



Decant Policy

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POLICY SUMMARY

Please note that where we use EPIC within this policy, we refer to EPIC Limited.

This policy sets out EPIC's approach where tenants are required to move out of their homes either because their existing home requires substantial improvement or repair works or where a property must be disposed of for effective asset management, this is known as decanting.

Decanting

The legal definition of 'decanting' is used to explain the process where tenants are required to move from their homes, due to the reasons stated in the introduction above, or an authority with compulsory purchase powers has redevelopment plans for their home. These plans may involve demolition or major repair or improvement to the property (resulting in a significant change of character to the property, e.g. building an extra room) and will require the tenants to move out, either temporarily or permanently, for the works to be completed. This does not include tenants moving due to transfers, mutual exchanges or choosing to end their tenancy.

1. APPLICABILITY

The Policy applies to

- Relevant Staff
- All tenants.

2. INTRODUCTION

2.1. EPIC recognises that occasions do arise when it has to temporarily or permanently relocate individuals or groups of its tenants. Decants are usually necessary when a property is in need of major repairs work or needs to be refurbished or modernised. Decants are also necessary when a property needs to be rebuilt or disposed of to enable effective asset management.

3. CONTEXT

3.1. The 'Regulatory Framework for Social Housing in England' sets out that Registered Providers shall 'offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock'. This policy ensures that tenants are offered suitable alternative accommodation where they are unable to remain in their property.

3.2. EPIC will support tenants who are to be temporarily or permanently decanted by working with them to identify a suitable decant property. A suitable decant property will be based on the tenant(s) family makeup and current location. Consideration will be given for the need to maintain access to schools/work etc; however, this may not always be possible and will be subject to available EPIC stock.

3.3. EPIC will provide support with the move by arranging removal of furniture and possessions, disconnection of white goods e.g. cooker, washing machine and removal/refit of carpets if this is necessary. This will also include the reasonable costs associated with return move.

A temporary decant is one where a tenant may be required to move out of their current property for a period of time to enable major or urgent work to be carried out with the intention that the tenant returns to the property once the repair work has been completed. Instances constituting temporary decants include, but are not limited to:

- An emergency that has had a significant impact on the condition of the current property e.g. extensive fire or flood damage resulting in the property becoming uninhabitable.

- Major repair works being carried out at the current property that would exacerbate the tenant's medical condition.
 - Major repair works to the current property e.g. asbestos removal; gas leaks; treating for dry rot/woodworm, associated work in cases of severe damp, mould and condensation.
 - Extensive improvement works required at the current property which would leave the property uninhabitable. This does not include programmes of works such as kitchen, bathroom or heating upgrades.
- 3.4. Tenancy agreement regarding a tenant's rights and conditions remain the same for a tenant who has been temporarily decanted.
- 3.5. Moving can be a stressful time, and a tenant may prefer to remain in a decanted (temporary) property on a permanent basis rather than move back once repair work has been completed. This would be subject to approval from the Director of Housing Management and based on a number of factors, for example if the property were required to support a series of programmed works and that if the tenant remained would have a significant impact on it. However, if the decant address meets the needs of the customer, this would not unreasonably be with-held and would avoid the stress and associated costs of moving back to the original property. All tenants' individual and specific needs will be addressed on a case by case basis, for example those requiring adaptations due to a disability
- A permanent decant is one where a tenant is unable to remain in their current property but there is no intention that the tenant will be returned to their original property. Instances constituting permanent decants include, but are not limited to:
- Demolition of a current property.
 - Disposal of their current property.
 - Conversion of a property to the extent that it no longer meets the criteria of its original purpose.
- 3.6. Tenants who are being permanently decanted may be eligible for home loss Payments and/or Disturbance Allowances.

4. COMPENSATION AND REIMBURSEMENT

- 4.1. In accordance with Section 29 of the Land Compensation Act 1973, all tenants that meet the relevant criteria who are to be permanently decanted are entitled to either a 'Home Loss' payment or a 'Disturbance Allowance' from EPIC. In some circumstances payments may be offset, wholly or partly, against any outstanding debts owed by the tenant to EPIC.
- 4.2. Home Loss payments will be provided where applicable to tenants who have lived in the property for 12 months or more and are required to leave the property due to compulsory purchase orders or redevelopment by a housing organisation. The amount of home loss payment a tenant is entitled to is set by the Secretary of State (Section 30(5) of the Land Compensation Act.
- 4.3. Home Loss payments will not be made if tenants have agreed to move voluntarily due to repair works.
- 4.4. Disturbance Allowances can be provided to tenants who have not lived in the property for 12 months but are tenants at the time of the decision to decant. The amount of the disturbance allowance can vary and will be considered on a case-by-case basis.
- 4.5. Tenants will be compensated for the physical costs of relocation, including removal costs and transfer of services.

5. STATEMENT OF INTENT

- 5.1. EPIC aim is to support tenants who have to move out of their existing homes either on a temporary or permanent basis.

6. RESPONSIBILITIES

- 6.1. It is the responsibility of the Executive Team to monitor the overall effectiveness of this policy

- 6.2. It is the responsibility of the Housing Manager to ensure that this policy is adhered to by staff supporting tenants who need to decant.
- 6.3. Tenants who will be expected to work with staff to achieve the aims and objectives of this policy.

7. TRAINING

- 7.1 Staff involved in supporting tenants who are required to decant on either a temporary or permanent basis will be given the appropriate training for them to understand the legal requirements expected of them and EPIC in order to provide support, advice and guidance to tenants who are required to move out of their existing home.

8. EQUALITY AND DIVERSITY IMPLICATIONS

We are committed to ensuring and promoting equality of opportunity for all. We are opposed to discrimination on any grounds, including race, religion, gender, marital status, sexual orientation, disability, age, or any unjustifiable criteria. We are committed to developing a culture that values people from all sections of society and the contribution which each individual can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.

EPIC recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances. EPIC will also ensure that all services and actions are delivered within the context of current Human Rights legislation and will make sure the central principles of the Human Rights Act (1998) will be adhered to.

An Equality Impact Assessment has been completed and has not identified that any particular groups that would be disadvantaged as a consequence of this policy.

9. MONITORING / REVIEW

- 9.1 This policy will be reviewed every 3 years. A review may be conducted earlier if there are significant changes to either regulation, legislation, or EPIC's operating practices.

10. ASSOCIATED DOCUMENTS

- Allocations Policy
- Compensation Policy
- Complaints Policy

Version Control

Date of Review	Reviewer	Version Number	Changes	Date of Next Review	Approved By
December 2024	Director of Housing Management	1.0	New Policy	December 2027	Executive Team

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