

## Agreements for supported housing organisations and residents

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Residents of supported housing are unique among social sector tenants in receiving not only housing services, but support services as well. This support is either provided directly by the landlord, or delegated to a specialist support provider. The Welsh Federation of Housing Associations and the Tenant Participation Advisory Service Cymru undertook research with supported housing organisations and residents, to explore whether variations or additions were needed to agreements currently in use in supported housing, in order to reflect all the services that supported housing residents receive. The research found that:

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- f** Although supported housing residents held tenancy or licence agreements to occupy their home, there was generally no written agreement between the resident and the organisation providing their support that comprehensively detailed the overall expectations and standards of the support service.
- f** Support providers frequently required residents, particularly where housing was shared, to agree to additional responsibilities to those outlined in their tenancy or licence agreements, in the form of 'house rules'. However, organisations generally had no formal procedures for setting house rules, or for regularly reviewing and monitoring these.
- f** Although most support staff came from non-housing backgrounds, landlords usually expected them to implement agreements, acting on the landlord's behalf. However, the staff rarely received training on the content or use of tenancy and licence agreements.
- f** Many residents found agreements difficult to understand, and did not refer to them unless a crisis occurred. In particular, a significant number were unclear about both their tenure rights and the circumstances in which they could be made to leave their home.

## Introduction

The majority of supported housing residents in Britain live in homes owned by a registered social landlord (RSL) or by a local authority. Support for residents is normally provided either directly by their landlord, or via a range of specialist voluntary or statutory partner organisations. The nature and diversity of supported housing provision means that there is a wide range of tenancy and licence agreements in use.

Earlier work carried out by TPAS Cymru and funded by the Joseph Rowntree Foundation highlighted areas of concern among practitioners and residents relating both to the rights and opportunities of supported housing residents and to the content of existing tenancy and licence agreements ('Tenant participation in supported housing', *Findings* April 1996, ref. H177)

This project set out to establish whether variations or additions were needed to existing tenancy and licence agreements in use for supported housing, in order to reflect the housing and support service residents receive.

## Documenting the support service

Existing agreements comprise:

- *management agreements* between landlords and support providers
- *funding contracts* between landlords/support providers and funders
- *tenancy or licence agreements* between landlords and residents
- *individual support or care plans* between support providers/funders and residents

The research identified a 'missing link' in the current range of contracts and agreements, in that none of the existing documents detailed the direct relationship between the support provider and the resident, or set out general expectations and standards of support service that the resident should receive. Although it was found that the best support providers gave residents some information about the support service in handbooks and other documents, many did not.

Practitioners taking part in the research identified a need for a new document setting out a detailed description of the relationship between the

support provider and the resident. One RSL officer commented:

"As a principle, this is a good way forward. Support 'rights' are as important as existing rights and responsibilities in tenancy agreements."

A support provider said:

"The support service is currently unaccountable with no baselines. Minimum standards would be useful. Culture is currently the vital regulating factor."

Practitioners saw the new document as a 'support charter', detailing the standards and expectations of the support service and the relationship between the support provider and the resident.

Practitioners preferred a support charter that was a non-legal statement of intent, separate from the tenancy or licence agreement, but linked to this by inclusion of a specific section within the tenancy or licence agreement, cross-referencing to the support charter.

## Procedures for setting, monitoring and varying house rules

Supported housing residents are unique among those housed by RSLs, in being subject to additional and varying responsibilities to those outlined in their tenancy or licence agreements, in the form of house rules.

The research found that most organisations, particularly those providing shared housing, operated some form of house rules. However, it was found that most did not have any formal policies or procedures on how the rules were to be decided, negotiated, changed or monitored. Some RSLs expressed concern about lack of information on house rules provided to them by their partner support providers:

"Housing associations never get copies of house rules. We don't know what service or rules [*residents*] have."

Although house rules were found to be very much one-way prescriptions of what residents should (not) do, most residents were in broad agreement that some rules were useful:

"They help keep the house clean and orderly."

"Rules stop all the arguing."

"They make us have mutual respect."

However, rules on restricting visitors were generally not welcomed by residents.

Most organisations perceived house rules as being negotiated jointly between staff and tenants.

However, the majority of residents interviewed said that these rules were ultimately decided by staff.

### Housing management responsibilities and support staff

The research found that support staff generally come from a wide range of non-housing backgrounds, such as social work, health, probation, teaching, community work and other fields.

Very few of the organisations interviewed provided any training for support staff on how to carry out housing management tasks, including how to use tenancy or licence agreements. In partnership schemes, no support staff interviewed had seen a management agreement between the support provider and the RSL, outlining the various responsibilities of each organisation. However, it was found that support workers often carried out the majority of housing management tasks on behalf of landlords, including monitoring rights and responsibilities set out in tenancy and licence agreements.

Supported housing licensees have no rights to security of tenure. Practitioners using licences can therefore carry out evictions quickly when a resident breaches the conditions of their licence in a way which causes a crisis situation at a project. However, the research found that pressure on organisations to act quickly in difficult situations could sometimes conflict with the need to make sure licensees were clear about their rights to have the correct legal procedure followed during the eviction process.

"We give Notice and pray! Generally people go."

"Technically we have to give Notice, but we've never had to take people through the process. They just go when asked to leave."

"People just go, due to ignorance."

### Residents' understanding of tenure rights

The 37 residents taking part in the research were split fairly evenly in terms of tenure:

assured periodic tenants	12
assured shorthold tenants	14
excluded licensees	11

A number of residents were not clear about what security of tenure their agreement provided. Two tenants holding six-month assured shorthold tenancies said:

"I think I can stay for two years."

"I can stay forever."

Tenants with learning difficulties had a greater awareness of the security of tenure rights given by their periodic assured tenancies, although none could actually name the agreement they held:

"I can stay 'til I'm dead."

"I'm never going."

A number of residents were not clear about the procedures by which they could be made to leave their home. Responses were as follows:

Only with a court order	2 shorthold tenants
By getting a letter	2 shorthold tenants
Notice to quit (no court order)	8 excluded licensees
Letter and four weeks' notice	1 excluded licensee
Verbal/written warning	1 assured tenant
Staff phoning police	1 assured tenant
Don't know	2 shorthold tenants

### Use of agreements

Most organisations said they didn't think tenants understood or were particularly interested in their agreements:

"It's a lot of information to take in if you're just getting a place after sleeping rough."

One tenant said:

"You only understand it when you've read it several times. The first time is just a blur."

Most residents interviewed said they hadn't looked at their tenancy or licence agreement since they moved into their home. However some, particularly those holding licences, referred to their agreement more often:

"It's useful. You know where you stand."

Only a small minority of practitioners said they used agreements regularly. These were generally projects using licences:

"[Use] varies enormously, hardly ever with learning difficulties groups, [but it is] a working document with young people. The use relates to the turnover."

### About the study

The project was carried out over a fifteen-month period. The work drew directly on the experiences and ideas of a wide range of organisations and residents who work or live in supported housing. Representatives of 65 organisations, including a wide range of registered social landlords, supported housing organisations, funders and supported housing residents took part in two consultation seminars to test preliminary findings, examine issues in more detail, and provide feedback on draft documents.

Fifty-one diagnostic interviews were carried out with housing managers, support managers and workers, funding organisations, tenants' groups and individual residents. Topics discussed included:

- use of existing tenancy or licence agreements
- issues surrounding security of tenure
- residents' rights, responsibilities and choices
- additions or variations to current agreements to make them more useful

In response to the research, a model support charter was produced, together with a linking supported housing section for tenancy and licence agreements.

The work was carried out by consultants Monica Keeble and Duncan Forbes on behalf of the Welsh Federation of Housing Associations and the Tenant Participation Advisory Service Cymru.

### How to get further information

The full report, 'Knowing where you stand: Agreements for supported housing organisations and residents', which includes a model support charter, together with accessible leaflets and audio tape for residents, is published for the Joseph Rowntree Foundation by Pavilion Publishing (ISBN 1 84196 000 4, price £13.95).