measure overcrowding).⁵

There are further requirements for kitchen size and bathroom facilities. As a general guide the minimal overall floor area for a kitchen should be:

- 5 persons or fewer - 6.5 m²
- 6 persons - 7.5 m²
- 7 persons - 8.5 m²
- 8 persons - 9.5 m²
- more than 8 persons - 10.5 m²

It is recommended that a bathroom containing a bath or shower should be provided on a ratio of **at least one bath or shower for every five persons**. It is recommended that toilet facilities are provided on a ratio of **at least one WC for every five persons**, where the WC is separate from the bathroom, and is accessible from a communal area without going through the bathroom.

There should be **one WC for every four persons where the WC is located within the bathroom**.

Please refer to the link below for more detailed guidance:

https://www.birmingham.gov.uk/downloads/file/1630/houses_in_multiple_occupation_hmo_property_and_management_standards

Section 3: The Decent Homes Standard

Registered Providers of Social Housing should adhere to the Decent Homes Standard:

<https://www.gov.uk/government/publications/a-decent-home-definition-and-guidance>

Section 4: Planning Permission

It is your responsibility as a landlord or provider to ensure you have obtained the relevant permission for your buildings.

See the following links for more information:

<https://www.birmingham.gov.uk/planningapplications>

https://www.planningportal.co.uk/info/200125/do_you_need_permission

⁵ The government said at the time "We will not be defining what we mean by a bedroom in legislation and there is no definition of a minimum bedroom size set out in regulations. It will be up to the landlord to accurately describe the property in line with the actual rent charged."

And see below for details on Birmingham's new 'Article 4 direction' for HMOs:

https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1933/city-wide_article_4_direction_relating_to_houses_in_multiple_occupation_hmos

Section 5: Enforcement:

“Birmingham City Council will endeavour to make effective arrangements to enforce the legislation under its jurisdiction with the aim of protecting the health, safety, welfare and rights of tenants in the private rented sector. Enforcement action with respect to other forms of tenure may also be taken where appropriate”.

Birmingham City Council enforcement policy:

https://www.birmingham.gov.uk/downloads/file/1623/enforcement_policy_for_houses_in_multiple_occupation_hmo

Please note that all legislation and guidance is subject to change and your organisation must have an up to date working knowledge of all relevant areas.



A right to clear information on your support entitlement

“I haven’t had any support, it’s just a formality. I was told I would get 16 hours a month of support. I got none”.

“My support worker was great. It was nice to have someone impartial to speak to, just about how my day was, and feel like they actually cared”.

The main discussion point within workshops and development sessions for the Charter of Rights was the issue of ‘support’ provision. Residents often felt that they were not clear what ‘support’ was being provided, or what their entitlement was. Others said that they had been informed they would get a certain level of support within their accommodation, but they felt this had not been fulfilled adequately.

In other cases, residents acknowledged that they received a level of ‘care, support or supervision’ within their accommodation but felt they had further needs that the organisation was clear they could not provide for, but were left uncertain as to how they could access additional external support.

‘Supported housing’ or ‘exempt accommodation’ can cover a vast range of schemes and arrangements. There is no single, or accepted, definition of ‘supported housing’.

In Birmingham, there are many providers and organisations working under the ‘exempt’ provisions of Housing Benefit, and they will all provide individual packages and ‘offers’ to their residents. As [Section 1](#) referenced, legislation requires that a level of ‘care, support or supervision’ must be provided to residents, or ‘claimants’, but does not stipulate exactly what this should look like. Organisations should be providing, at a minimum, the type and level of ‘care, support or supervision’ that they have declared on residents’ applications to the local authority for Housing Benefit claims. ⁶

There is, however, a tendency for referring agencies and wider stakeholders to treat all non-commissioned ‘exempt’ accommodation as one identical group of ‘supported housing’, without taking into account that there are a range of schemes and ‘offers’ within this sector. Whilst this is a long-standing issue, and in many cases may seem unavoidable, any lack of clarity or transparency around ‘support’ offers can impact upon referral processes, resident experience, and wider stakeholder relationships.

Residents who shared positive experiences of their support and accommodation felt that they had been clearly and well informed about what support or assistance was provided and had regular interactions with staff – on a one-to-one and sometimes on a group basis. These residents also said that their accommodation provider helped them to ‘link in’ with external support agencies and offered ‘joined up’ support alongside such agencies.

Being Clear on Your ‘Offer’

It is good practice to ensure that you are clear on what your organisation offers to residents in terms of ‘care, support or supervision’. This should be explained clearly to residents and referring agencies and be available in a simple, clear format.

⁶ It is acknowledged that providing proactive and reactive support and management for residents of exempt accommodation is often not prescriptive, and staff will provide additional services to clients, based on circumstance, or need.”

It is important you do not 'overpromise' to referring agencies or residents about what your organisation can realistically offer. This will help ensure residents are well 'matched' to your scheme and lessen any dissatisfaction from residents and referring agencies.

It is understood that forms of support or supervision often are not wholly prescriptive and can be tailored towards each resident. However, you should have a core 'offer' that is available to all residents of your scheme, with necessary elements of personalisation and adaptation for each individual.

In many cases a resident will require additional support or guidance that is beyond the capacity or remit of your organisation. It is important that staff have a good working knowledge of relevant agencies within the City and are able to form reciprocal relationships with them; referring residents as and when needed. It is good practice to have a directory of agencies that your organisation refers to or has working partnerships with. This will help staff to explain to residents and referring agencies how the organisation's core offer is complemented and enhanced, to offer a more 'holistic' service.

Housing Management

Most 'exempt' accommodation schemes will use licence agreements, although some will use tenancy agreements, or a combination of the two.

Registered Providers, and organisations that work in partnership with them, will often have a standard agreement that all partnered organisations use. It is important, whether your organisation drafts its own agreements or uses one created by a Registered Provider, that these are clear and in line with the relevant housing legislation.

It is also important that staff working within accommodation schemes are aware of the procedures and law around evictions, and work within these. An agreement should be explained clearly to a resident before they sign it, and residents should be made aware of the consequences of any breach of the agreement. Equally, it is good practice to ensure residents are aware of their rights to challenge any decision around a breach of their agreement; both internally within your organisation and externally from an advice or enforcement agency.

Creating shorter, simplified and 'easy to read' versions of your agreements, alongside the more comprehensive signed copy, will ensure residents are able to understand their rights and responsibilities and refer to them at a later date if needed. If you work 'under' a Registered Provider, it is best to discuss this with them prior to producing any materials, to ensure there is consistency across their partner agencies, and that whatever you produce is clear and in line with legislation.

Licence agreements take two forms, known as 'protected' and 'excluded'. It is important that your organisation and staff are aware of the differences and are using them correctly. You must also be aware of the law around giving residents notice to leave or 'quit' their accommodation due to a breach of licence conditions.

No guidance can take the place of proper legal consultation or staff training, but the following pages from Shelter give a good level of basic information on licence agreements:

https://england.shelter.org.uk/legal/security_of_tenure/basic_principles_security_of_tenure/what_is_a_licence

Tenancy Agreements take many forms and the law in this area can be complex. However, it is important you are aware that tenancy agreements give residents much stronger rights around notice to leave / eviction and there are several things a landlord must have put in place before they can legally serve a notice of eviction on a resident.

Firstly, tenancy agreements give residents much more security than licence agreements. However, it is important your organisation and staff know **why** you are using a particular type of agreement and it is good practice to regularly review this to ensure it is best meeting resident and organisational needs. This is most important where a resident has been found to pose a particular risk to other household members.

Again, no guidance can take the place of proper legal consultation or staff training, but the following pages from Shelter give a good level of basic information on tenancy agreements:

https://england.shelter.org.uk/legal/security_of_tenure/basic_principles_security_of_tenure/what_is_a_tenancy

Any **service charges** that are 'non-eligible' in Housing Benefit terms will have to be paid for by your residents. It is important to be very clear about what these service charges pay for and ensure that this is reflected in your provision and practice. For example, if the cleaning of areas such as a shared kitchen or bathroom is paid for by a resident through a non-eligible service charge, this **must** be provided. It must also be carried out to a good standard.

It is not sufficient to simply advise a tenant they must pay a 'service charge' but not explain to them clearly what this money pays for. Many residents will be on a very low income and even a nominal service charge can have a significant impact on their overall finances and ability to budget. Organisations must be able to justify additional charges to residents and ensure they are applying these charges fairly and legitimately. Put simply, the charges should cover the actual cost of providing the service and are not a way to generate additional income.

'Settling in' and Integration

Residents should be given the opportunity to ask questions or address any concerns before they accept an offer of accommodation. They should be given the opportunity to do this within a private space. This is particularly important when showing a prospective resident around a property. They may not feel comfortable asking questions or discussing concerns if there are other residents in the house at the time of the viewing, and you must ensure they are given time and space to do this afterwards.

As part of your offer to residents it is good practice to help the resident 'settle in' to the house and into the community and surrounding area. There are several things you can do to ensure residents are given the best possible start. Please refer to the **Good Practice Recommendations Checklist** in **Section 5**.

Assessment and Provision of Support

The type and nature of 'care, support or supervision' provided to residents will differ between organisations. However, there are some general suggestions and guidance that will help organisations to ensure they are developing good practice.

Firstly, it is important to ensure your organisation and staff are aware of the distinction between accepting a certain client group into your accommodation schemes and specialising in supporting that client group. As an example, your organisation may accept women who have experienced or are fleeing domestic abuse, but this can be very different from specialising in this client group. Specialist services will have a history of successful provision and targeted funding for a certain client group and will have staff and management who are specially trained and experienced in ensuring the best support and outcomes for this group.

Many exempt accommodation schemes will cater for a wide range of individuals and provide more 'generic' support packages or housing management functions. However, if your organisation promotes itself as catering for or 'specialising' in a certain client group, you must ensure you have the requisite experience and skills, from senior management to frontline staffing bases. Without this you risk damaging not just your own organisational reputation but the lives and experiences of your residents.

As the types of packages and service available to residents are not prescriptive or standardised, this guidance does not provide a list of mandatory or suggested tasks. However, there are certain basic guidelines that can help ensure residents get the best experience. Please refer to the [Good Practice Recommendations Checklist](#) in [Section 5](#).

Further reading: Assessment and Provision of Support:

Strengths-based and Asset-based approaches:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778134/strengths-based-approach-practice-framework-and-handbook.pdf

The 'Three Conversations'

<http://partners4change.co.uk/the-three-conversations/>

Trauma Informed Care (TIC)

<https://www.homeless.org.uk/trauma-informed-care-and-psychologically-informed-environments>

https://www.centreformentalhealth.org.uk/sites/default/files/2019-05/CentreforMH_EngagingWithComplexity.pdf

Psychologically Informed Environments (PIE)

https://www.homeless.org.uk/sites/default/files/site-attachments/TIC%20PIE%20briefing%20March%202017_0.pdf

Staff Experience and Training

Managing shared, supported accommodation, and providing support to residents with a range of needs is a skilled job. Staff must have adequate experience, or be provided with adequate professional training, to enable them to carry out their duties safely and effectively. Whilst there were positive experiences of support workers / housing staff amongst residents, others felt that staff members did not have the requisite skills or experience. This could leave residents feeling misunderstood, judged, or without the nature of support or interaction they needed.

Staff require good interpersonal skills to enable them to interact with tenants in safe, productive, and respectful ways. They must also be able to manage a caseload safely and effectively, and have a good awareness of professional boundaries, lone working, conflict management, and mediation.

Residents often felt that individuals with lived experience of homelessness and other support needs made the most effective support workers. Whilst there is a wealth of evidence on the benefits of employing staff with lived experience, this process must be carefully managed. For example, employing former residents as paid staff members can create ethical and professional boundary issues and it is important you are satisfied you can adequately support staff with lived experience. This can be particularly important where the staff member is newly returning to employment.

This guide to developing a peer mentor service from Revolving Doors has some excellent reference material around employing people with lived experience (particularly Section 4: Recruitment, Section 5: Induction and Training, and Section 6: Ongoing Support):

<http://www.revolving-doors.org.uk/file/2421/download?token=9oQ5AKGx>

See also: Good practice on employing ex-offenders:

<https://www.nacro.org.uk/resettlement-advice-service/support-for-employers/recruiting-safely-and-fairly-guide-a-practical-guide-to-employing-ex-offenders/>

In addition, you should never use volunteers to carry out the work of paid staff members and you must ensure any volunteers who interact with residents are as robustly 'vetted', and as well-managed, as paid staff members. Any volunteers must receive appropriate training, and any activities they carry out should be proportionate and ethical.

Support and guidance for managing volunteers:

<https://knowhow.ncvo.org.uk/site-homepage#>

Free, online volunteer management course:

<http://courses.level-app.eu/>

As previously discussed, staff retention was an issue that residents referred to when discussing their negative experiences of accommodation. In order to retain staff, and ensure residents have consistency, it is important to provide effective line management and create an environment where staff feel cared for and respected. This includes having robust procedures and 'aftercare' in place for staff if difficult incidents occur with residents. There should also be an organisational understanding of the potential emotional impacts of working with individuals with multiple and complex needs.

Staff should be provided with opportunities to continually develop their skills and practice and you should provide regular opportunities for them to discuss their training and development needs.



A right to seek advice and assistance, and to challenge

Residents often feel cautious about 'speaking up', or voicing any concerns, for fear that they will be evicted. Others are not sure how to complain or who to speak to if they have a problem or concern. This can create tense and stressful living environments and may cause issues that were originally 'minor' to escalate.

Your organisation should ensure residents are aware that they can speak to staff, formally or informally, if they have any issues, complaints, or concerns. You should aim to create a culture of openness and responsiveness and assert to residents their right to complain without consequence.

Organisations and individual staff members should address issues or complaints with the seriousness they deserve. Many residents will be dealing with multiple problems in their lives and living in close quarters with other residents can create a 'pressure cooker' effect. What may seem trivial to one person can be profoundly distressing for another.

Complaints or requests for assistance from residents should always be treated with confidence and respect. Residents should be able to make a complaint or discuss any problems they have in private. You should respect a residents' wish to remain anonymous; particularly if they are making a complaint about another housemate or a staff member. If anonymity will affect the outcome and progress of any complaint, this should be made clear to residents from the outset.

Mediation and open discussion of issues between housemates is not always appropriate and you must take any concerns from residents regarding this seriously; particularly where there is a fear of harassment or repercussion.

Your organisation should have a complaints policy and this should be made available to residents if requested. It should clearly detail and differentiate making complaints about the organisation or service, and about staff members.

It is also good practice to have details of how to make a complaint displayed prominently in your accommodation schemes, along with details on your process for receiving and handling complaints. It is not appropriate to have as the 'default' process that residents must initially speak to their support worker / allocated staff member. There should be several ways a resident can make a complaint, and these should be displayed clearly. You should also ensure residents have access to external sources of advice and support, such as Citizens' Advice Bureau, Shelter and Birmingham City Council. These should be available upon request or displayed in communal areas.

Many residents will want to give suggestions to the organisation and feel involved in how services are provided to residents. You may wish to hold regular house meetings, create a resident involvement forum, hold coffee mornings, facilitate an anonymous 'suggestion box' type scheme, or survey residents periodically.

As well as being good practice, resident involvement schemes can help to minimise complaints and enhance resident experience.

Section 5: Good Practice Checklists



Referrals

Good Practice

Pressure to 'fill voids' should never be the motivating factor for accepting a referral, and staff should receive assurance about this from their management team.

Some referrals may be 'urgent' or 'time sensitive', particularly if they arrive late in the day. Balancing the desire to help someone in urgent need of accommodation with responsibilities to the safety and wellbeing of existing tenants can be difficult. However, if you do not believe you can adequately assess a prospective tenant in the time period available, being open and transparent about this fact with referring agencies is important. Building links with alternative emergency forms of accommodation and outreach teams can help to assist individuals in the shorter term until your organisation is in a position to safely and adequately perform assessment functions.

Effectively assessing residents for access to shared accommodation often necessitates skill and practical experience. It can be beneficial to have one or two staff members who are skilled in this area to take lead responsibility for referrals and assessments

Ensure staff are trained and experienced in talking with prospective residents about their needs and backgrounds in a non-judgemental, open and respectful manner.

Risk assessments should take into account the potential risks from an individual to other residents, any risks the individual may pose to themselves, and any risks other residents may pose to them.

Face to face assessments, wherever possible, are best practice.

Provider Comments

Good Practice	Provider Comments
<p>'Risk' should be taking widely, beyond physical 'harm', to incorporate notions of wellbeing and autonomy.</p>	
<p>You must be confident that any prospective resident is equipped to understand the referral and assessment process, and that you can communicate with them effectively. This includes catering for language / translation needs.</p>	
<p>Link in with as many relevant external agencies as possible so that you can, with the individuals' permission, build up an accurate picture of their support needs</p>	
<p>Be transparent with referring agencies about your referral policies and encourage open and honest dialogue. Be open about what your organisation can 'offer' to residents, and do not overpromise – as long as you are providing what you are set up and financed to offer, you can be confident in asserting this.</p>	
<p>Respectfully hold agencies to account and give feedback if referrals have turned out to be other than they first presented. These are valuable learning experiences for all involved and can help to foster more positive and successful referral processes and outcomes.</p>	
<p>Be open and willing to learn; talk to your staff openly and constructively where things have not worked out well. Talk to other providers about their experiences and practices and ensure you can build up a solid network of alternative provision if your organisation is not able to accept a referral</p>	
<p>Be transparent with residents and referring agencies about your referral and assessment procedures and be prepared to clearly explain and discuss these when necessary.</p>	
<p>Flexibility is a strength and many providers take pride in accepting referrals that 'no one else will'. We believe every person has the right to a home. However, we also believe that everyone has the right to live peacefully and safely. Providers have responsibilities to their existing residents, and to prospective residents. They must ensure a referral is accepted in light of both of these responsibilities.</p>	
<p>We do not advocate for rigid guidelines and accept that every situation should be taken on its own merits. However, it is important to look beyond the provision of a 'roof' and ensure that any decisions you make can be justified by adherence to your existing protocols, and your values as an organisation.</p>	

Settling in and integration:

Good Practice	Provider Comments
<p>Ensure your resident is welcomed to the house by a staff member and is introduced, as far as possible, to other residents.</p>	
<p>Supply new residents with a list of essential phone numbers, such as repairs, your organisation's office and out of hours telephone numbers, the local police station, local health centre, etc.</p>	
<p>Essential phone numbers (as above) should also be displayed prominently in a communal area such as a hallway or kitchen.</p>	
<p>Provide residents with details of the local area, including Jobcentres, community centres, leisure centres and parks, health centres, colleges, places of worship, supermarkets, foodbanks, and charities.</p>	
<p>Provide residents with information and support to acquire essential items that your organisation does not provide as standard. This could include bedding, toiletries, or cooking equipment / utensils</p>	
<p>Ensure your organisation and your housing / support staff have good links with local police and fire departments, residents' associations, local councillors and MPs.</p>	
<p>It is best practice to have a resident handbook, available in hard copy and electronically, with information about your organisation, rights and responsibilities as a resident, and useful phone numbers and websites.</p>	

Assessment and Provision of Support:

Good Practice	Provider Comments
<p>Initial assessment of support needs and subsequent one-to-one sessions should be conducted in private and where you will not be disturbed</p>	
<p>Initial assessments and subsequent interactions should be person-centred and strengths-based</p>	
<p>Residents' support plans / needs assessments should be reviewed regularly, and staff should allow for input and feedback from residents.</p>	
<p>Support or interaction with residents does not always, or at all, need to be heavily structured or 'formal', although keeping case notes or observation notes is recommended practice. It is good practice for staff to carry out informalised 'wellbeing' checks alongside more structured interactions, ensuring processes do not become too bureaucratic or alienating to residents.</p>	
<p>Developing holistic models of support and joint working with other relevant external agencies is recommended practice. However, staff should be aware of confidentiality and information-sharing protocols when they have a mutual client with an external agency.</p>	
<p>Developing an approach based on the principles of Trauma-informed Care (TIC) or Psychologically Informed Environments (PIE) is considered best practice within homelessness sectors. Organisations are encouraged to familiarise themselves with the principles of TIC and PIE and consider embedding within their organisational practice.</p>	
<p>Ensure staff do not have large caseloads spread over large geographical areas. This will ensure they are able to manage their residents safely and effectively</p>	
<p>If possible, attempt to match staff to certain schemes in order to create the 'best fit' and ensure both staff and residents can interact safely and productively.</p>	

Residents' Security of Property:

Good Practice	Provider Comments
<p>Ensure residents' food cupboards have locks on them</p>	
<p>Ensure every resident has a working lock on their bedroom door. If this lock breaks, it should be classed as an emergency repair in all cases and repaired or replaced within 24 hours</p>	
<p>Advise residents that theft is taken seriously, and will be dealt with if there is evidence of perpetrators</p>	
<p>Encourage households to discuss any issues together, and facilitate this through group meetings</p>	
<p>Encourage residents to speak to staff if they are struggling financially, or need assistance with basic food items</p>	
<p>Installing CCTV in communal areas may help some residents to feel more secure and help prevent and detect certain criminal or antisocial behaviour. However, this option must be assessed carefully, in full consideration of an individual's right to privacy within their home. If you do choose to install CCTV in communal areas, you must ensure this is clearly signposted to residents and ensure they are aware of their rights to access any recorded data held on them.</p>	
<p>Before installing any CCTV, ensure you have the appropriate SIA licence and that any use of CCTV complies with the Human Rights Act; General Data Protection Regulations (GDPR) and the Data Protection Act.</p>	
<p>Before installing any CCTV, it is advisable to carry out a Data Protection Impact Assessment (DIPA): https://www.itgovernance.co.uk/privacy-impact-assessment-pia</p>	
<p>Advise residents to keep non-perishable items in their rooms if they are worried about theft</p>	
<p>Allow residents to have a mini fridge in their room if they can acquire one. This must be PAT tested (see https://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm)</p>	
<p>Above all, sensitively listen to residents' concerns and take them seriously, even if you are not able to fully resolve the issue</p>	

Policies and Training Checklist: Safety and Risk

Area of Policy	Implemented by Organisation
Referral and Assessment procedures	
Safeguarding / Vulnerable Adults	
Domestic Abuse and Sexual Violence	
Equality and Diversity	
Substance Misuse	
Antisocial Behaviour (separate from domestic abuse policy)	
Equality and Diversity	
Lone Working	
Confidentiality and Data Handling	

Organisations should regularly communicate with and consult their staff around any training needs. Suggested training includes:

Area of Training	Implemented by Organisation
First Aid (medical)	
Mental Health First Aid	
Safeguarding / managing risk	
Managing difficult situations / mediation	
Positive interviewing / risk assessment techniques	
Suicide Awareness	
Substance misuse and recovery awareness	
Blood-borne viruses (e.g. HIV; Hepatitis B and C)	
Notifiable Diseases (e.g. TB; measles, acute meningitis, COVID-19)	

Section 6: Further Reading



Research on non-commissioned exempt accommodation funded by Birmingham Safeguarding Adults Board:
<https://www.birmingham.ac.uk/schools/social-policy/news/2018/11/hcrg-publish-latest-research-on-exempt-accommodation-in-birmingham.aspx>

Research on non-commissioned exempt accommodation funded by Commonweal Housing:
<https://www.commonwealhousing.org.uk/unregulated-exempt-accommodation>

Birmingham Safeguarding Adults Board, Managing Risk: Risk Enablement:
<https://www.bsab.org/info/2/information-professionals/16/managing-risk-risk-enablement>

Social Care Institute for Excellence: Safeguarding:
https://www.scie.org.uk/safeguarding?gclid=Cj0KCQjwvIT5BRCqARIsAAwwD-T3jU2VIUcXoRRDBColP2QlkUK80zM7Oe3JDkxQW3L94Z5PHGp4E6gaArtnEALw_wcB

Anne Craft Trust: Further safeguarding materials:
<https://www.anncrafttrust.org/>

Birmingham City Council Housing Benefit:
<https://www.birmingham.gov.uk/benefits>

Birmingham City Council Housing pages:
<https://www.birmingham.gov.uk/info/20006/housing>

Birmingham City Council drug and alcohol treatment pages:
https://www.birmingham.gov.uk/info/50120/public_health/1350/substance_misuse

Shelter Legal: Housing Law:
<http://england.shelter.org.uk/legal>

Crisis (national homeless organisation):
<https://www.crisis.org.uk/>

Mind (mental health):
https://www.mind.org.uk/?gclid=Cj0KCQjwvIT5BRCqARIsAAwwD-SftGxR7vMQGN0GV5iqaYnEdxwAZNs7lNq-b1qlxMATB4EZQ17wSGEaAmJyEALw_wcB

Women's Aid Federation of England and Wales (domestic abuse):
https://www.womensaid.org.uk/?gclid=Cj0KCQjwvIT5BRCqARIsAAwwD-Q4UwBFUZWgP-jZnqV09liVOxH3aQY_b7z21IW7S39qHNyYpjOys58aAo7pEALw_wcB

Turn 2 Us (benefits calculator and grants search):
https://www.turn2us.org.uk/?gclid=Cj0KCQjwvIT5BRCqARIsAAwwD-TRp4btHr8kKD2Baq0Kfmk8i4Hkin6ZQ-K2tBjgpN6F_pum4CgX4w8aAlqnEALw_wcB

Statements of Support:

“The Charter of Rights is a critical step forward in ensuring that some of our most vulnerable citizens in Birmingham are provided with appropriate support and good quality accommodation which they deserve and are entitled to. As an organisation that refers into exempt accommodation providers, it can be difficult to verify the quality of every provision. The Charter of Rights helps to reassure our frontline workers that there is a framework in place that keeps our vulnerable clients safe. It also provides our clients with control over their choices concerning accommodation by taking a rights-based approach and providing them with clarity about what they can reasonably expect.”

Carly Jones, CEO, Sifa Fireside

“St Basils fully endorses this Charter of Rights. It is critical to us that young people have accommodation of a high standard and appropriate support to meet their needs. We believe this will be an ambition shared by all landlords we work with and an expectation of those we refer to.”

Jean Templeton, CEO, St Basil's

“I am pleased to add my support to Birmingham City Council's 'Charter of Rights', and the 'Guidance for Providers and Landlords' handbook to drive up the standards in the unregistered social landlords' sector, to ensure that our service users are in safe accommodation, receiving appropriate support and getting value for money from their housing provider. The National Probation Service for Birmingham has a duty to approve addresses in our city for all of our service users, and we have made a commitment that we will only approve addresses where providers have both signed up and adhered to the Charter of Rights, to support this initiative and drive up the living standards for those under our supervision.”

Neil Appleby, Head of Birmingham National Probation Service

“We are really proud to commission the charter which has been co-designed by people that have experienced homelessness. The charter gives some of Birmingham’s most vulnerable citizens a voice in ensuring they get quality, safe housing with support that they value. Alongside a Birmingham Quality standard for supported Exempt accommodation in the city this Charter is a key part of our work to improve the quality of this type of provision in the City.”

Cllr Sharon Thompson, Cabinet Member for Homes and Neighbourhoods, BCC

“The Charter of Rights is an invaluable tool in improving residents’ understanding of their rights to good accommodation. Providing residents with the knowledge about what they should expect is critical part of making the system work for everyone.”

Birmingham Voluntary Sector Commission (BVSC)

“The purpose of the WMCA Homelessness Taskforce has been to ensure that we are drawing on our collective resources to design out homelessness, in all its forms. This means thinking about the risks faced by individuals and any life circumstances that can lead to homelessness. We welcome and support this Charter. It provides clarity and voice to residents of non-commissioned exempt supported housing to ensure that essential standards for housing and support are met; providing residents with safe and secure housing, so that they can achieve their full potential.”

West Midlands Combined Authority Homelessness Task Force

“Birmingham Social Housing Partnership (BSHP) is a partnership of housing associations, that work together to improve and influence how housing is delivered in Birmingham. BSHP Support the Charter of Rights that help to guide the non-commissioned exempt sector in Birmingham. The Charter is clear and concise, and understands that one size does not fit all. It helps to support the landlord in their offer and the tenant in their expectations so that tenants can live in decent conditions in a safe environment”.

Birmingham Social Housing Partnership

“Everyone living in supported accommodation should have the right to decent living conditions, to feel safe and protected, to support and advice, and security. However, for people who have nowhere else to turn, this is too often not the case. Anyone working in this sector will tell you that exempt accommodation suffers badly from a lack of oversight and regulation. I therefore support Spring Housing’s Charter of Rights for people living in supported accommodation, to raise standards for some of the most vulnerable people in our society.”

Preet Gill, MP, Birmingham Edgbaston

“With over 40 years of specialist knowledge gathered, we know how important it is when it comes to ensuring women feel safe, protected and are believed. The Charter provides a significant step in ensuring that everyone in the City is making women’s safety their number one priority. Without safety being a priority, women cannot begin the long and arduous journey to recovering from and moving on with their lives: it all starts with believing women. The guidance in this Charter, both for residents and accommodation providers, sets out a solid framework to implement a standardisation of this.”

Maureen Connolly, CEO, Birmingham and Solihull Women’s Aid

“Everyone deserves to live in a place they can call home. Accommodation that is safe, secure, of a good standard and full working order and repair that enables people to leave homelessness for good and to live healthy lives should be the basic principles of housing strategy and opportunity. The Charter of Rights will bring challenge, confidence and guidance to the housing providers and clarity of expectations of housing standards for support agencies referring into exempt supported housing providers. Ultimately, the Charter will bring reassurance to people living in exempt supported housing that they deserve and are entitled to live in good quality accommodation, accessing the personalised support they need to thrive.”

Matt Green, Director, Crisis Skylight Birmingham

“The Charter is a great opportunity to improve practice across the exempt sector. Even though this isn’t mandatory it does provide an opportunity for providers to develop a standard and for clients to know what they are able to request.”

Vicky Hines, Hub Manager, Shelter Birmingham

“At a time when we have such a severe lack of decent and affordable self-contained accommodation for people to move out of homelessness, exempt accommodation has expanded to seek to meet that need. Given how desperate we are for supply and given the lack of government regulation which exists to properly enforce standards on the sector it is a constant challenge to hold the line on quality. That is why this Charter is so important in providing a consistent and shared standard which we can now use to better manage the market and seek to drive up standards. That is why Crisis are so supportive of this approach, and we would be very keen to contribute to the wider roll out and adoption of the Charter.”

Chris Hancock, Head of Best Practice, Crisis

“Birmingham Safeguarding Adults Board is delighted to endorse this Charter of Rights. For us, it’s all about valuing, empowering and supporting the city’s most vulnerable people to have the best quality of life possible. A life that’s free from harm, abuse and neglect. We call it ‘safeguarding’ but actually it’s not a specialism; it is a human right and a human need. We are greatly optimistic about the impact of all of the work being done to raise awareness and standards and we will continue to provide our full support”.

Cherry Dale, Independent Chair, Birmingham Safeguarding Adults Board

“A very comprehensive Charter with useful information and guidance for providers who aim to support the most vulnerable at a critical time of significant transition in their lives. RMC has a long-lasting partnership with Spring Housing Association who, with their innovative approach to housing and professional support services, have helped many of our clients into sustainable accommodation.”

Arten Llazari, CEO, Refugee and Migrant Centre

“This Charter of Rights is an exciting step in improving the exempt accommodation sector, and addressing the accountability deficit identified by Spring Housing research, supported by Commonweal in 2019. We hope this Charter will bring forward meaningful change, with the rights of residents at the forefront.”

Ashley Horsey, CEO, Commonweal Housing

Local Services



Sifa Fireside

<https://www.sifafireside.co.uk/>
Tel: 0121 766 1700

Birmingham Mind

<https://birminghammind.org/>
Tel: 0121 262 3555

Crisis Skylight Birmingham

<https://www.crisis.org.uk/get-help/birmingham/>
Tel: 0121 348 7950

Birmingham Changing Futures Together (BVSC)

<https://changingfuturesbham.co.uk/>
Tel: 0121 678 8834

St Basil's

<https://stbasils.org.uk/>
Advice and Wellbeing Hub: 0300 303 0099

Change Grow Live (CGL)

<https://www.changegrowlive.org/>
Tel: 0121 227 5890

Birmingham and Solihull Women's Aid

<https://bswaid.org/>
Helpline: 0808 800 0028

Refugee and Migrant Centre

<https://rmcentre.org.uk/>
Tel: 0121 374 0140

Shelter Birmingham

https://england.shelter.org.uk/get_help/local_services/birmingham_gateway_house
0344 515 1800

Offenders Housing and Wellbeing Hub (Spring Housing)

<https://springhousing.org.uk/support/housingwellbeingservices/>
Tel: 0121 663 6290

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