

HACKNEY HOMES Ltd Board Meeting 21

6.00 to 8.30 PM ON 30th October 2006,

Howard Road Resource Centre, Stoke Newington.

A AGENDA Part A (open to the public)

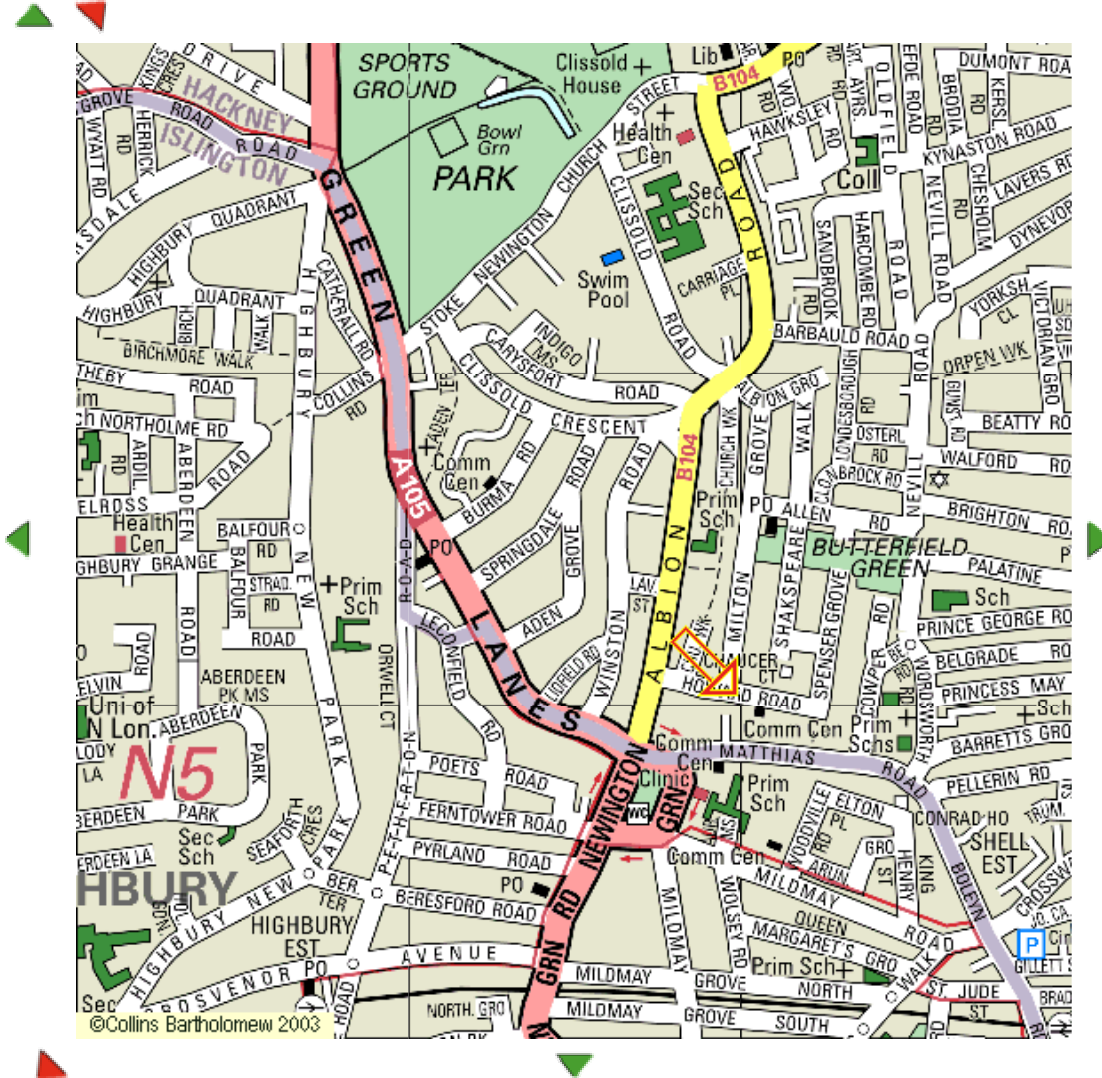
6.30 to 8.30PM

Item	Presenter	Subject	Status	Page Number	Duration
		Open Items			
1	D Curley (Chair)	Welcome/Apologies/Introductions	Information	Verbal	3 mins
2	D Curley	Declarations of Interests	Information	Verbal	2 mins
3	D Curley	Questions received from the public	Information	Verbal	5 mins
4	D Curley	Minutes of 25 th September 2006 and matters arising.	Decision	3	5 mins
		Rolling Decision Register			5 mins
5	S Tucker	Chief Executives Monthly Report	Information	18	20 mins
6	S Tucker	Governance Review	Information	26	20 mins
7	S Noonan	Improvement plan	Verbal	Verbal	10 mins
8	S Tucker	Value for Money	Verbal	Verbal	10 mins
9	Alan Turner	Decent Homes Programme	Information	53	10 mins
10	S Noonan	Domestic Violence and Hate Crime	Decision	67	3 mins

Distribution: All Board Members

In Attendance: Steve Tucker; Susmita Noonan, Alan Turner, Cheryl Ramsay,

**Hackney Homes Board will be holding its meeting for 30th October 2006
at the Howard Road Resource Centre, Howard Road Stoke Newington**



The above map shows the location of the centre and below are the transport links you may wish to choose. Please note car parking at the centre is limited, and C.P.Z is in operation.

Bus 73, 141, 236, 341, 476 all stop nearby.

Tube No close by tube station

Rail No close by rail station

Present	Board Members	Officers	Observers
	David Curley – Chair Samantha Lloyd Audrey Villas Asim Bhattacharyya Andrew Potter Marie Photiou Afolasade Bright Linda Kelly	Steve Tucker – Chief Executive Susmita Noonan – Director Landlord Services Derek Young – Director of Finance Curtis Taylor - Head of Estate Regeneration Dale Walker – Head of Decent Homes Gary Penticost – Property Services David Angus – Interim Head of Repairs & Maintenance Barrie Cotton – Governance Manager Mandy Woodhull – Governance Team	Fiona F Stephen E Steve E Helen T John C Emma Reside Gordon Eric Ca

	Part A – Open to the Public		
1. Apologies/ Introductions	Sharon Patrick, Karen Alcock, David Larkin, Rupert Tyson Fiona Fletcher-Smith introduced Stephen Tate, the new Assistant Director Planning and Regeneration. Did not attend – Sandra Hill, Brian Marsh, Alice Burke		
2 Declarations of Interests.	None		
3. Questions received from the public	None		

<p>4a Minutes of last meeting 31 July 2006</p>	<p>Minutes agreed.</p>		
<p>4b Rolling Register of decisions</p>	<p>The Chair clarified that items in normal type were still outstanding.</p> <p>Update and Actions</p> <p>Chief Executive's Report</p> <p>3. Health and Safety – Steve Tucker confirmed that health and safety issues in respect of residents are covered on estate walkarounds. As an employee Hackney Homes managers are responsible for the health and safety of its employees at all times.</p> <p>4. Service First – Gillian Wheeldon, Assistant Director, Customer and Corporate Services to be invited to the next Board Meeting to give a presentation on the Service First framework and the Council's progress to date. The Board asked for more information on how Service First will impact on Hackney Homes, the timescales of implementation, and associated costs. Chair asked if this item could be discussed at Improvement Committee.</p> <p>5. Complaints – Members asked if it would be possible for timescales for responding to residents and councillors complaints be uniform. This item will be discussed as part of Alex Jarosy's presentation of the half yearly review complaints, which will come to the next Board Meeting in November 06.</p>		
<p>5. Chief Executive's Report</p>	<p>Steve Tucker highlighted the key areas of his report to the Board for comment.</p> <p>2.2 Review of July and August Performance – key issues are covered in</p>		

report. Rent collection is improving but still a cause for concern.

2.3 Review of Governance – the Board was recommended to agree the 7 actions arising from the review. These points require further attention from the Board and form part of a work programme for the Board and Governance team to work to. The Chief Executive said that the review was not yet completed and a copy of the report would be circulated to members once finalised.

2.4 Amendment of Articles of Agreement – It was explained that this amendment was necessary as the number of residents has increased to 9 (from 8) to one member becoming a leaseholder. The CE advised that 2 other Long Leasehold ALMO's have made the same change. This can be done as a requirement of the Council and no resolution is needed. The Board's endorsement was required to take this forward and this was agreed. The Department for Communities and Local Government (D.C.L.G.) will need to approve the proposed amendment.

2.5 Transfer of Urban Regeneration Team back to the Council
Members agreed that a wider discussion was needed on this matter with further information required on technical assurances about how the Council would use the money from disposal of assets, to support the discussion. The Board also wanted to know how the Council's 5-year plan for urban regeneration fits in with Hackney Homes plan. Fiona Fletcher-Smith said that a number of issues still needed to be discussed and the final report on this issue would be available for Cabinet.

Action: This item to be included in the forward plan (date)

2.6 Staff Incentive Scheme –Members (AP) felt that the Housing Committee

	<p>would challenge the scheme and how it is implemented. Members request a report setting out the operational arrangements and audit trail of the proposed staff incentive scheme.</p> <p>4. Performance Issues – CE explained that the Board would be seeing providers in the next few weeks to go through performance statistics. A discussion on performance followed.</p> <p>Repairs Performance figures – there is a problem with completing emergency works within target timescales and a target of 6 days has been set to complete non urgent repairs. The Board requested proposals for a system of monitoring which will ensure we are meeting publicised standards for tenants. The Chair also asked that an interim update be given at the Improvement Committee.</p>		
<p>6. Improvement Plan</p>	<p>Susmita Noonan updated the Board on the Improvement Plan. There are 6 items on the plan which are coded red.</p> <p>Telephone answering has improved and is now just under the target of 85% guidance handbook has been issued to all staff and pro-active work will be taken to deal with poor performance.</p> <p>Asset Management - Some Gershon training on value for money and efficiency savings has been given to about 25% of staff. There is a training programme cover the remaining staff between now and Christmas.</p> <p>Leasehold and Income queries – mystery shopping exercise will be complete by the end of September 06.</p>		

	<p>All projects arising from the Leaseholder Review should be completed by December 2006.</p> <p>Aids & Adaptations – should be resolved by October 2006.</p> <p>Long Term Voids – progress on day to day, but no policy for long-term void SN to discuss with internal and Council colleagues. HH will lead on this issue with the Council.</p> <p>Action Board requested that any projects that overrun are brought to Improvement Committee within the next 2 weeks.</p>		
<p>7. Value for Money</p>	<p>Derek Young gave the Board a verbal update on the 30 projects he is currently overseeing.</p> <p>We are currently on target to achieve the required amount of savings.</p> <p>Reports on the 3 major reviews on SLA's, Legal, CCTV, Property Services, on the remaining SLA's, will go to the next Audit & Finance Committee on 2 October 2006.</p> <p>There is a major drive on costs restructuring on property services.</p> <p>A 6 monthly report showing the current position on all projects will be provided to the Audit and Finance Committee as well as the Board.</p>		

<p>8. Decent Homes Programme</p>	<p>The Board was asked to note the report and appendices.</p> <p>It was noted that HH was on target to spend its target of £45m. The Board raised specific concerns and asked if the data presented in the report could be revised to address these, ie:</p> <ul style="list-style-type: none"> • to show the monthly rate of spend (targets and actual & how much pending valuation) • more detailed/accurate information on completion of works by each contractor • commentary on major works recovery from leaseholders and reassurance that we are seeking 100% recovery on decent homes w • customer satisfaction needs to be included in the main body of the report <p>Board members who wish to comment on the report were asked to contact Curtis Taylor direct. (0208 356 2260)</p>		
<p>9. Asset Management Strategy</p>	<p>The Board was asked to approve the Asset Management Strategy for adoption, agree the Improvement Plan and receive quarterly reports on progress. Agreed and adopted.</p>		
<p>10. Succession arrangements</p>	<p>The Standards and Ethics Committee recommend that the Board accept all proposals to fill the current vacancy for an independent member. Agreed.</p>		

<p>11. Proposal to alter Account Reference Date</p>	<p>The Board is recommended to agree:</p> <ul style="list-style-type: none"> • A change in the annual accounting reference date for Hackney Homes Ltd to 31 March, in line with the Council's accounting period. The paperwork for this will be presented to the next meeting • A special AGM be called in October 2006 to accept a nil account return for a shortened accounting period 29 December 2005 to 2 April 2006 whilst the company was dormant. <p>Agreed</p>		
<p>12. Any other business/Date of next meeting</p>	<p>None</p> <p>Next meeting will be held on 30th October at the Howard Road Resource Centre, Stoke Newington.</p>		

Signed as a true record of this meeting _____Chair



Hackney Homes.
 Rolling Register of Decisions and Ac
 Hackney Homes Board.

Agenda Item (Number & Title)	Date of Meeting	Details of decisions taken	Lead Officer	Deadline	A
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1. Chief Executives Report	24 April 06	1. Circulate a briefing to Board members on proposed charges to leaseholder's for neighbourhood management services.	Pat Ronayne	May 06	L E
	24 April 06	2. An update from the Woodberry Down regeneration project	Robin Smith	May 06	L E
	31 July 06	3. Health and Safety issues to be a mandatory element of estate walk rounds.	S Tucker	August 06	
	31 July 06	4. Discussion to be arranged around Service First and	S Tucker	Sept 06	C r

		proposals to set up a single point of contact for residents for all council services.			p E	
	31 July 06	5. Time scales for responding to Residents and Councillors complaints should be uniform.	A Jarosy	Oct 06		
	25 Sept 06	6. Service First Framework Gillian Wheeldon will conduct a presentation on Service First Framework and the Council's progress to date.	S Tucker			
	25 Sept 06	7. Complaints - Response Times for both Board Member and councillor complaints to be uniform.	A Jarosy	30 Oct 06		
	25 Sept 06	8. Review of Governance – The Board will address the 7 points highlighted as concerns in the recent governance review	S Tucker	By end Dec 06		
	25 Sept 06	9. The Board agreed to amend the Articles of Agreement document to reflect the increase in membership of the HH Ltd Board tenants representatives group to 9 subject to DCLG approval.	Gov Team	Nov 06		

	25 Sept 06	10. Transfer of Urban Regeneration staff back to Hackney – The Board asked for clarification on how money gained through disposal would be used	ST	Nov 06		
	25 Sept 06	11. Information concerning the Councils 5 year plan and its relation to Hackney Homes before it goes to Cabinet.	ST	Nov 06		
	25 Sept 06	12. The Board requested a draft report / draft proposals concerning a HH Ltd emergency repairs monitoring system	G Penticost	Oct 06		
2. Monthly Performance Digest	24 April 06	2.1 Monthly Performance Digest needs to be clearer and easier to read	A Jarosy	May 06	A U E	
3. Improvement Plan	24 April 06	3.1 Value for Money Blueprint to be presented to A and F committee 3.2 The Board requested that any project that does not meet its deadline target completion date is to be re – submitted to the Improvement Committee within the	D Young SN	June 06 Oct 06	€	

		next 2 weeks.				
4. Partner Scrutiny Meetings	26 June 06 31 st July 06	4.1 Report back to HH Board results of Partner performance scrutiny meetings 4.2 Minutes of Partner Meetings to be circulated to Board Members	S Noonan B Cotton	July 06 31 Aug 06	F c C	
5. Business Plan and VFM	26 June 06 25 Sept 06	5.1 Housemark 2004/05 figures to be presented to Audit and Finance Committee. Organisation chart of senior staff to be circulated. 5.2 A 6 monthly report on VFM to the next Committee	D Young D Young D Young	3 rd July 06 Aug 06 Oct 06	F	
6. Procurement	26 June 06	6.1 Circulate summary version of the procurement forward plan to the Board.	John Hesp	May 06	F A	
7. Staff Incentive Scheme	24 April 06 31 July 06	7.1 Officers to investigate feasibility of introducing staff Incentive Scheme. 7.2 Update on proposals for a staff incentive scheme, advising of any recent criticisms of existing staff	S Tucker S Noonan J	May 06 31 Oct 06	C c C	

	25 Sept 06	incentive schemes by the Audit Commission. 7.3 The Board requested a report which is to detail the operational arrangement and audit trail of the proposed scheme.	Hartland T Hogan S Tucker	Nov 06		
8. Decent Homes	24 April 06	8.1 Further Clarification on call backs to complete Decent Homes improvements required	A Turner	June 06	T M	
	26 June 06	8.2 Monthly performance report covering resident satisfaction, spend profile, works in progress, decent and non-decent, major works progress. Red flag issues to be included on a monthly basis.	A Turner	May 06	M p	
	31 st July 06	8.3 Clarification re number of call backs required to complete Decent Homes work delayed by Rent Arrears policy, broken down into neighbourhoods.	A Turner	25 Sept		
	25 Sept 06	8.4 Requested for the Decent Homes Report submitted to Members for consideration and comment on:	C Taylor S Noonan	Oct 06		

		<ul style="list-style-type: none"> ➤ Monthly spend rates incl target actual and pending valuation. ➤ Detailed, accurate information broken down into contractors. ➤ A report / paper concerning major works fund recovery from leaseholders. ➤ Customer satisfaction levels. 				
9. Parking Permits	24 April 06	9.1 Investigate into provision for TS workers	D Angus	May 06	C a p	
10. Audit and Finance Committee	24 April 06	10.1 Forward plan for Audit and Finance required	D Young	July 06	C E	
11. Invoicing	26 May 06	11.1 Breakdown of invoices from Decent Homes contractors required.	D Young M Weaver	August 06		
12. Neighbourhood Visits by Members	24 April 06	12.1 Forward plan of Board Member walk rounds of estates to be advised	S Tucker	June 06	F v p E	
13 Succession arrangements for Board Members	26 June 06	13.1 Arrangements for succession and replacement of Board Members deferred to Standards and Ethics for recommendation	P Ronayne	25 th July 06	F p E	

	31 July 06	13.2 Rockpools to be approached re positively targeting under represented groups on the Board	ST	Aug 06		
	31 July 06	13.3 Unsuccessful candidates who passed the quality threshold to be approached for reconsideration	Gov Team	Sept 06		
	31 July 06	13.4 A best value ballot system to be implemented for resident elections, with proviso that the second placed candidate could be called upon if a vacancy arises	Gov Team	Jan 2007		
14. Cabinet Forward Plan issues	26 June 06	14.1 Plan to be circulated monthly to Board members, containing HH business only.	Gov Team	July 06	F r	
15. Questions received from the public	31 st July 06	15.1 A full update on the issues raised around the Gurda doors question for next Board Meeting.	M Emmett	25 Sept		
16. Report back from Committees	31 st July 06	16.1 As much business as possible to be placed on the open agenda. Any part B items must have the reasons for confidentiality clearly stated on the part B agenda	Gov Team	25 Sept		
		16.2 Board Members attendance at	Gov	25 Sept		

		meetings and training sessions to be reported each month initially on the part B agenda	Team			
17. Senior Management Structure	31 st July 06	17.1 Senior Management Structure Chart levels 1 and 2 to be circulated.	ST	Aug 06		
18. Accounting Reference Date	25 Sept 06	The Board agreed to move this date to 31 March to fall in line with the Council accounting dates	DY	Oct 06		

FORWARD PLAN 1st NOVEMBER 2006 to 28th FEB

FP No/ Date of Intend ed Mtg	What is being decided?	Who is decisio n- maker?	When will decisio n be made?	Who will be consulted before decision is made?	How will consultatio n take place?	How com befo fur
09.10.06 30.10.06	Housing Management Contracts: Shoreditch and North East Neighbourhoods RP4 – Investment Decision	Cabinet Cabinet Proc Committee	27 Nov 2006 21 Nov 2006	Cabinet Procurement Committee; Hackney Homes Board; Hackney Homes Audit and Finance Sub Committee; Leaseholders	Draft Report, Letters	CLLR, Brian M Brian M
09.12.06 30.10.06	Woodberry Down: Regeneration Strategy Post Kick Start RP2 – Procurement Strategy	Cabinet Cabinet Proc Committee	27 Nov 2006 21 Nov 2006	Cabinet Procurement Committee, Woodberry Down Residents, Key Council and Hackney Homes Officers	Meetings, E-mails; Correspondence	CLLR, Peter C Peter.c .uk
04.01.06 22.05.06	Haggerston West and Kingsland Transfer Proposals	Cabinet Cabinet Proc Committee	29 Jan 2007 23 Jan 2007	Cabinet Procurement Committee, Residents, EDMC, London & Quadrant Housing Trust; Internal	Meetings	CLLR, Susmit Susmit

FORWARD PLAN 1st NOVEMBER 2006 to 28th FEB

FP No/ Date of Intend ed Mtg	What is being decided?	Who is decisio n- maker?	When will decisio n be made?	Who will be consulted before decision is made?	How will consultatio n take place?	Ho com befo fur
09.25.0 6 29.01.2 07	Fleet: Vehicle Maintenance RP4 – Investment Decision	Cabinet Cabinet Proc Committe e	29 Jan 2007 23 Jan 2007	Cabinet Procurement Committee		CLLR . Martin 3613/ Amy C Martin k/ Amy
11.1316 29.01.0 6	Housing Revenue Account Tenant Rent and Service Charges, 2007/08	Cabinet	29 Jan 2006	Tenants Convention	Meetings, Report	CLLR . Tim Sy Tim.sy
07.13.0 6 26.02.0 7	2007/08 Council Budget, Council Tax and Housing Revenue Account Budget	Cabinet Council	26 Feb 2007 28 Feb 2007	Business rate payers, tenants	Meetings, Draft report	CLLR . Tim Sh Tim.Sh

Round 5 ALMO Chief Executives

Julia Gristwood
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Web Site: www.communities.gov.uk

18 August 2006

Dear All,

ALMO FUNDING

The decent homes programme is making good progress. The vast majority of social landlords will be expected to ensure all homes are decent by 2010. But we will negotiate individual delivery timescales to allow some areas to continue beyond 2010 where they are starting late on the programme, or where additional time is needed to ensure value for money, deliver mixed communities and the right balance of refurbishment and new build.

I am writing to you following the announcement by Ruth Kelly on 7 June which set out the way forward for the decent homes programme. In that announcement Ruth Kelly launched the last bidding round for new ALMOs to deliver decent homes and explained how she was prepared to extend the decent homes deadline beyond 2010 as she believed greater flexibility and allowing a little longer will allow a better result to be delivered for the community.

We are asking all ALMOs on the programme to review their expenditure plans for delivering decent homes and would like you to consider the following:

- Whether by extending the deadline beyond 2010 for making all your stock decent you would be able to develop more sustainable solutions making better use of your assets which will help create mixed sustainable communities;
- What efficiencies you are already delivering and what proposals you have for increasing these;
- Whether by stretching your current plans and possibly taking these beyond 2010 you could deliver better value for money.

Your current funding allocation, whether provisional or confirmed, is for 2006/07 and 2007/08. We would, however, now like you to review your future expenditure plans in the light of Ruth Kelly's announcement, looking at the scope to deliver better outcomes through an extended timescale beyond 2010. We would like to agree a revised expenditure profile with you that reflects the three points raised above. In agreeing a revised overall profile with you we will have to have regard to the overall level of resources and the outcome of the current comprehensive spending review. We do not envisage increasing any overall allocations.

Because we will not know the outcome of the spending review until July 2007 we cannot confirm allocations beyond 2007/08, but we will agree indicative figures with you for 2008/09 onwards. Subject to our usual monitoring requirements and the spending review outcome we should be able to confirm your next tranche of funding, for 2008/09 and 2009/10, after July 2007.

Please could you submit your revised expenditure plans to Andrew Dack at Andrew.Dack@communities.gsi.gov.uk by Friday 22 September. Any queries on this letter should also be addressed to Andrew. While we appreciate that you need some time to think about this and agree changes with your local authority, it would be helpful if you provide an early indication of what you would have in mind to change your overall expenditure profile. This will help inform our discussions on the spending review which will be on-going during August and September. We are happy to discuss your initial thoughts with you.

I am copying this letter to your local authority, GO and CHTF contacts, Graeme Bennett at the Housing Inspectorate and the National Federation of ALMOs.

Yours sincerely,

Julia Gristwood

Telephone: 0208 356 3671
Email: steve.tucker@hackneyhomes.org.uk
Fax: 0208 356 2242

Our Ref: ST/kk
Your Ref:

20 September 2006

Julia Gristwood
Department for Communities and Local
Government
Decent Homes Division
2/J4 Eland House
Bressenden Place
LONDON
SW1E 5DU

Dear Julia

Re: ALMO Funding

Thank you for your letter of 6th August.

We have considered your request carefully with the Council. In summary we conclude that because we have contracts in place that are designed to deliver Decent Homes by 2010 and because Hackney is an Olympic host borough, better value or wider regeneration will not be achieved by extending the programme. In answer to your specific questions:

1. Whether better value for money would be achieved by extending the deadline

We have adjusted our programmes since the ALMO bid to ensure value for money is achieved.

We have been working to a "Reasonable Landlord Standard" and carrying out, for example, concrete repairs and lift renewals so that best use of scaffolding and contractor site set up are made.

We have carried out optional appraisals and considered alternative approaches towards decency (see 2. below).

Yet in terms of achieving Decent Homes for the majority of our stock the contracts that deliver Phase 2 of the programme are already procured, in place and are designed to deliver Decent Homes across all the stock by 2010. To pursue new contractual arrangements or to extend the existing would cause delay and additional cost.

At the request of Government - but under protest - our revised ALMO bid was stripped of Build Cost Inflation beyond the Retail Price Index. (You have previously advised us that you would consider a request for increased ALMO credits at our two-year review in 2008). Actual BCI is running well in excess of the Retail Price Index. Our current estimate is that BCI has uplifted final costs by £20.23 million. Whether or not we are granted increased allocations, an extension of the programme will cost more and not represent value for money.

2. Would extending the deadline enable us to make better use of assets which help create sustainable communities?

We welcome your offer to reassess the Decent Homes Programme. We have adjusted our programmes since the ALMO bid to ensure value for money is achieved and to secure wider regeneration.

On seven blocks – Alexandra National House, Rendlesham House and Ottaway Court, Bridge and Marion Houses, Tower Court, and Colville Estate, which were all in the ALMO bid for Decent Homes works, we are progressing with redevelopment – both partial and wholesale – in consultation with residents. We are confident that these schemes will be complete by 2010.

Our regeneration partner, Hackney Council, is also developing new regeneration schemes “tranche 2” that deliver sustainable communities which are funded separately to Decent Homes, although they are timed to take advantage of the Decent Homes programme, for example to minimise disruption. It is hoped that they will generate receipts that will contribute to achieving the Hackney Standard locally. The Hackney Standard includes sustainability items such as security and environmental works. These schemes currently encompass 28 estates, or 9,475 homes. On the majority increased density would be achieved using infill of spare land but on a small number we will consult residents on limited demolition and redevelopment opportunities as well.

The Council has held positive discussions with the Housing Corporation who have indicated that its proposals fit well with their sub regional policy. The objective is that the development will feed into the Housing Corporation’s bid round for 2008/9 requiring schemes that will attract HC funding being deliverable during 2008. If sites are to attract other funding streams, they too must do so within this timeframe if at all possible, to minimise continued dereliction.

Therefore although we are constantly reviewing the programme to facilitate wider regeneration a delay would not be beneficial.

Three estates were excluded from the ALMO bid: Woodberry Down, West Haggerston & Kingsland, Kings Crescent estates. They will probably miss the 2010 deadline because of the amount of work needed to secure the inward investment required (they

are all yet to have ballots for Transfer to RSLs). Government will be kept informed on target completion dates as the Transfers proceed.

3. What efficiencies are being delivered and what plans there are for increasing these?

Prior to the formation of Hackney Homes the Council has won awards for its innovation on procurement of Decent Homes contracts. An evaluation by an external Quantity Surveying consultancy has indicated significant savings in the first year of this contract, estimated at:

35% against the tendered rates for the contract
10% against the outturn of Decent Homes Phase 1

Alongside the savings, the Council was able to agree a number of added value benefits with constructors across a whole range of services. These benefits will include employment opportunities, simple measurement methods, guaranteed supply chains.

It is anticipated that such benefits will grow as the contracts proceed but they rely on a consistent workflow to contractors. Through this and its Asset Management Strategy Hackney Homes will continue to pursue best practice and innovation aimed at increasing efficiencies and recycling the benefits.

As detailed surveys by our constructors proceed and pre-works consultation is carried out we will be examining the results with the Council for any opportunities estate renewal that might have been missed in the original Stock Condition Survey and it is likely that the 28 regeneration schemes mentioned in 2. above will be added to as the Decent Homes Programme rolls on.

Other points

Hackney is an Olympic host borough. This means that there will be substantial development activity in and around the borough, reaching a peak in 2010 and 2011. The Decent Homes programme needs to be completed by then so it is not competing for resources with the Olympics. A completed Decent Homes programme will contribute to a positive and attractive image of the borough to the watching world.

Finally, in line with the ALMO Support Framework, we have kept Government informed of progress on our Two-Star Improvement Plan and we have agreed to spend extra time on preparing and improving. We had originally planned for an inspection in October 2006 but the Audit Commission have confirmed the revised date for Hackney Homes Housing Inspection for March 2007. I would therefore like to take this opportunity to formally request slippage of our 2006/7 provisional allocation of £22.7 Million ALMO credits into 2007/8, making a total allocation of £88.98 Million in that year.


Please let me know if you would like the detail behind any of these responses.

I would like to thank you for this opportunity to re-examine our Decent Homes Programme. We would like to take advantage of this in terms of order of works and to

exploit opportunities for wider regeneration and have demonstrated where we have done this already. Strengthening Communities is at the top of our agenda and we are consulting through our Decent Homes and Tranche 2 programmes to achieve this. Our residents want us to achieve the Decent Homes and if possible the Hackney Standard at the earliest opportunity and we are determined to secure the £225 million ALMO credits with at least 2 stars next March. We are driven to secure the best value for money by meeting the 2010 target.

Yours sincerely

Steven Tucker
Chief Executive
HACKNEY HOMES

 <p>HackneyHomes In partnership with Hackney Council</p>	<p>HACKNEY HOMES BOARD - 30th October 2006</p> <p>Report of Chief executive</p> <p>Classification For Information</p>	<p>ITEM:</p> <p>6</p>
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Governance Review Preliminary Report

1.0	<p>SUMMARY</p> <p>Rockpools preliminary report on the governance of Hackney Homes is attached Appendix 1</p>
2.0 2.1	<p>RECOMMENDATIONS</p> <p>That the Board agrees to discuss the findings in relation to the Board at its next away day.</p>
3.0 3.1	<p>BACKGROUND</p> <p>Rockpools consultants had been invited to conduct a review of the current governance arrangements of Hackney Homes and present their finding to the Board at the earliest possible date.</p>
4.0 4.1	<p>PROPOSALS</p> <p>Please see attached report appendix 1 for discussion.</p>
5.0	<p>IMPLICATIONS</p> <p>See report</p>



HACKNEY HOMES LTD
GOVERNANCE REVIEW
PRELIMINARY REPORT

1. Summary

- 1.1 This report deals with the initial findings of the review of Hackney Homes' governance arrangements. The brief for the review and the assessment methods used are set out in section 2 below with details of the meetings we have observed and the interviews held to date.
- 1.2 Sections 3-14 of the report set out our initial findings in relation to key areas of Hackney Homes Governance arrangements. This preliminary report is set out in narrative form and does not attempt to score the service at this stage.
- 1.3 The concluding section identifies preliminary recommendations and those areas where further investigation is of particular importance
- 1.4 In summary the Hackney Homes self assessment shows a high degree of self awareness of the strengths and weaknesses of its governance arrangements. The Hackney Homes Board is clearly concerned to engage actively with its stakeholders and partners and has a clear focus on the purpose of the organisation and its responsibility to produce positive outcomes for service users. From the perspective of Hackney Homes the relationship with the Council is sound, although not without teething problems. These problems have been considered in detail and are being addressed.
- 1.5 The infrastructure for good and effective governance is largely in place or is in the process of development. Hackney Homes has been proactive in ensuring its Board has the necessary balance of skills to carry out its role and is taking steps to update its processes for recruitment, selection, induction and retention of board members.
- 1.6 The Board is enthusiastic in its approach to its work and takes its responsibilities seriously. The Board also brings a range of useful perspectives to Hackney Homes which would not otherwise be available and shows an early awareness of both its abilities and how to deal with its current limitations. On a cautionary note the Board must ensure that it strikes the right balance of meetings so that meaningful progress is not hampered by the need to report.
- 1.7 Values play a key role in guiding Hackney Homes' strategic and operational processes. The Chief Executive is active in promoting the organisations values and mission. The ALMO has taken steps to ensure the integrity and probity of its operation and is continuing to develop its ethical governance arrangements.

- 1.8 Overall the Board has the necessary management systems in place to allow it to operate effectively and it is evident from initial observation that the Board is continuing to learn as it carries out its duties.
- 1.9 The Chief Executive is highly visible and provides clear leadership and a sense of direction. Leadership from other senior managers is constrained by the fact that many of the permanent top management team have yet to take up their posts. However the Interim Directors have a good standing in the organisation. The Board has a good grasp of its strategic role; its profile is being promoted within Hackney Homes and can be expected to grow in time.
- 1.10 The Board is proactive in its oversight of performance and resource management. The ALMO is aware that its approach to risk management is not fully developed and is taking steps to address this as well as developing the Board's capacity to deal with risk issues.
- 1.11 Hackney Homes is committed to valuing diversity and promoting equality of opportunity. The Board is broadly representative of the communities it serves. A new Diversity & Equality strategy has been developed, but its impact is not clear at this stage.
- 1.12 Hackney Homes is proactive in seeking to involve stakeholders, but recognises that there are still a number of areas where it needs to carry out more work to promote accountability to stakeholders, developing knowledge networks in partnership with stakeholders and developing the board's ambassadorial role further with key partners and the local press.
- 1.13 The overall picture of Hackney Homes' governance is one of significant strengths. Where weaknesses have been identified they are in the process of being addressed. There is sufficient time for the Board to address outstanding issues prior to inspection.

2. Project Brief and Assessment Method

- 2.1 Hackney Homes has specified that the desired outcome of the governance assessment is to provide a written report that covers:
- The outcome of an 'as for real' ALMO governance audit with weighted scoring under the six principles of Good Governance Standard for Public Services, Audit Commission Key Lines of Enquiry (KLOE) and the self assessment framework agreed by the ALMO.
 - A 'diagnosis' of the effectiveness of Hackney Homes current practices in relation to a new ALMO Board responding to a diverse range of roles, tasks and priorities;
 - A view, where appropriate, of the service's 'direction of travel' in these areas; and
 - Pointers for improvement and sign-posts to organisations with positive practices in relevant areas.
- 2.2 A further key outcome is to recommend how best Board members communicate to residents and staff in relation to the planned Audit Commission Inspection in March 2007.
- 2.3 This report is based performance indicators and lines of enquiry from the three documents above taken together under the following overall themes:
- Focus on purpose, outcomes, aims and priorities
 - Relationships with the Council
 - Governance structures and documentation
 - Recruitment, selection, induction and retention of board members
 - Board capacity and performance
 - Values, integrity and probity
 - Board operation and effectiveness
 - Leadership from the board and top management
 - Performance management, resource management and oversight by the Board
 - Risk management and assurance
 - Diversity, equality and representation
 - Stakeholder involvement
- 2.4 The review is not yet completed and no attempt is made to score the ALMO's governance arrangements at this stage. The findings in the report are based on an initial briefing from the Chief Executive and other Hackney Homes Officers, an initial interview with the Chief Executive and the completed Hackney Homes self assessment matrix.
- 2.5 The report takes account of observation of a Hackney Homes Board meeting, a meeting of the Audit and Finance Committee and a meeting

of the Improvement Committee. The report is also based upon a wide range of documents supplied by Hackney Homes including:

- The Hackney Homes Governance Manual
- The ALMO's Mission/Vision and Values statement
- The Hackney Homes Business plan
- The Improvement Plan
- The resident's opinion survey
- Terms of reference for the Board and Committees
- Job descriptions for the Chair and Board members
- Codes of conduct for the Committee and for staff
- Information on the process for the recruitment of Board members
- Policies on equality and diversity
- Operational plans, examples of team plans and examples individual performance plans and targets, each with timescales for delivery
- Agendas, reports and minutes of the Board and Committees.
- Details of how you make information on the work of the Board and Sub-Committees accessible to stakeholders
- The annual schedule of Board and Committee meetings
- The forward plan
- The ALMO's decision-making processes
- The Risk Management strategy and risk register
- The Scheme of delegations
- Board attendance records
- Information on the individual and collective appraisal process for Board members including self assessment
- Skills analysis of Board members
- Information on training and development programmes for the Board and staff
- The Board's register of interests and details of declarations of interest

2.6 The next stage of the review is underway. This stage will test the robustness findings of the initial review through structured interviews and further observation. It will also involve seeking further information and/or clarification in areas where the desk top study has provided insufficient clarity.

3. Focus on purpose, outcomes, aims and priorities

- 3.1 This section of the report deals with the extent to which key documents provide the Hackney Homes Board with a clear sense of direction focussed on the overall purpose of the ALMO, its aims and corporate priorities.
- 3.2 Hackney Homes has a clear and concise mission statement which encapsulates the organisation's purpose. This statement is supported by a statement of key objectives which sets out Hackney Homes' priorities over the next 5 years. The mission statement and objectives are informed by a statement of values which illustrate the way in which Hackney Homes aims to go about its business.
- 3.3 These documents give the ALMO a clear sense of direction which is apparent in the way in which the Board goes about its work. The mission statement, key priorities and values are easy to access on the Hackney Homes website and are displayed prominently in ALMO offices. They also form the preamble to the Delivery Plan for 2006/07 which is in itself consistent throughout with the Hackney Homes mission. These documents make clear what the organisation wants to achieve to improve the overall service quality for users. However the Audit Commission would expect sustained outcomes to be planned over the longer term (5 to 10 years). The extent to which Hackney Homes has been able to plan for the longer term is debateable and it will be necessary for the ALMO to strike a balance between concentrating its efforts on necessary short to medium term service improvements and planning for achievable improvements in the longer term.
- 3.4 The Delivery Plan and the associated Improvement Plan are clear in setting out the intended outcomes for service users around the 3 key themes of Customer Focus, Performance and Value for Money. Initial observation of the Board in operation indicates that Board members show enthusiasm for tackling what is clearly a very challenging agenda, that the Board has ownership of Hackney Homes' overall purpose, aims and priorities and is clear about the outcomes that need to be achieved for service users.
- 3.5 In conclusion Hackney Homes plans its business on the foundations of its mission and values. These provide a strong focus on achieving positive outcomes for service users and other stakeholders based on delivering for the customer, improving performance and achieving good value for money.

There remains a question as to whether Hackney Homes has struck the right balance between planning to achieve its immediate objective of becoming a 2* organisation and planning for achievement in the longer term. This issue will be investigated further in the next stage of the review.

4. Relationships with the Council

- 4.1 This section of the report deals with Hackney Homes' relationship with the Council, in practice as well as on paper. The review has not yet dealt with the relationship from the perspective of the Council and this report must be read with that in mind.
- 4.2 The division of roles and responsibilities between Hackney Homes and the Council is clear on paper as evidenced by the Management Agreement. Hackney Homes has reported that roles and responsibilities are 90% clear in respect of relationships with the Council. The ALMO is suggesting the need for a minor adjustment in relation to regeneration, but this is not perceived as being problematic at this time.
- 4.3 Service Level Agreements (SLAs) are being actively supervised and overseen by the VFM Project Board. The ALMO is in the process for reviewing all SLAs during its first year which is in line with Audit Commission recommendations and best practice. The ALMO is clear that SLAs must represent demonstrable value for money and is determined to test this in a number of ways including benchmarking and market testing where appropriate. The Chief Executive has allocated clear responsibility for the review and progress is monitored regularly. The review of 3 key SLAs is overseen by the Audit and Finance Committee.
- 4.4 Hackney Homes is actively seeking to clarify and resolve a number of issues in relation to finance and budgets. In particular whether a balance has been struck with the ALMO functioning as a truly arms length organisation, while maintaining proper financial accountability to the Council is being examined. The current complex arrangement is not regarded as being sustainable and the ALMO is looking to facilitate full and open discussion to make the partnership work. The viability of existing financial arrangements is subject to a separate investigation and report being carried out by Baker Tilley and is not examined in detail here. The Hackney Homes Board is clear that issues of contention between the ALMO and the Council need to be resolved in the near future and is taking appropriate steps to achieve this end.

4.5 Examples of effective joint working and co-operation include:

- Joint protocol with Community Services and Children's Services on residents who may be vulnerable
- Work on Woodberry Down regeneration scheme
- Tackling anti-social behaviour
- Contribution to LAA & LSP
- Joint working with Public Realm

Joint working arrangements will be examined in more detail at the next stage of the review

4.6 In conclusion the relationship between Hackney Homes and the Council as defined by the Management Agreement is, for the most part, working effectively and those few problems with the agreement that have arisen are being dealt with. Work to clarify roles regarding regeneration is expected to progress. The issue of financial arrangements remains to be clarified through further negotiation and discussion with the Council following the Baker Tilley Review. Details of the effectiveness of joint working arrangements will be examined in Phase 2 of the review.

5. Governance structures and documentation

- 5.1 This section of the report deals with the ALMO's governance infrastructure and the documentation that supports good governance.
- 5.2 The key documents setting out Hackney Homes' governance infrastructure are the Memorandum of Association and Management Agreement. These are clear and easy to understand. The ALMO has identified Article 13 of the Articles of Association as being a barrier to the current operation of the Board. Article 13 specifies that no more than eight Board Members shall be Residents. Given the requirement that 6 board members shall be Resident Board Members this means that no more than 2 of the Council or Independent Board Members can be residents. The ALMO does not determine who the Council Board Members will be and is therefore seeking to address this issue with the Council. There are no other issues within the memorandum and articles.
- 5.4 The Director of Finance is designated as Company Secretary with responsibility to the Board for statutory and regulatory issues. The new Director of Finance starts in post in November and the arrangements will be amended accordingly. The Board has taken steps to align the company's financial year with that of the Council to facilitate co-ordinated financial and budget management.
- 5.5 Hackney Homes has produced a governance manual which provides a range of guidance and includes a Governance Resource Pack which gives clear and concise guidance. The resource pack includes a description of Board Member's duties, a detailed job description and person specification for the chair, a role description and protocol for Resident Board Members and a protocol for Council Board Members. The Governance Manual also includes advice on the role and responsibilities of the Board in their capacity of company directors.
- 5.6 The ALMO is still in the process of finalising the Governance Manual, but it will represent a useful resource for both Board Members and officers once it is completed. The ALMO has appointed a permanent Governance Manager who will be responsible for developing the Governance Manual as well as a range of other responsibilities relating to best practice in governance. It is Hackney Homes' intention to make the manual available on-line and in CD form.
- 5.7 The functions and terms of reference of the Board and its committees are set out clearly in the Governance Manual. The terms of reference avoid duplication of responsibility, are fit for purpose and facilitate clear decision making. The ALMO has a comprehensive scheme of delegation which sets out both financial and non-financial delegations

in a clear and easily accessible manner. The scheme of delegations was last reviewed in early 2005 and will need to be reviewed in the near future to ensure it is a good fit with the current structure of Hackney Homes.

- 5.8 Our initial assessment is that overall the governance infrastructure is good. Where omissions or weaknesses exist they are being addressed. The updating of the scheme of delegations is a relatively minor issue which we recommend should nevertheless be dealt with. The appointment of a permanent Governance Manager is notable and will allow Hackney homes to further develop its governance arrangements as the organisation evolves.

6. Recruitment, selection, induction and retention of board members

- 6.1 Hackney Homes took great care in ensuring that the composition of new Board would meet organisational needs and that new Board members were properly equipped to carry out their role. This section of the report deals with the Board's capacity to renew itself and maintain the skills necessary to provide effective control and leadership.
- 6.2 The composition of the Board was addressed in considerable detail at the time that Independent Members were recruited when a skills audit was also carried out. This is reflected in the broad and balanced skill set of the current Independent Members. One of the Independent Members resigned recently. This has had some impact on the range of skills and experience available to the Board; however steps are being taken to fill the vacancy with a view to balancing the skills set within the organisation. The Board may wish to consider commissioning an executive search for a suitable candidate in addition to advertising the vacancy as this would be likely to facilitate more applications from individuals who would complement the skills set and demographic make-up of the Board. The Board has recognised the need to review the balance of skills and competencies of its membership and this is subject to on-going consideration by the Ethics and Standards Committee.
- 6.3 The Hackney Homes Governance Resource Pack includes a checklist for the recruitment and selection of Board Members. Procedures for recruitment and are currently under review and an induction programme for new Board Members has been produced, but has not yet been considered by the Board. Personal development of the Board is a key issue for Hackney Homes. The degree to which Board Members show a commitment to on-going personal development has been reported as varying from excellent to poor. The Chief Executive is considering how best to address this. The ALMO is addressing its approach to succession planning in time for the 2007 AGM.
- 6.4 In conclusion Hackney Homes needs to complete work already in hand on the recruitment, selection, induction and retention of Board Members before it can be confident in this aspect of its governance arrangements. Hackney Homes also needs to be able to demonstrate individual commitment to personal development on the part of each Board member.

7. Board capacity and performance

- 7.1 The capacity of the board to improve its own performance is central to good governance. Assessment and appraisal are key elements of the process to review and develop Board capacity. The Board has a collective self-assessment session scheduled for the autumn of 2006 and annually thereafter. There is not yet a process in place for individual appraisal of Board members. The ALMO acknowledges that collective self-assessment would be good practice and is a process that it would like to adopt. Both collective and individual appraisals are necessary to ensure that the Board has the necessary capacity to perform and it is recommended that processes for appraisal are put in place at the earliest opportunity.
- 7.2 Board attendance is monitored and reported annually. The Board has no systematic process to ensure it updates itself on governance best practice and effectiveness; however the Chief Executive has a clear view on how this can be achieved. Specifically briefings from governance experts and invitations to relevant seminars and events have been proposed as well as circulation of relevant briefing materials including Housemark/NFA newsletters. This would be good practice and it is recommended that the Board adopts this approach. The Board may also wish to consider how best to form links with other ALMO's to exchange best practice.
- 7.3 The current review of the Hackney Homes governance arrangements is seen by the Board as the first step in it assessing its effectiveness in adding value and an improvement plan will form part of this assessment. Formal appraisal processes which lead to collective and individual development plans will play a central role in ensuring the Board has the capacity to develop. A systematic process to allow the board to keep itself apprised of best practice will also be of great value in helping Hackney Homes to become a learning organisation from the top down.

8. Values, integrity and probity

- 8.1 This section deals with Hackney Homes' ethical governance arrangements. The ethical framework is overseen by the Ethics & Standards Committee. The Hackney Homes ethical framework is compatible with and complementary to the Council's ethical framework.
- 8.2 Hackney Homes has a clear Code of Conduct for Board members, based on the Code of Conduct for Councillors. Board members are required to agree to abide by the Code and to be conscientious in carrying out their duties as Board members. The Code is backed by specific protocols for Resident and Council Board members which deal with specific issues that affect the Board members. There is a register of interests of Board members. However this is not centrally collated and therefore not available for inspection by interested parties.
- 8.3 There is a Code of Conduct for Staff which forms part of the contract of employment. Staff have been made aware of their obligations under the Code. Staff are also required to register significant interests, but once again this is not centrally collated.
- 8.4 Although Board members appear to be aware of their responsibilities and duties in relation to staff, Hackney Homes has not yet developed a protocol to deal with Board/staff relations. Clearly defined, well understood roles and responsibilities for Board members and staff are a key element of Hackney Homes' governance arrangements. It is equally important that relations between the Board and staff are professional, productive and are conducted in an appropriate manner. A protocol giving clear guidance would make a significant contribution to ensuring a thorough understanding of Board/staff relations throughout the organisation. It is recommended that a protocol for Board/staff relations is included in the Governance Manual.
- 8.5 The ALMO has a procedure for dealing with complaints about the conduct of Board members and members of staff, however these have not yet been used and their effectiveness is therefore untested. Hackney Homes operates the same whistle blowing policy as that in operation in the Council. The policy is not available on the Hackney Homes website, nor does it form part of the tenants' handbook. Given the complex nature of the ALMO's relationships with a range of contractors, sub-contractors and other service providers it is important that the policy is available to anyone who may have need to use it, not just those with access to the intra-net. It is therefore recommended that Hackney Homes considers publicising the policy on its main website.

- 8.6 The Board has access to individual, independent legal advice through the contract with Trowers & Hamblins, who are also contracted to provide legal advice to the Board on issues of probity and assurance. The ALMO's external auditors also play a key role in advising on the viability and probity of financial arrangements and transactions including procurement. The Board has not yet had occasion to deal with any breaches in respect of probity and integrity.
- 8.7 The ALMO is making good progress in addressing customer complaints in a timely and appropriate manner and is taking a structured approach to learning from complaints and acting on that learning. The Board takes its responsibility for oversight of complaints seriously, considering periodic reports and taking appropriate action. There are public question time sessions at each Board meeting where residents and others can hold the board to account regarding the way it deals with complaints.
- 8.8 To conclude good progress is being made in developing an ethical framework for Hackney Homes. Further progress can be expected with the appointment of a new Governance Manager. Information on the degree to which the ethical framework influences behaviours throughout the organisation is limited and Hackney Homes may wish to explore this further.

9. Board operation and effectiveness

- 9.1 This section of the report deals with arrangements for Board meetings, the operation of the Board during meetings and the effectiveness of meetings in directing the operation of the ALMO.
- 9.2 Terms of reference of the board and committees are clear and avoid duplication. Agendas for the various meetings of the Board and Committees reflect the differing terms of reference of the bodies concerned. However there appears to be a tendency on the part of some members to re-visit issues on the agenda of one committee at meetings of another committee, which could lead to duplication of effort or confusion.
- 9.3 The Board has an annual schedule of meetings including a forward plan of its work and has a standard agenda for its business based on priority areas of business rather than on risk. The Board made this decision consciously, taking risk into account, to ensure that all reports received by the Board are linked to the ALMO's overall objectives. The Board's agenda is set through the business planning process to facilitate the oversight of the management agreement and delivery plan. Board minutes take the form of a rolling decision register which are used to facilitate follow-up with timescales and responsibility and track decisions. The Board uses the minutes effectively and they are clearly a useful management tool. However, from the perspective of an outside observer the minutes do not always represent a good stand alone record of why decisions were taken and what options were considered. The Board may wish to review minute taking arrangements to ensure that they provide a stand alone record as well as a rolling decision register.
- 9.4 Board members work well together and treat one another and staff respectfully. The Chair and Vice Chair operate successfully in keeping meetings focussed on strategic direction, high level decision making and in monitoring risk and performance. Differences of opinion are either debated fully at meetings to produce consensus or are handled informally through discussion led by the Chair outside of meetings. Chairing of meetings is generally effective with all Board members being able to contribute effectively. In general time is well used; however there have been examples of debate on an issue continuing after a decision has been made.
- 9.5 In summary it is apparent from observation that most Board members contribute well to bringing a range of experience and expertise to the organisation. This brings largely interesting and relevant insights into the operation of the ALMO that would not be readily available from professional staff or Councillors alone. The challenge for Hackney Homes in this area is to build levels of expertise without losing the

fresh perspective brought by new and relatively inexperienced Board members. A further challenge is to raise levels of confidence and expertise of those board members who feel less able to contribute. In particular the Board needs to continue to develop strategies to enable it to work more cohesively so that each Board member operates as part of the team rather than as a representative sectional interests.

10. Leadership from the Board and top management

- 10.1 The extent to which Hackney Homes' top managers and the Board provide cohesive leadership is a key determinant of the effectiveness of governance arrangements. The top management of the ALMO is visible and largely well known by stakeholders. In particular the Chief Executive is highly visible and accessible and places considerable emphasis on communicating effectively with staff. Changes in the top management team, with interims filling certain Director posts, and permanent post-holders not yet in place has placed a constraint on the visibility of the managerial leadership. However in the context of the current managerial culture it is expected that the new post holders will be visible and well known throughout the organisation.
- 10.2 Certain Board members are less well known by some stakeholders. However the organisation is keenly aware of the need to raise the Board's profile and is taking steps to develop the Board's ambassadorial role.
- 10.3 The Board's overall strategic direction flows from the mission statement and values of Hackney Homes through the corporate business planning process. The Delivery Plan is broken down into a number of projects which have been identified as priorities to deliver a 2* rating. These in turn form priority areas of work for top managers and their teams. Timescales and responsibilities for completion of projects are clear, and the resources needed to deliver them have been identified.
- 10.4 The ALMO's objectives are linked closely to the Council's objectives for housing services as set out in the Mayor's priorities. The need for a close relationship with the Council is identified in the Hackney Homes' mission and objectives.
- 10.5 The Chief Executive has a very clear perspective of his role and responsibilities in relation to the Chair and reports a good working relationship with areas of potential overlap being resolved through on-going dialogue. The interaction between the Chief Executive and the Chair is scheduled so that the Chair can maximise his input appropriately and these logistical arrangements are reported to work well. Initial observation indicates a solid professional relationship based on mutual respect and shared objectives which contribute to the ALMO's effectiveness.
- 10.6 Hackney Homes has made considerable efforts to ensure that its mission and values are understood by its staff and embedded into its activities. As well as internal newsletters the Chief Executive has run an extensive series of focus groups across the organisation to promote

organisational values and to look at means of improving services to the customer. The ALMO's mission and values are included in the behavioural competencies of the Board and of staff through the appraisal process. The Board is developing its ambassadorial role to increase awareness of the ALMO's work and its own role in driving service improvement.

- 10.7 Hackney Homes has made a positive start in providing positive leadership from the Board and the top management team. The potential for cohesive visible leadership on the part of top managers and the Board is a prospective strength for Hackney Homes with the proviso that it needs to build on current practice and continue to develop the Board's ambassadorial role.

11. Performance management, resource management and oversight by the Board

- 11.1 The Board takes its responsibilities for overseeing performance and resource management seriously and is proactive in ensuring that the quality and timeliness of the information it receives (both financial and non-financial) is of a good standard and is sufficient. The Board is taking action through the Baker Tilley review to ensure that financial resources are sufficient to meet current plans and that financial resources are aligned to service development requirements.
- 11.2 Decision making processes are effective, timely and take account of the view of service users. The Board has already demonstrated that it can take tough decisions and make them stick. Examples include taking early decisions regarding the top management structure of the ALMO, decisions relating to the review of SLAs and decisions to review the robustness of financial arrangements with the Council. Actions by the Chair are the exception and the Board makes decisions at strategic level, with operational decisions delegated to officers. The Board is able to review progress in implementing decisions quite easily through the rolling decision sheets which in turn inform the agenda planning process.
- 11.3 Hackney Homes is building on work previously carried out as part of the Council to ensure that performance management is embedded within the organisation and that the efforts of all employees are geared towards delivery of the organisations overall objectives. It is premature to comment on the effectiveness of the performance management system in detail, however the fact that the majority of improvement projects are on target for completion is indicative of an organisation that is able to harness resources to deliver desired outcomes. The extent to which project based work has detracted from more routine performance issues is not apparent through the desk top analysis. Performance management starts at the top of the organisation with the Chair conducting the performance appraisal for Chief Executive and approving the targets which are then cascaded to Directors and throughout the organisation.
- 11.4 Issues such as staff sickness and turnover are considered by Human Resources Committee. The Board meets each quarter for formal meeting with staff representatives and through this and other mechanisms shows its appreciation of staff.
- 11.5 The scrutiny function of the board works well. The Board is clearly very keen to exercise this function to the highest standards and holds officers to account in a rigorous, but constructive manner. The Board challenges appropriately and negotiates deliverable objectives

for improvement in instances where it has not been satisfied with progress or the quality of information it has received. Improvements in service delivery are driven through the Improvement Committee which meets monthly to address performance. Areas of poor performance are identified and challenged by the Board in ways that differ according to the circumstances, with the emphasis being on securing improvement rather than attributing blame. The Board uses the Rolling Register of decisions and actions as a learning tool to identify areas where its own performance could be improved.

- 11.6 The Board is focussed on the need to secure a 2* service assessment and this drives all Board activity at present. The Delivery Plan has been broken down into a programme of projects necessary to deliver a 2* rating and the Board and its committees are effective drivers of these projects. There are a large number of projects and although it is apparent that both the Board and senior management are aware of the relative importance of projects it is equally apparent that the Board expects all of the projects to be completed to timetable. This represents a substantial challenge for the ALMO, with much to be achieved in a relatively short timescale.
- 11.7 Hackney Homes does not yet have its permanent top management team in post, but is using interim managers effectively to fill that gap. The challenge for Hackney Homes is to devote sufficient management time to the delivery of the overall programme while giving the Board sufficient information to monitor and review progress. The ALMO is still working to strike the right balance in this area and has perhaps not yet achieved that balance. It is apparent that not all of the reports received by the committees are as comprehensive as board members would wish. The time available between meetings to both achieve progress and provide adequate reports is short and the organisation struggles to achieve both of these objectives, with informal emphasis apparently being placed on progressing projects.
- 11.8 The Board may wish to consider holding less frequent meetings or allowing longer periods between formal reports to allow time for meaningful progress to be made between reporting cycles and to facilitate the production of comprehensive, accurate reports. This would not preclude Board members from seeking and receiving short written or oral progress reports between meetings.
- 11.9 Business policies, procedures, codes and TOR have been developed and adopted quite quickly. The Board and top management are aware of the need to keep these under review and a programme of review will form part of the 3 year forward plan. At this stage the focus is on ensuring that processes and procedures are fit for purpose in the context of the improvement process.

11.10 Overall the Board is proving to be effective in challenging performance to maintain the impetus for improvement. The need for balance is addressed in the body of the text and the preliminary recommendations at the end of this report. Once this balance is achieved the Board has the potential to show real strength in this area.

12. Risk management and assurance

- 12.1 The Board has made a conscious decision to base its agenda on performance rather than risk. The Board is aware of the role of risk management in its governance arrangements and gives appropriate weight to areas of high risk in its meetings.
- 12.2 A risk register covering both finance and service improvement is maintained and considered by the Board each month. The Board has satisfied itself that its internal and external auditing processes are sound. The Board has taken external legal advice to ensure that its processes and business practices are compliant with statute and regulation. The Board has also commissioned an external consultancy to assess the sufficiency and viability of its accountancy and procurement arrangements. Potential major risks/hazards and opportunities are assessed each month as part of the Chief Executive's report.
- 12.3 Board competencies concerned with risk have not been fully developed. The extent to which the risk management strategy is embedded in the organisation has not yet been assessed; however the ALMO has only been in fully operation for 6 months.
- 12.4 It would therefore be premature to offer a view as to the robustness of the risk strategy. However risk management has not traditionally been a strength in local government and Hackney Homes will need to develop its own robust approach to managing risk and will need to take steps to assess the operation of its risk management systems in the not too distant future.

13. Diversity, Equality & Representation

- 13.1 It is accepted best practice that governing bodies should be representative of the communities they serve. The Hackney Homes Board is reasonably diverse and in broad terms is representative of the communities it serves. However Hackney has an extremely diverse community and the current make up of the Board does not fully reflect this. The age profile of the Board is older than the age profile of the community as a whole. Both the Board and top management are aware of this and there is a commitment to address these issues as and when the opportunity arises.
- 13.2 The Board has recently approved a new Equality and Diversity Strategy ensuring that equality and diversity are high profile issues across the range of business activities. There is a consistent message that valuing diversity and promoting equal opportunities are high priorities within the organisation from the Board and from top management.
- 13.4 Hackney Homes is aware of the make up of the communities it serves and the profile of its staff and is using this information to work towards its staff reflecting the communities it serves.
- 13.5 To conclude the board is broadly representative of the communities it serves and is determined that as the Board composition changes this will remain a significant issue to take into account. It is not yet possible to assess the extent to which the Equality & Diversity strategy has been implemented and this will be investigated further in the next phase of the review.

14. Stakeholder involvement

- 14.1 The ability of stakeholders, particularly service users to become involved in the governance of organisations that serve them and to influence decisions affecting them is central to the Audit Commission's assessment of governance arrangements. Organisations need to communicate effectively, have clear routes for customer feedback, carry out open consultation and take proper account of outcomes as well as consider innovative ways of involving customers.
- 14.2 The ALMO has identified who its key stakeholders are and held meetings with each group held before the ALMO was set up. Further meetings are to be scheduled to review half year progress.
- 14.3 The Board receives frequent reports on stakeholder satisfaction. This is made available in a number of ways including performance information and progress reports on customer care centred projects including work on telephone response times, waiting times and repairs assessment. Hackney Homes is in the process of carrying out a full customer satisfaction survey and a staff satisfaction survey is planned. Information on customer complaints is handled systematically and the operation of the complaints procedure is subject to Board scrutiny.
- 14.4 Hackney Homes has a clear communications strategy in operation. The Hackney Homes website is useful and informative and allows a number of transactions to be carried out on-line. The ALMO produces a monthly newsletter consisting of a mix of news and information items for tenants and leaseholders.
- 14.5 Hackney Homes has a well publicised Customer Services Charter which sets out service standards and customer service commitments as well as information on consultation. Opportunities for resident involvement are well publicised on the web-site, in newsletters and in the tenant's handbook. The ALMO obtains evidence of what stakeholders think of its performance in a variety of ways including customer call back reports, mystery shopping results, surveys, complaints data and mentoring results.
- 14.6 To conclude Hackney Homes recognises that there are still a number of areas where it needs to do more to improve its interaction with stakeholders including work to promote accountability, developing knowledge networks in partnership with stakeholders and developing the board's ambassadorial role further with key partners and the local press. The next stage of the review will address stakeholder involvement in more detail.

15. Preliminary Actions and Recommendations

15.1 To date the conduct of the review has been an iterative process involving on-going communication with Hackney Homes. As a result of these discussions the Chief Executive has agreed to the following actions:

- An Annual Self Assessment by the Board which we to follow the conclusions from the Governance Review and be undertaken in November so that the outputs can be included in the Self Assessment
- Through the Governance team provide the Board with a menu of opportunities to focus on governance issues.
- The Board should undertake a review of its own performance and use this to inform its own target setting and appraisals.
- An appraisal system should be established for the Chair, Vice Chairs and for all Board members and this should be undertaken in an open and transparent way so that the outputs are properly shared amongst Board members.
- There should be a clear differentiation between the role of the Chief Executive and that of the Chair with the separate job descriptions being provided to Board members to show how this operates in practice.
- There should be a clear programme for reviewing the hierarchy of key documents including strategies, policies, codes of practice and where appropriate procedures so that the Board works through these systematically.
- The performance appraisal and targets for the Chief Executive and Director should be shared with Board members.

15.2 Once implemented these measures will make a significant difference to Hackney Homes' governance infrastructure. In addition to the actions agreed by the Chief Executive a number of areas where attention by the Board is recommended have been identified in the body of the report. These recommendations are set out below.

15.3 It is recommended that the Board:

- Makes the governance manual available on-line and continues to develop the manual to include appropriate advise to board members and staff.
- Carries out a soft touch review scheme of delegations to ensure it is a good fit with the current management structure.
- Considers commissioning an executive search for a suitable candidate in addition to advertising the vacancy for and Independent Board Member.

- Devises an induction programme for new Board members and a development programme to improve board cohesion.
- Ensures that the register of interests of Board members is centrally collated and available for inspection by interested parties, including making the register available on-line.
- Commissions the development protocol for Board/staff relations to be included in the Governance Manual.
- Considers publicising the whistle blowing policy on its main web-site.
- Reviews minute taking arrangements to ensure that they provide a stand alone record as well as a rolling decision register.
- Considers holding committee meetings less frequently meetings to allow time for meaningful progress to be made between reporting cycles and to facilitate the production of comprehensive, accurate reports.
- Considers what steps are necessary to assess the operation of its risk management systems.

15.4 The next stage of the review will seek to evidence to confirm the findings of the desk top assessment through further observation, structured interviews and where appropriate seek further information particularly in respect of:

- The sufficiency of longer term plans to satisfy KLOE 5.1.1
- Relationships with the Council
- Effective joint working and co-operation
- Board operation, effectiveness and learning
- Performance management and resource management
- Diversity, Equality & Representation
- Stakeholder involvement

15.5 We have made no attempt to 'score' Hackney Homes' governance arrangements at this stage. However the first stage of the review has revealed a number of significant strengths and areas of potential in Hackney Homes' governance arrangements. A number of possible weaknesses have also come to light, although as stated earlier in this report the Hackney homes shows a good degree of self awareness and most areas of prospective weakness are in the process of being addressed. The robustness of our initial findings has yet to be tested through interview and they therefore must therefore be treated with a degree of caution at this stage. However we are confident that our preliminary recommendations are sound.

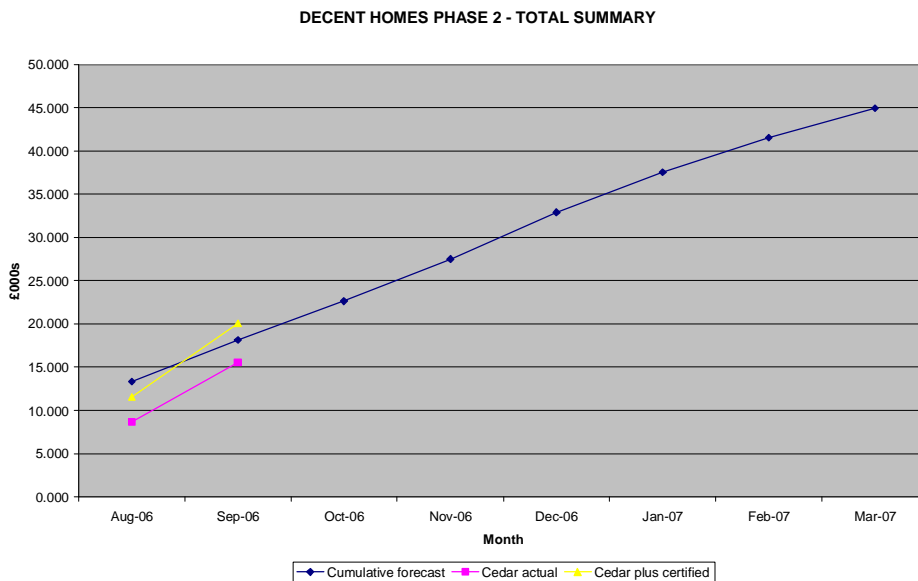
DECENT HOMES PHASE 2 FINANCIAL PERFORMANCE TO 30 SEPTEMBER 2006

CHART 1 – TOTAL PROGRAMME

Cumulative forecast is the Project Manager's estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council's finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.



The above chart shows that overall programme *commitment* (expenditure + certified) is tracking slightly ahead of expenditure profile for period 6 and that Decent Homes is on target for a full spend in 2006/7. The budget of £45m will cover the current phase of the programme till March 31st, however works on the "Year 1" will extend into the following financial year in the Homerton area. Cedar spend is just below the expenditure profile but the trend indicates this reducing.

CHART 2 – STOKE NEWINGTON

Cumulative forecast is the Project Manager’s estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council’s finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

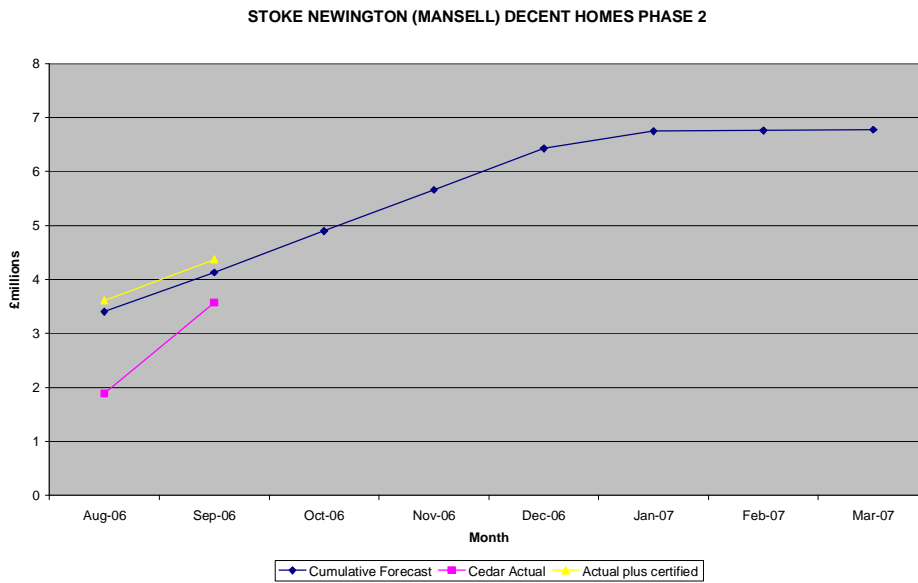


CHART 3 – SHOREDITCH B

Cumulative forecast is the Project Manager’s estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council’s finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

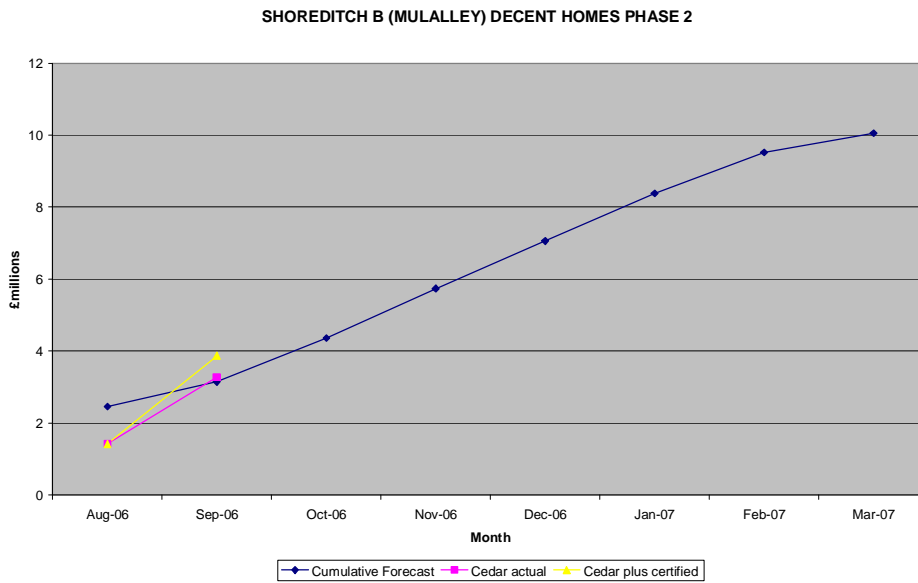


CHART 4 – NORTH EAST

Cumulative forecast is the Project Manager’s estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council’s finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

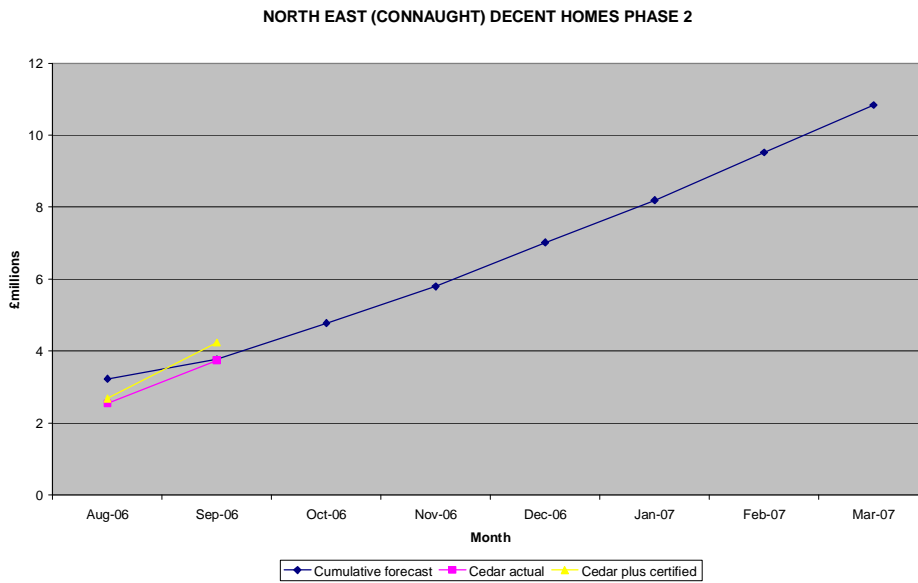


CHART 5 – SHOREDITCH A

Cumulative forecast is the Project Manager’s estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council’s finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

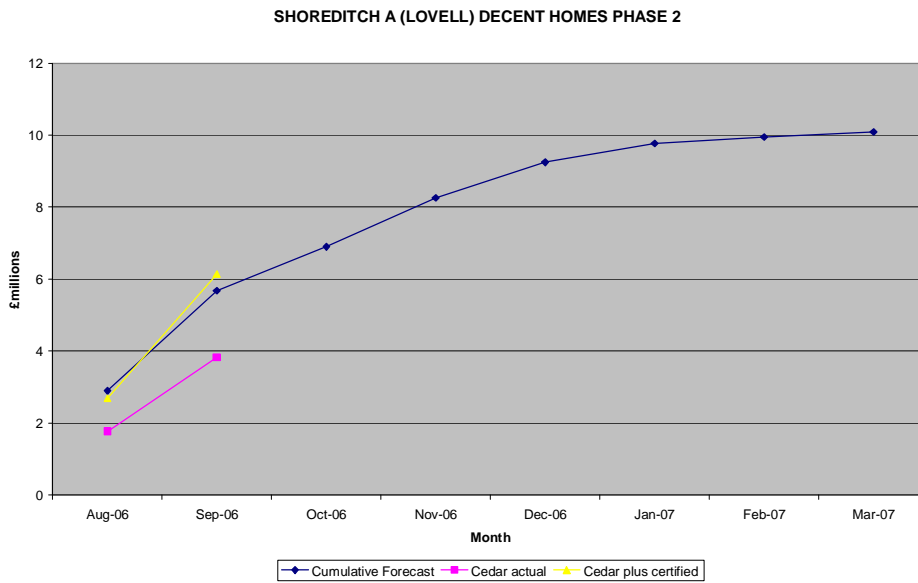


CHART 6 - HOMERTON

Cumulative forecast is the Project Manager's estimate of total expenditure on the contract.

Cedar actual is the total of payments made as shown on the council's finance system (Cedar).

Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

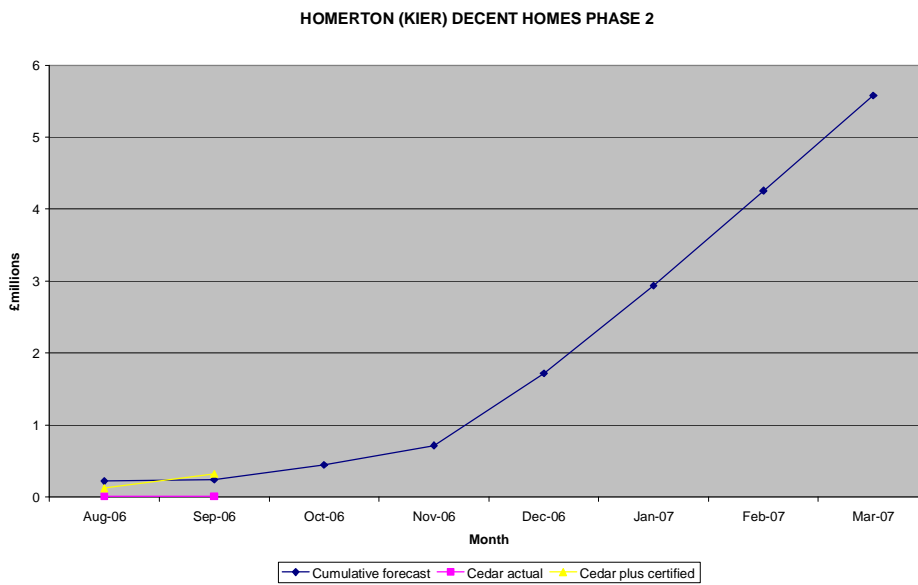
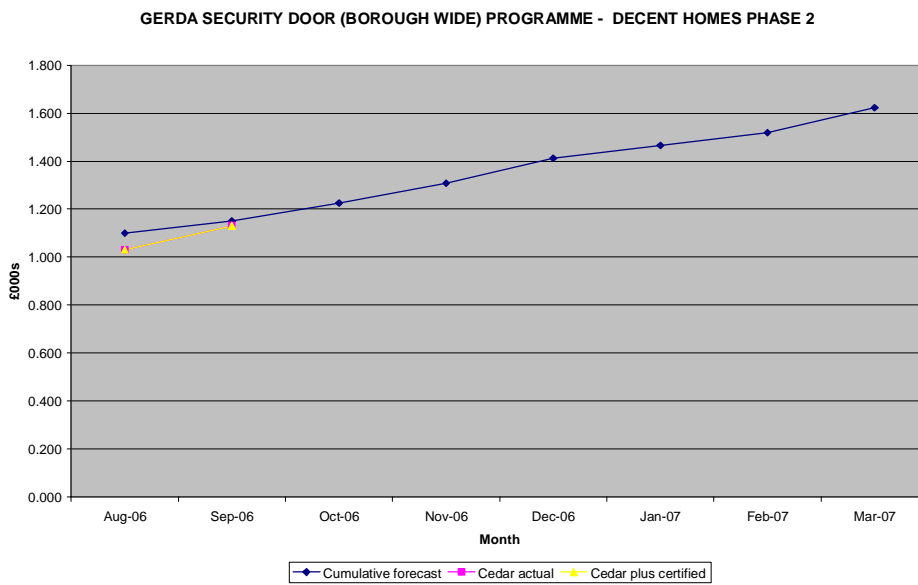


CHART 7 – SECURITY DOORS

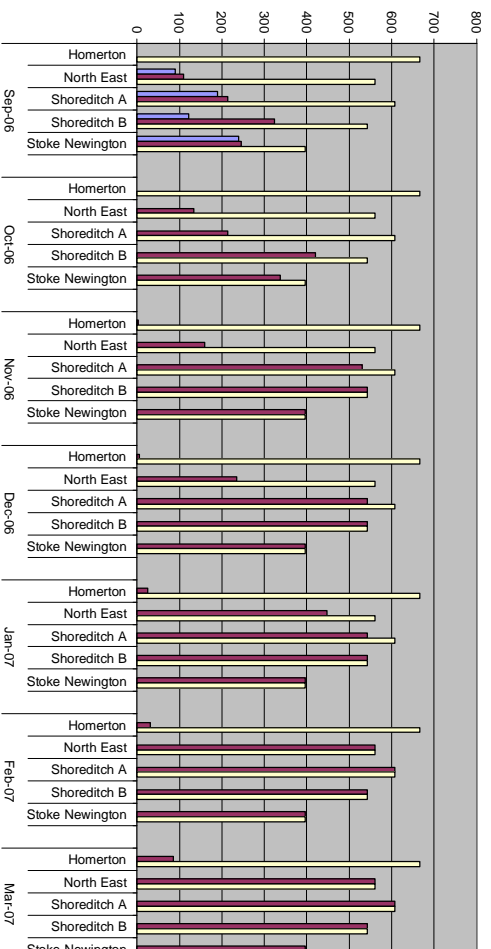
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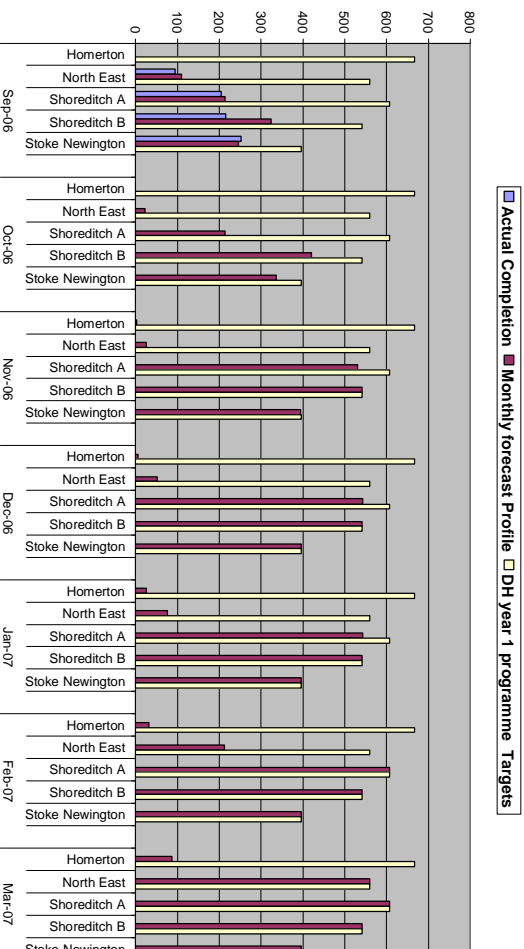
Cedar plus certified is the Cedar actual plus the value of work completed and certified but not yet showing on the Cedar system. This gives a more accurate measure of actual progress on the contract.

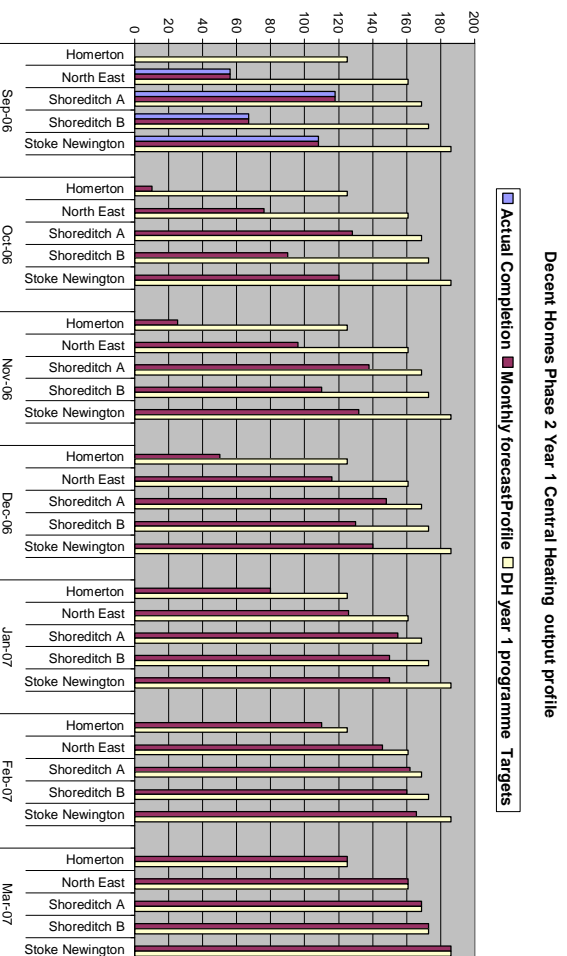
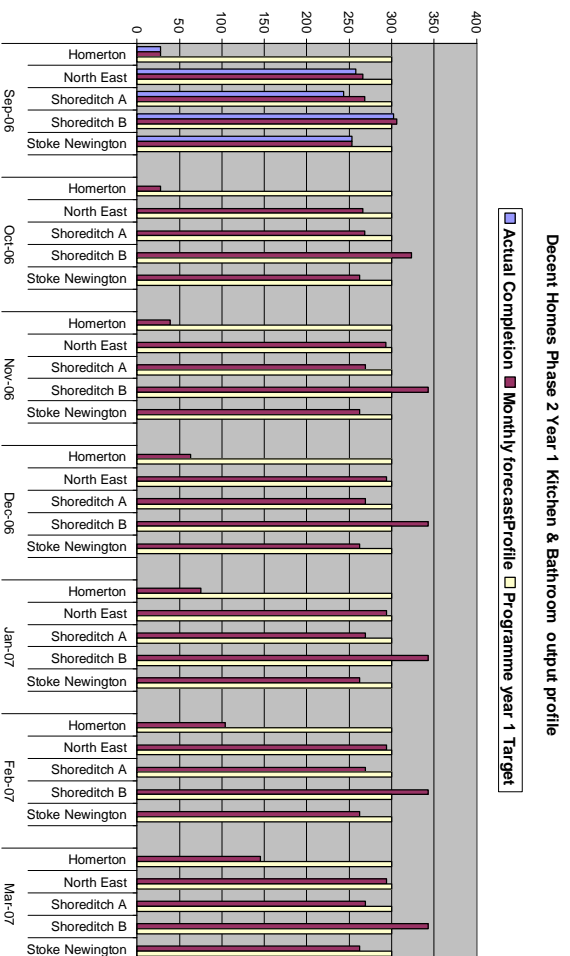


Decent Homes Phase 2 Year 1 Windows output profile

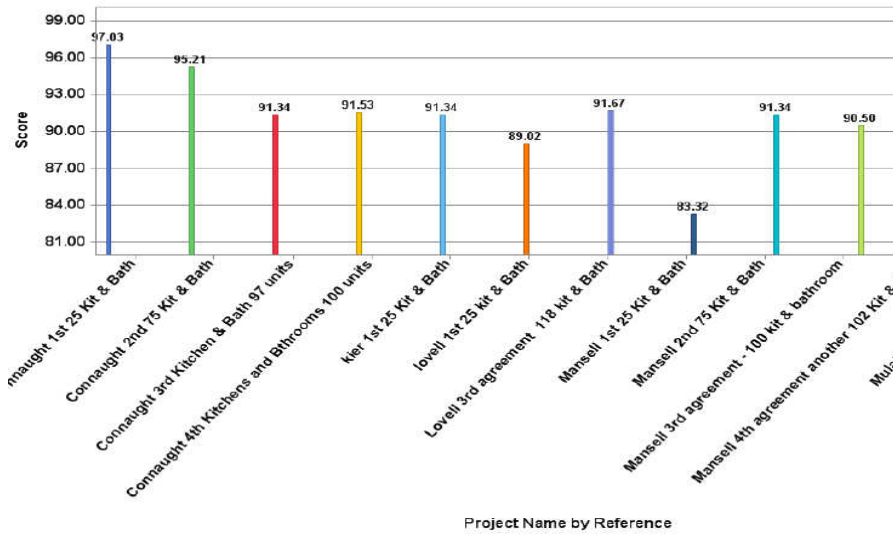


Decent Homes Phase 2 Year 1 Roof output profile

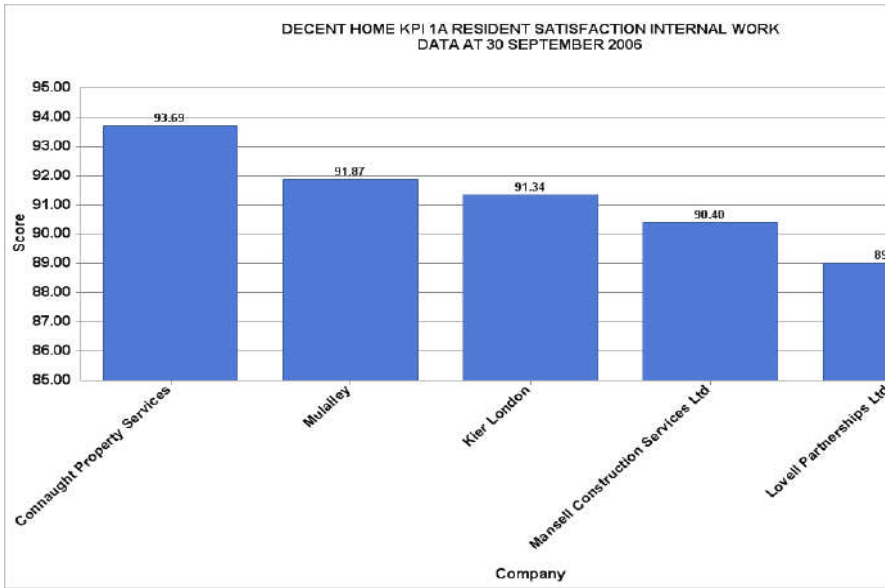




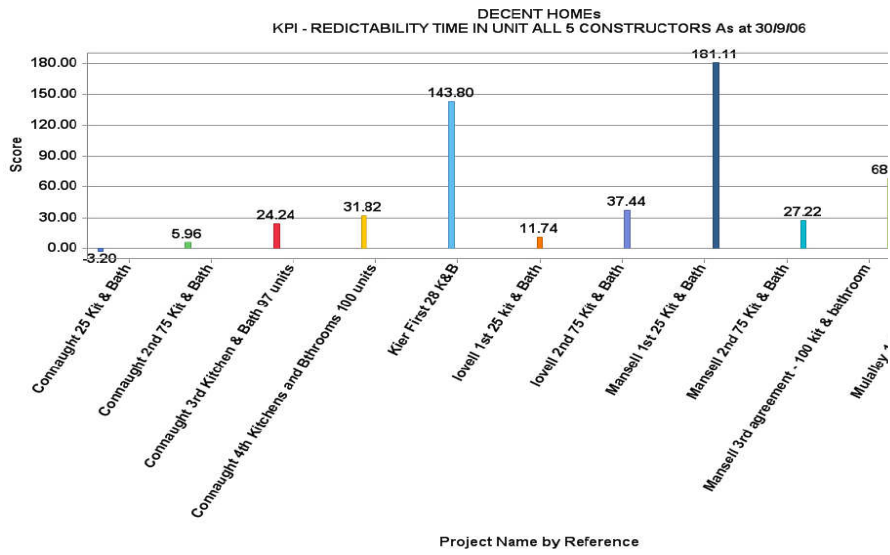
DECENT HOME RESIDENT SATISFACTION
BENCHMARKING OVERTIME ALL 5 CONSTRUCTORS



This is a benchmarking graph of all 5 constructors over a period of the first 4 internal projects. It indicates which projects to evaluate further. It can also indicate if action to improve an earlier poor performance has been effective. Points to consider on this graph are: Kier have only completed 1 project of 25 Kitchens. Data for Lovell's 2nd project has been entered into their 1st project. Mulalley have only had two internal projects.



This graph shows the benchmarking of all 5 constructors on Resident satisfaction rolled up for all internal projects. This report is useful at the end of a quarter to indicate which constructors are on target for achieving their target of 85% resident satisfaction at end of project.



This graph shows the % of time over the 20 days target. The figures are an average of all the units in a project. The increase in time in unit for Connaught's 3rd project and Mansell's 3rd project are the result of disengaging with poor performing kitchen installers and the new installers having to get up to speed.

UPDATE REPORT ON DECENT HOMES PROGRAMME – October 2006

1.0	<p>PURPOSE OF REPORT This report provides Hackney Homes Board members with an update on the Decent Homes Programme</p>
2.0	<p>CURRENT ISSUES</p>
2.1	<p><u>Financial</u></p>
2.2	<p>Year 2 Commencement The Framework Agreements for Years 2, 3 and 4 have been issued to contractors but are yet to be signed by all parties. Target for completion is the end of October 2006. These agreements will give contractual authority for contractors to commence work on the next tranche of the Decent Homes programme (Year 2) and will effectively sign them up to the programme to 2010.</p>
2.3	<p>In the 2006/7 financial year, the £45m available will only cover the currently remaining Year 1 works. At contract area level, some contractors will however complete the current cycle in November 2006</p>
2.4	<p>In order for works to continue in these areas as proposed, additional funding would have to be released from elsewhere in the Capital programme by the Council. We are therefore submitting a bid to the Council for the additional resources required to allow works to continue without disruption in all areas.</p>
2.5	<p>In order to minimise risk in delivery, to align the programme year and the financial year and to avoid delays due to discussions on uplifted rates for Year 2, it is proposed to bring some Year 2 schemes into Year 1. This will also give confidence to partners and other stakeholders that there will be no pause between the end of Year 1 and the start of Year 2. This will be the basis of the bid for additional resources.</p>
2.6	<p>The predicted funding across the Capital Programme for 2007/8 is anticipated to be low in comparison to the current year with as little as £20m available for Decent Homes. The release of ALMO credits at the earliest possible opportunity will be required to deliver a programme matching that of the current year.</p>
2.7	<p>The Director of Finance at L.B.Hackney has indicated to the Hackney Homes Chief Executive, that the necessary resources will be made available when required, to sustain delivery of the Decent Homes Programme on target.</p>
	<p><u>Contractual</u></p>
2.8	<p>Kiers update After further negotiations at a senior level, Kiers is now back on track to recommence on the main Year 1 works in October 06. Kitchens and bathrooms commencing on 23 October 2006. Scaffolding is due to be erected at Trelawney Estate on 27 October 2006. A Hackney Homes banner will be abseiled down the block. Residents have been written to and a pre-start meeting for Trelawney is currently being arranged.</p>

2.9	<p>Framework Agreements as discussed above have been issued. An Extension Deed to the current Year 1 Agreement has been issued as Kiers works will continue into 2007. The Central Heating programme has commenced.</p>												
3.0	<p>DECENT HOMES PERFORMANCE 06/07</p>												
3.1	<p><u>Decent Homes Annual Targets</u></p>												
	<p>No. of Homes Decent at April 1st 2006 (47.58%)(from BVPI)</p>												
	<table border="1"> <thead> <tr> <th data-bbox="140 616 638 672">2006/7 Target</th> <th data-bbox="638 616 896 672">2006/7 Target</th> <th data-bbox="896 616 1152 672">Actual year to September 06</th> </tr> </thead> <tbody> <tr> <td data-bbox="140 672 638 734">Number of properties to be made decent internally</td> <td data-bbox="638 672 896 734">1500</td> <td data-bbox="896 672 1152 734">593</td> </tr> <tr> <td data-bbox="140 734 638 797">Number of properties to be made decent externally</td> <td data-bbox="638 734 896 797">2368</td> <td data-bbox="896 734 1152 797">139</td> </tr> <tr> <td data-bbox="140 797 638 884">Number of properties to meet full Decent Homes Standard as result of DH work</td> <td data-bbox="638 797 896 884">1500</td> <td data-bbox="896 797 1152 884">593</td> </tr> </tbody> </table>	2006/7 Target	2006/7 Target	Actual year to September 06	Number of properties to be made decent internally	1500	593	Number of properties to be made decent externally	2368	139	Number of properties to meet full Decent Homes Standard as result of DH work	1500	593
2006/7 Target	2006/7 Target	Actual year to September 06											
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Number of properties to be made decent externally	2368	139											
Number of properties to meet full Decent Homes Standard as result of DH work	1500	593											
3.2	<p>Commentary: It should be noted that the target of 1,500 (Decent Internally) includes an assumed contribution of 600 casual voids which will brought up to the Decent Homes Standard if they meet the standard externally. This compares to 1,182 units made decent in 2005/2006 545 of these were voids.</p>												
3.3	<p><u>Current Financial Profile with commitment to end of September 06 (per Contract Area)</u></p> <p>Commentary: Delivery performance in Homerton Contract Area has been disappointing and high level discussions have taken place with the constructor, which have now resolved this. A new team is in place and a revised financial profile has been prepared based on the contractor's programme. Programme expenditure has increased substantially since the last report and is now close to programme profile. Financial reports are attached at Appendix A</p>												
3.4	<p><u>Current Output Profiles with actuals to end September 06 (per Contract Area).</u></p> <p>Commentary: The charts included at Appendix b, outline programme outputs by element per contract area. The charts demonstrate good progress against the kitchen & bathroom programme, where the first phase (Year 1) programme is now virtually complete, with the exception of the Homerton area (see 3.3 above). There is also good progress on external works, particularly in Stoke Newington and Shoreditch A contract areas and shows the advanced stage of progress in these areas.</p>												

3.5

The following is a breakdown of Package Improvement call-back addresses per Contract Area.

Contract Area	Gross Rentable Units	Arrears Cases Omitted
Shoreditch B (Mulalley)	539	134
Shoreditch A (Lovells)	388	27
North East (Connaughts)	406	73
Stoke Newington (Mansell)	356	53
Homerton (Kier)	369	80

4.0

KPI Commentary.

4.1

KPI performance data is contained in Appendix C. The three charts show Resident Satisfaction benchmarked by constructor, Resident Satisfaction by Contract section (provides an overview of performance over time) and predictability of time in unit. Time in unit is a continuing cause for concern and will be discussed at the next Strategic Alliance meeting with the Partners Directors.

Contact Officer:

Alan Turner, Acting Assistant Director Regeneration HTC 0208 356 2192

Originating officers

Dale Walker 0208 356 8256, Decent Homes Programme Manager

Barbara Barton 0208 356 2360, Performance and Information Manager.



HATE CRIME **POLICY**

Hackney Homes
Chief Executive
Christopher Addison House
72 Wilton Way
London E8 1BJ

- August 2006

Policy Cover Sheet

•
Policy: Hate Crime

Version: Final version 1.7 - August 2006

Author: Belinda Jones, Policy Officer, Housing Services, Hackney Homes

Reference documents:

- Local Government Equality Standard
- Diversity Key Lines of Enquiry No.31 (Housing Inspectorate - Audit Commission December 2004)
- Tackling Racial Harassment: Code of Practice for Social Landlords (2001)
- Home Office: Code of Practice on reporting and recording of racist incidents (2000)
- CRE- Code of Practice in rented housing (1991)
- Housing and the Disability Duty - Disability Rights Commission (2006)

Good practice:

- RaceActionNet - www.raceactionnet.co.uk
- Commission for Racial Equality- www.cre.gov.uk

Issues for Project Sponsor's attention:

- Categories of monthly performance information collected from the Housing Management Partners will need to be reviewed and updated in line with the recommendations of this policy document (Appendix 15- Monthly Monitoring Returns Data)
- Issues relating to a Council Central Database for secure recording of hate crime incidents needs to be resolved
- Adoption of the ODPM's recommendations -Tackling Racial Harassment: Code of Practice for Social Landlords (2001) and Home Office: Code of Practice on reporting and recording of racist incidents (2000)

Endorsed by: Susmita Noonan, Assistant Director (Housing Services), Hackney Homes

Signature:

Date:

• **Hate Crime Policy**

Contents

1. Purpose of the policy	4
2. Introduction	4
3. Multi-agency Forums	5
4. Encouraging Reporting	5
5. Key Facts	6
6. Relevant Definitions	6
7. Hackney Homes approach to Hate Crime	8
8. Policy Statement	9
9. Legal Framework	11
10. Hackney Council Tenancy Agreement and Lease	11
11. Supporting Vulnerable People: Victims, Witnesses & Perpetrators	12
12. Support Services	14
13. Housing Options	16
14. Publicity	18
15. Good Practice Guidelines	18
16. Training and support for staff	19
17. Recording	19
18. Monitoring and Reviewing	19
19. Hackney Homes' Service Standards	20
20. Complaints Procedure	21
21. Customer Satisfaction	21
22. Equality Impact Assessment	21
23. Review of the policy	22

●
● **Hate Crime Policy**

Purpose of the policy

This policy document outlines Hackney Homes' commitment to addressing hate crime incidents affecting council tenants and leaseholders. It sets out how we plan to make our response to hate crime more efficient and effective.

It is to be read in conjunction with the following existing documents:

- Corporate Plan (2004-2005)
- Community Strategy (2005-2015)
- A Safer Community- working for a safer and cleaner place to live Hackney's Crime and Disorder Reduction & Combating Drug Misuse Strategy Summary (April 2005)
- Hackney Council's Equality and Diversity Policy (2005)
- Hackney Homes Equality and Diversity Policy (2006)
- Hackney Council's Corporate Equality Plan 2005/6-2008/9
- Hackney Council's Guidance to Staff on Reporting of Incidents of Harassment (Updated April 2006)
- Partnering Contracts for Housing Management Services (Specification Document July 2003)
- Hackney Council Domestic Violence Policy (2006)
- Hackney Homes Domestic Violence Policy (2006)
- Hackney Homes Equality & Diversity Strategy (2006)
- Hackney Homes- Guidelines: Recording Initial Reports of Hate Crime Incidents(Feb 2006)
- Working better together- protocol between Hackney Homes and Hackney Community Services (2006)

Hackney Council has set-up an Arms Length Management Organisation (ALMO) - Hackney Homes to manage its housing services from April 2006. Hackney Homes and its housing management partners with adopt this policy document and its recommendations when dealing with hate crime incidents.

Introduction

Hackney Council accepts that hate crime is a complex problem often requiring co-operation and mutual understanding between departments and agencies within the borough. The Council promotes such co-operation in order to ensure joint working with the aim of increasing awareness about hate crime and reducing its content and impact as highlighted within the Crime and Disorder Reduction & Combating Drug Misuse Strategy. This strategy document has identified the following strategic priorities for 2005 -2008:

- Young People and Crime
- Drug and Alcohol Misuse
- Anti-social Behaviour and Environmental Crime

- Violent Crime
- Property Crime
- Working for a Safer Hackney

The strategic aim is to prevent and reduce crimes of violence including assault, tackle hate crime and provide greater help for victims including outreach and support.

The Council maintains a commitment to working in partnership with relevant stakeholders through agreed protocols where appropriate and also recognises the value of working in partnership with local community organisations. Where protocols do not exist but would be mutually beneficial, the Council will look towards establishing them in consultation with the relevant parties.

(For further information see A Safer Community - working for a safer and cleaner place to live 2005-2008-Hackney's Crime and Disorder Reduction & Combating Drug Misuse Strategy)

Multi - agency Forums

To deliver Hackney's Crime and Disorder Reduction & Combating Drug Misuse Strategy a number of borough-wide implementation forums exist. The Council co-ordinates a Multi-agency Racial Incident Forum (MARIF) and Hackney Homophobic Crime Forum (HHCF) involving many agencies which respond to the needs of those experiencing hate crime. These forums review existing working practises and facilitate regular communication between agencies. The forums prioritise and action initiatives/ projects according to local need and carry out consultation where possible with survivors/victims of hate crime. There are a number of sub groups such as Racial Incident Case Panel (RICP) and the Homophobic Bullying Forum (HBF).

Hackney Homes and its Housing Management Partners have a key role to play in multi-agency working and is a participating member of both MARIF and HHCF. Housing Management Partners are participating members of the Racial Incident Case Panel (RICP).

Encouraging Reporting

It is widely accepted that there is major under reporting of hate crime incidents. Hackney Homes is committed to encouraging victims and witnesses to report incidents and seek assistance and support. Hackney Homes will implement the Home Office Code of Practice on reporting and recording of racist incidents for all reports of hate crime. It also participates, in the local Third Party Reporting network, using common reporting forms and will contribute to a central council database of hate crime incidents.

Hackney Council has signed up to the local strategic partnership's joint information sharing protocol. Signatories include statutory and other agencies operating in the borough. In the context of hate crime, this policy facilitates for the sharing of information between relevant local agencies in relation to incidents and perpetrators. Housing staff must take care that any disclosure of

information is lawful and should check with Hackney Legal Services and/or the Council's Data Protection Officer if there is any doubt. Under this protocol only 'designated officers' in the Neighbourhood Housing Office and Estate Safety Team can either process or initiate requests for personal information and conviction data. In each Neighbourhood Housing Office, the 'designated officer' will normally be the Neighbourhood Relations Manager or similar post holder.

(See LBH Data Protection Policy)

Key Facts

- The Metropolitan Police alone reported 15,610 incidents of racist and religious hate crime and 1,239 incidents of homophobic hate crime during the 2001/2002 financial year
(Metropolitan Police Authority Annual Report 2001/2002)
- Police estimate most racist and religious hate crime (90% of homophobic crime), goes unreported because victims are too frightened or embarrassed to let someone know

Relevant Definitions

There is a distinction between 'hate crime' and 'hate crime incidents' but for the purpose of this document generally the generic term 'hate crime incident' will be used.

What is a hate crime incident?

Any behaviour that is deliberately intended to harm or intimidate a person that is motivated by the perpetrator's prejudice or hate against an identifiable group of people. This may include but is not limited to people because of their race, faith, sex, disability, age or because they are lesbian, gay, bisexual, transgender or 'Trans' people, refugees, asylum seekers, Gypsies or Irish travellers.

A victim of a hate crime incident does not have to be a member of a minority or someone who is generally considered to be vulnerable. Anyone can be a victim of a hate crime incident. It can be directed against a person or persons because a particular group they belong to or are thought to belong.

Distinction between hate crime and hate incident?

What is a hate crime?

A hate crime can mean any incident which **constitutes** a criminal offence perceived by the victim or any other person as being motivated by prejudice or hate. Such as racially aggravated assault, offences motivated or aggravated by a victim's sexuality.

What is a hate incident?

A hate incident can mean any incident which **may not constitute** a criminal offence perceived by the victim or any other person as being motivated by prejudice or hate.

Definitions of different types of hate crime incidents:

- **Race Incident** - Any incident which is perceived to be racist by the victim or any person (Stephen Lawrence Inquiry 1999)
- **Homophobic incident** - Any incident which is perceived to be homophobic by the victim or any person
- **Transphobic incident** - Any incident which is perceived to be transphobic by the victim or any person
- **Religion/Faith related incident** - Any incident which is perceived to be based upon prejudice towards or hatred of the religion/faith of the victim or so perceived by the victim or any other person
- **Disablist incident** - Any incident which is perceived to be based upon prejudice towards or hatred of the person because of their disability or so perceived by the victim or any other person

For the purpose of this policy document sexual harassment will also be considered to be a hate crime incident.

- **Sexual Harassment Incident** - Any behaviour that is perceived to be sexist by the victim or any other person which may include acts of verbal, written, physical or other abuse intended to intimidate, offend or harm a person because of their sex

Sexual harassment should not be confused with domestic violence. Although harassment is a form of domestic violence, a different policy document (Hackney Homes Domestic Violence Policy- 2006) exists for these circumstances. **In cases of sexual harassment where an intimate or family relationship has or continues to exist it will be treated as domestic violence.** Where there is no intimate or family relationship between the victim and the perpetrator, any report will be treated as sexual harassment and therefore a hate crime incident.

The use of the above definitions does not prejudge the perpetrators intention. After a thorough investigation of an incident, it may be clear that the incident was not hate-motivated. By using a victim centred definition for report taking and investigation this will ensure that assessing whether the incidents were motivated by hate or prejudice will be a key factor throughout the investigation.

(See Hackney Homes Domestic Violence Policy 2006)

Harassment/ Nuisance

Any behaviour such as harassment and nuisance which not motivated by the perpetrator's prejudice or hate of a perceived group (as discussed above) should be classified as 'other harassment' and dealt with as an anti-social behaviour

incident.

(See Hackney Housing Service- Anti-social Behaviour Policy and Procedure, 2004)

Apart from what maybe considered typical examples of hate-motivated behaviour such as physical assaults, sexual abuse and public disorder. Hate - motivated crimes may lie behind many other types of crime such as criminal damage; arson; blackmail; robbery; theft and burglary.

Hate crime incidents may include but are not limited to -

- **Physical assault such as spitting, actual bodily harm or grievous bodily harm**
- **Threats of violence or assault**
- **Sexual assault**
- **Written or verbal abuse or threats**
- **Arson or attempted arson**
- **Intimidation**
- **Harassment**
- **Stalking**
- **Abusive or obscene telephone calls**
- **Offensive, racist or hate-motivated graffiti, slogans, stickers, leaflets or posters**
- **Damage to property or possessions including breaking windows, doors, fences, vandalising cars**
- **Blackmail**
- **Malicious complaints**
- **Neighbour disputes**
- **Rubbish dumping outside homes**
- **Offensive material through the mail such as excreta and rubbish including items but through a letterbox**
- **Public disorder**
- **Bullying at school or in the work place**
- **Abusive gestures**
- **Practical jokes**
- **Making fun of disability**

Hackney Homes approach to Hate Crime

Introduction

Hackney Homes and its Housing Management Partners are committed to reducing hate crime incidents. We recognise that, to provide a quality housing service, we must be effective in tackling the problems created by hate crime that can have such a devastating psychological and emotional effect on individuals and their families. This can result in victims and their families not being able to sleep at night, stopping children from playing outside, feeling like a prisoner in their own home, fearful of physical attacks and depression. Low-level harassment can have an immense effect on the lives of the victims. In the other

more extreme cases, racial and homophobic harassment has resulted in the death of the victim. Hate crime incidents can take place anywhere e.g. shops, estates, streets, school and in the work place. Often crimes in or near the home can be the most destructive as they occur in an environment that may have been considered secure and a sanctuary for most people.

Consequently, all reports of hate crime incidents will be dealt with seriously and as a priority. Hackney Homes and its partners will take all reasonable steps possible to promote and defend the rights of women, men and children to live free from violence, intimidation and abuse. Hackney Homes and its Housing Management Partners have adopted the recommendations of the ODPM's Code of Practice for Social Landlords - Tackling Racial Harassment (2001).

(For further details on the COP see www.communities.gov.uk)

Neighbourhood Services

Hackney Homes has the main responsibility for tackling hate crime incidents on its own housing estates. Council tenants/leaseholders and their families who are victims of hate crime incidents can contact their local Neighbourhood Housing Office or their Tenant Management Office (for TMO tenants) for support and assistance. Responsibility for dealing with reports of hate crime incidents at a local level lies with the Housing Management Partner and their staff in each Neighbourhood Housing Office.

Comment: Need to clarify the role of TMO's

Hackney Homes will take a customer centred approach providing accessible support and assistance to Hackney Council tenants and leaseholders who are victims of hate crime incidents. Hackney Homes is committed to an integrated approach involving all staff who work on estates (housing managers, cleaners, grounds maintenance, surveyors, concierge staff, community wardens and repairs staff) to successfully tackle hate crime incidents on estates, acting at the 'eyes and ears' of Hackney Homes.

Third Party Reporting

The Hackney Third Party Reporting Scheme has established a network of non-police reporting sites to encourage residents and people working and visiting Hackney to have the confidence to report domestic violence and hate crime incidents. As a member of the scheme, people who are not council tenants or leaseholders can report incidents of domestic violence and hate crime at local Neighbourhood Housing Offices.

Policy Statement

Our promise to victims of hate crime

We will:

- Treat all reports of hate crime incidents we receive seriously
- Provide a customer - centred approach when dealing with hate crime incidents
- Investigate all hate crime incidents that are reported to us
- Make sure that housing officers are sensitive to the needs of those experiencing hate crime
- Arrange for emergency accommodation for a tenant/leaseholder* and their household who is assessed as being in immediate danger if this will reduce the risk (** For further information see Sc 13 - Housing Options*)
- Arrange for racist, hate-motivated or offensive graffiti to be removed within 3 hours of being reported
- Where possible, arrange for the person reporting a hate crime incident to speak to an officer of the same sex, if requested
- Provide an interpreter or signer, if required
- Enable and empower victims of hate crime incidents to make informed choices by offering advocacy services, information and support
- Liaise, on the victim's behalf, with external agencies such as the police and victim support groups. We will only do this with your agreement or if we are required to do so by law in relation to child protection issues
- Discuss all the options available to the victim in regard to housing, welfare benefits, obtaining legal advice, specialist support and advice about safety. This may include referral to local specialist agencies such as the Council's Domestic Violence & Hate Crime Team
- Formally acknowledge and record every report of a hate crime incident, give the victim information on what will happen next and keep in regular contact with the victim

Comment: is it 24 hours or 3 hours

We will achieve this by:

- Make sure that all housing officers are aware of the importance of client confidentiality and the implications this may have for a person's safety
- Where possible, take enforcement action against perpetrators of hate crime. In the case of tenants and leaseholders this may include losing their tenancy or lease
- Monitor and record all reports of hate crime so that we can improve our response to tackling hate crimes
- Developing housing services that are sensitive and responsive to accommodate the needs of people experiencing hate crime incidents including disadvantaged or vulnerable people who may require specialist services
- Displaying in our receptions posters and information leaflets. Leaflets will be available, on request, in community languages and other formats such as large print, Braille, audio tape or disk
- Train all housing officers on the Council's and Hackney Homes' Hate Crime policies and procedures
- Train all housing officers to be sensitive to the specific needs of those who are disadvantaged in accessing services: black and minority ethnic

communities, women, young people, disabled people, lesbians, gay men, bisexual and transgender/ ' Trans' people and older people

(See Appendix 4 - Acknowledging and responding to specific needs of groups)

Legal Framework

Hackney Homes will consider the legal framework, which surrounds hate crime. Where possible, Hackney Homes and its Housing Management Partners will seek to identify perpetrators and take reasonable enforcement action against council tenants and leaseholders who are perpetrators of hate crime. This could include a range of legal action such as anti-social behaviour orders, injunctions, demotion of tenancy (which reduces security of tenure) and possession action which could ultimately lead to perpetrators losing their tenancy or lease. In the case of young people, involved in perpetrating hate crime incidents and where appropriate, Hackney Housing Service will consider the use of acceptable behaviour contracts (ABC's).

Front-line staff will receive training so that they are conscious of the potential of criminal action in cases that involve racially aggravated offences, intentional racial harassment, racial hatred, assaults involving or motivated by hostility or prejudice based on disability or sexual orientation (actual or perceived). Hackney Homes will work closely with the police and other relevant agencies to collect intelligence and evidence, in pursuing prosecutions for hate crimes.

(See Appendix 2 -Relevant Legislation and Appendix 3 - Roles and Responsibilities)

Hackney Council Tenancy Agreement and Lease

The Council's tenancy agreement and lease are legal binding contracts between the Council and its tenants and leaseholders.

Hackney Council Tenancy Agreement

The Tenancy Agreement specifically prohibits tenants, members of their household and guests from acts of harassment, nuisance, disturb or act in any way that constitutes anti-social behaviour.

The Housing Act 1985 and 1996 can provide a sanction on perpetrators of nuisance and anti-social behaviour in the housing context whether they are tenants or persons whose behaviour is affecting others lawfully in the area of the local authority housing. Hate crime and harassment are not specifically provided for but under case law hate motivated harassment maybe included under the heading of 'nuisance and annoyance'. With reliance on the Housing Acts perpetrators of hate motivated harassment can be evicted or have an injunction made against them.

Eviction for harassment can be achieved under two different grounds in Schedule 2 of the Housing Act 1985:

- **Ground 1-** covers breaches of the tenancy agreement
- **Ground 2** - specifically for nuisance or annoyance and /or certain convictions

Under Section 152 of the Housing Act 1996 an injunction can be obtained against a person who has harassed people who are lawfully in the area of local authority housing where that harassment included violence or threats of violence.

(See Appendix 2- Relevant Legislation and 6 - Hackney Council Tenancy Agreement: Condition 3)

Hackney Council Lease

The Hackney Council Lease sets out duties and obligations for leaseholders which include:

- **Schedule 7** - not causing a nuisance or an inconvenience to any neighbours
- **Schedule 8** - which lists the regulations that leaseholders must keep to for example:

The lessee will 'be responsible for all acts of wanton mischief or breach of these conditions by children occupants of his dwelling and his invitees to the estate and for any annoyance nuisance or damage such persons may cause and shall repay to the Lessor the cost for making good any damage or defacement caused by such persons'.

(Schedule 8- 1d)

The Council will commence forfeiture proceedings against any leaseholder who is proved to have breached the terms of their lease because they are the perpetrator of hate motivated harassment. The Council can also use the Local Government Act 1972 Sc 222, to bring injunction proceedings to prohibit a person from continuing to cause a public nuisance.

Supporting Vulnerable People: Victims, Witnesses and Perpetrators

A victim or perpetrator of hate crime who is considered to be vulnerable could be someone who:

- Has difficulty controlling their behaviour
- Is perceived to be weak or powerless
- Is the target of prejudice or hatred
- May lead an unsettled live

The following groups maybe considered to be vulnerable when they are victims or perpetrators:

- People with mental health, drug or alcohol problems which make anti-social behaviour more likely
- Children and young people in families without adequate parental control
- Young offenders and their associates
- People with no anchor in the community such as those coming out of care or hospital and ex-offenders

Council tenants who are considered vulnerable within the Supporting People criteria (whether they are a victim, witness or perpetrator) should be considered for referral to the Tenancy Support Service. The Tenancy Support Service will provide a floating support package which meets the specific to the needs of the individual.

(See Section 12. Support Services- Tenancy Support Service for more information about the service and the Supporting People eligibility criteria)

Vulnerable victims and witnesses

Victims of hate crime from the following groups may also be considered to be vulnerable:

- Black and minority ethnic communities
- Adults with learning difficulties
- Older people

People from these groups are often targeted because they are considered to be powerless and less likely to stand up for themselves.

- Lesbians, Gay, Bisexual and Transgender people are likely to be targeted because perpetrators may feel prejudice and hostility towards this group

Vulnerable people can be deeply affected by the hate crime they have experienced. Hackney Homes will provide them with support and information to ensure that they feel safe and secure in their home and neighbourhood. This will include regular visits or telephone calls to re-assure them that Hackney Homes is dealing with their case and to advise them of the progress of the investigation. Where enforcement action is being considered, additional support maybe required to give the victim or witness the confidence to deal with any court proceedings. Victims and witnesses may fear the legal system and the threat of reprisals. The NRM will work closely Hackney Police Community Safety Unit to ensure appropriate support is given to the victim or witness. Practical protective measures will also be considered such as security to their property, arson proof letterboxes, CCTV, etc as part of a support package.

Vulnerable perpetrators

Perpetrators who are vulnerable will receive appropriate support with the aim that it might result in a change of behaviour with or without the use of enforcement measures. This can include referral to the Tenancy Support Service who will reinforce important messages that continued anti-social behaviour could lead to enforcement action and possible eviction. Cases involving vulnerable perpetrators will be discussed at the Neighbourhood Case Conference meetings with the relevant support services. The Neighbourhood Relations Manager (NRM) will be responsible for co-ordinating case conference meetings and will invite representatives from support services such as mental health, child or adult protection team

services (Hackney Community Services), drug action team (DAT), youth offending team (YOT's) , ASB Intervention Team, Tenancy Support Service and DVHC. An action plan will be agreed with partners before any enforcement action is taken.

Where perpetrators are known to have learning difficulties any correspondence such as Warning Letters will be followed up with a face-to face meeting to ensure that the individual fully understands the letter and the hate crime policy.

(for further information on vulnerable people see 'Working better together- a protocol between Hackney Homes and Hackney Community Services 2006; www.raceactionnet.co.uk- action framework for dealing with vulnerable victims, witnesses and perpetrators and Appendix 4- Acknowledging and responding to specific needs of groups)

Support Services

Multi - agency Working

We will work in partnership with statutory agencies like the police and other council departments such as the Community Safety Team, Domestic Violence & Hate Crime Team, Victim Support and other relevant external groups to ensure that a range of services and support are available to meet the needs of those people experiencing hate crime incidents.

Hackney Tenancy Support Service

Council tenants who are victims, witnesses or perpetrators of hate crime incidents and considered vulnerable are eligible to be referred to Hackney Tenancy Support Service. This is a floating support service for vulnerable council tenants providing support to help them live independently in the community and maintain their tenancy.

The Government's Supporting People Programme defines the following groups as being vulnerable and eligible for this service:

- People who have been homeless or a rough sleeper
- Ex-offenders and people at risk of offending and imprisonment
- People with a physical or sensory disability
- People at risk of domestic violence
- People with drug or alcohol problems
- Teenage parents
- Elderly people
- Young people at risk
- People with HIV or AIDS
- People with learning difficulties
- Travellers
- Homeless People with support needs

Hackney Mediation Service

In low-level cases such as hate incidents (rather than a hate crime) and where there is agreement from both parties, consideration should be given to referring the case to Hackney Mediation Service.

Domestic Violence and Hate Crime Team (DVHC)

All victims of hate crime incidents will be advised of the services provided by the Domestic Violence and Hate Crime Team for people who have experienced domestic violence, racial or homophobic incidents. Each victim reporting a hate crime incident will be informed that their details will be passed to DVHC who will contact the victim separately to offer support, advice and counselling.

(See Appendix 15 - DVHC Team Referral Form)

Hackney Police Community Safety Unit (CSU)

It is recognised that often many people do not wish to report hate crimes directly to the police. They may fear or do not trust the police. **In all circumstances, people reporting a hate crime incident must be advised that in cases of emergency for their own and their families' safety, they should contact the police by phoning – 999.** The Hackney Police Community Safety Unit is a specialist police team dealing with domestic violence and hate crime. They investigate criminal cases and can give advice and information on legal options, safety issues and council services. All victims of hate crime incidents will be advised of the services provided by the CSU and with the victim's consent referred to the CSU for further support and assistance.

Translation and Interpretation Services

Hackney Homes and its Housing Management Partners will arrange access to telephone interpretation services (see Language Line) and face - to face interpreters (via Hackney Council Translation and Interpretation Service) in the appropriate community language. In addition, Housing Homes welcomes the use of advocates by victims of hate crime. Victims of hate crime may prefer a friend or family member to interpret or translate on their behalf when contacting the Neighbourhood Housing Office. In these circumstances, Hackney Homes would strongly recommend that this is an adult aged over 18 years of age and not a child or young person.

(See Appendix 10- Language Line and Hackney Homes Intranet: <http://156.61.38.16/cpa/>)

Hackney Sanctuary Project

The Sanctuary Project is a victim – centred initiative which aims to provide additional safety measures to the homes of domestic violence survivors and survivors of violent crime. This scheme is available to council tenants and leaseholders and aims to make it possible for victims to remain in their homes and feel safe thereby preventing homelessness. This project is administered by the

Homeless Prevention Team, Hackney Housing Service in close partnership with the nia project and the Domestic Violence and Hate Crime Team (DVHC).

(See Section 13 -Housing Options, Appendix 15- Form1 Sanctuary Project Referral Form and <http://www.hackney.gov.uk/index.htm/h-sanctuary/h-sanctuary-what-is-a-sanctuary.htm>)

Additional security, repairs and graffiti

The Hackney Homes will carry out any repairs that are required to a property as a result of a hate crime incident. Where it is assessed that there is a danger to life or limb, major damage to the property or if the property is insecure repairs will be ordered immediately and treated as an emergency. Once reported, it is our aim to ensure that offensive or hate crime motivated graffiti on council property will be removed with three (3) hours and other types of reported graffiti within four (4) working days.

Comment: new to clarify times for removal of graffiti

The Estate Safety Team in partnership with Property Services (Hackney Homes) operates a “secured by design” programme to improve safety and security on estates.

The main initiatives of this programme are:

- Safer City Doors - virtually impregnable front entrance doors fitted to properties.
- Secure locks and doors for utility cupboards in communal areas. This includes fitting new locks to stop pirate radio equipment being installed on roofs.

After consideration of the circumstances of each case, necessary arrangements will be made to help protect vulnerable tenants in their home.

Housing Options

Council Tenants - Transfer Requests

Requests from council tenants for transfer on the grounds of hate crime will be considered fairly and sympathetically, where it is not possible to resolve the problem and there is a threat to life or limb.

Before considering housing options, all other avenues should have been explored or other avenues (such as legal action against the perpetrator) are being pursued and alternative housing is required either in the short or long term, alongside legal action.

If a council tenant feels unable to continue to occupy their current property because of a hate crime incident they will be advised of all of the following options:

- **Social Priority Transfer** (‘A’ social priority award if appropriate where there is a threat to life or limb if a person is not moved and there is no alternative effective remedy)

- **H.O.M.E.S** (national mobility and exchange scheme)
- **Mutual Exchange**

They will be advised of the consequences of any decision and assisted as necessary.

Homelessness

Any person living in Hackney, regardless of being an owner occupier, housing association tenant, private or council tenant can approach the Housing Advice and Options Team, if they have been made homeless or threatened with homelessness due to domestic violence or 'any other violence' (including violence as a result of a hate crime). Regardless of tenure, the Housing Advice and Options Team will carry out enquiries and make a decision regarding an applicant's eligibility under the Housing Act 1996 and the Homelessness Act 2002. The Council will meet its statutory obligations under the legislation to those in priority need. For those not in priority need, the Council will provide advice and assistance. This policy conforms to existing housing legislation as to the priority need of those applicants experiencing domestic violence or 'any other violence'.

- **Council Tenants**

Council tenants who feel they are unable to continue to occupy their current property because of a threat of violence are legally entitled to make a homelessness application under Part V11 of the Housing Act 1966 (as amended by the Housing Act 2002). This can be either to the local authority housing department where they are living or, if they feel unable to remain in the area due to violence, to the housing office at any other local authority area.

- **Council Leaseholders**

Council leaseholders are entitled to help with emergency temporary housing, such as a refuge or hostel, and to help to stay in their home through the Sanctuary Project. Clearly the longer term solutions for those with a significant interest in a property are likely to be more complex and will vary from case to case. Residents who are council leaseholders can also access support and advocacy through the Domestic Violence and Hate Crime Team (DVHC) and through referral to other voluntary sector agencies.

(See Section 12- Support Services)

Making a homelessness application

The assessment officer will carry out enquiries to see whether there is a duty to provide the client with accommodation. Unfortunately the Council may not be able to help everybody as it can only able to help people who are:

- Eligible

- Homeless / threatened with homelessness
- Have a priority need for accommodation
- Have not become homeless intentionally and
- Have a local connection with Hackney

Any person fleeing from domestic violence or 'any other violence' which may recur will be considered to be homeless however, the Council will still need to confirm that they are eligible for assistance and have a priority need.

When first considering an application, the Council will need to decide if they have a reason to believe that the applicant may be eligible, homeless and have a priority need, even before they completed their enquiries. If the applicant meets these 3 criteria, the Council will have a duty to provide the applicant with interim emergency accommodation until we make our final decision on the homelessness application.

Where it is found that a person fleeing domestic violence or 'any other violence' is not in priority, the matter will be referred to the Advice & Options team for advice and assistance. The advice and assistance will include information which may enable the service user to access alternative accommodation in the private rented sector or other private housing provider.

Remaining in your own home

If a council tenant or leaseholder wishes to remain in their existing property, they will be referred to the Homelessness Prevention Team, who can provide help on their behalf through the Hackney Sanctuary Project.

(See Section 12- Support Services; Appendix 7- Housing Options and Appendix 1 5- Form1 Sanctuary Project Referral Form)

Publicity

Hackney Homes in partnership with the Domestic Violence & Hate Crime Team will display hate crime posters and information leaflets in reception areas. Leaflets will be made available in community languages and other formats such as large print, Braille, audio tape and disk on request. This will include victim support packs for victims to increase their confidence to report hate crime incidents. Hackney Homes and its Housing Management Partners will publicise high profile cases, campaigns, activities related to tackling Hate Crime as agreed by Hackney Council and Hackney Homes- Housing Services & the Communications Team.

Good Practice Guidelines

Whilst working with those experiencing hate crime, the Council will operate a 'customer-centred' approach, within corporate customer standards acknowledging that the safety, welfare and health of those experiencing hate crime is of prime importance. Further guidance can be found in the Domestic Violence Good Practice Guidelines on safety, confidentiality and sensitivity. Many of the principles apply both for victims of domestic violence and hate crime

incidents. All housing and housing management partner's staff will be aware and familiar with this guidance.

(For further guidance see Appendix 5 - Domestic Violence Good Practice Guidelines and Appendix 11 - Support and Advice for Victims of Domestic Violence and Hate Crime)

Training and support for staff

Housing staff will receive training in understanding the victim's perceptions and the support needs of victims so they can provide a sensitive, responsive and effective service that meets the needs of victims of hate crime. Hackney Homes will ensure that all staff involved in casework aware of the implications of the Human Rights Act 1998 when dealing with racial and other hate crime incidents. Hackney Homes will support frontline staff emotionally and practically when dealing with such cases. For Hackney Homes staff who might be victims of hate crime information about support services will be displayed on staff notices.

Hackney Homes staff can access a range of information regarding hate crime to support and assist their work on the virtual library section of the Hackney Homes Intranet.

(See Hackney Homes Intranet: <http://156.61.38.16/cpa/> and Appendix 2-Relevant Legislation)

Recording

The Housing Management Partner and its staff will ensure that accurate records are kept of all reported hate crime incidents whether received by phone, in person, in writing, email or via a third party such as a neighbour, representative, other council department or external agency. All information related to hate crime cases is confidential and will be stored securely in the Housing Neighbourhood Office separate from tenancy/property files.

Housing Management Partner(s) shall:

- Keep full and up to date written and computer records of all cases of hate crime incidents
- Make these records available for inspection by Hackney Homes when required

Monitoring and Reviewing

Monitoring, evaluation and review are essential if we are to develop and improve our services. Targets to increase the number of incidents reported and performance indicators for dealing effectively with hate crime incidents will be set. Housing Management Partners will maintain details, collate and provide statistics, performance information (MMR) of all incidents in a format agreed and at a frequency decided by Hackney Homes. Monthly performance information on reported hate crime incidents will be based on (but not limited to) the categories listed in Appendix 14 – Monthly Monitoring Return Data.

Hackney Homes shall regularly review the performance of Housing Management Partners and Tenant Management Organisations regarding their response to reported cases of hate crime incidents to ensure that both a quality and responsive service is provided. This will be done by using a variety of methods which will include the Domestic Violence and Hate Crime Central Review Panel, quarterly Contract Review Meetings, conducting audits and mystery shopping exercises as required.

Domestic Violence and Hate Crime Central Review Panel

Hackney Homes (Housing Services) will co-ordinate a six (6) monthly meeting to review all Domestic Violence and Hate Crime cases reported to the Neighbourhood Housing Offices. This panel is chaired by the Assistant Director of Housing (Housing Services) and membership currently includes representatives from the Housing Management Partners, Landlord Services, Housing Needs, DV & HC Team, Hackney Police - Community Safety Unit, Child Protection Team, Community Safety Team, Legal Services and external agencies as appropriate.

(See Appendix 8 - Hate Crime Central Review Panel Objectives)

Local Review of Cases

Housing Management Partners will regularly review each reported hate crime incident to ensure that the appropriate action has been taken and support given in accordance with both the Council's and Hackney Homes' policies and procedures.

This review will include (but is not limited to) actions as indicated below:

- Actions agreed against targets
- Progress made on previous recommendations
- The current position
- Any actions requested by the complainant
- Any new recommendations

Housing Management Partners also submit individual cases requiring multi-agency involvement and examples of good practice to the Racial Incident Case Panel (RICP). This is in addition, to submitting all cases for review to the Domestic Violence and Hate Crime Central Review Panel as stated above.

Hackney Homes' Service Standards

Hackney Homes has a full list of service standards and customer service commitments which are available to view on the Hackney Homes website.

(See www.hackneyhomes.org.uk)

When dealing with hate crime incidents our customer service commitments are:

- If any tenant or leaseholder is experiencing hate crime or anti-social behaviour we will arrange an interview within three (3) working days or within twenty-four (24) hours for emergency cases

- We will remove offensive and hate crime graffiti within three (3) hours of being reported. Other graffiti will be removed within four (4) working days of being reported.

Complaints Procedure

Hackney Homes tries to deal with all reports of hate crime in an effective way. But we appreciate that this does not always happen. We take all complaints seriously and believe that we can learn from our mistakes to improve our service in the future. In the first instance, if tenants/leaseholders are dissatisfied with the service they should contact their Housing Manager who will provide a written response within fifteen (15) working days. If they remain dissatisfied full instructions on how to progress the complaint through the Complaints Procedure will be provided in the written response.

Complaints can be made either by phone (on tel: 0208 356 3770), by e-mail (at complaints@hackneyhomes.org.uk), by letter or by completing a complaint form and returning it to 'Standards and Complaints Team, London Borough of Hackney, FREEPOST LON 18986, London E8 1BR. Complaint forms and the Leaflet 'When things go wrong' are available at Neighbourhood Housing Offices and online at www.hackneyhomes.org.uk.

(For more details about the Hackney Homes Complaints Procedure see www.hackneyhomes.org.uk.)

Customer Satisfaction

In order to improve our service to victims of hate crime incidents we will develop quality assurance methods to assess the satisfaction of victims with our service, endeavouring to take on board their comments and suggestions. This will include carrying out periodic audits of housing neighbourhood services.

Once a case is closed, the Neighbourhood Relations Manager (NRM) will write to the victim to explain that the case has been closed and the reasons for closing the case. At this stage, the victim will also be advised to contact their Housing Manager or NRM if further incidents occur. Housing Management Partners will ensure that a Customer Satisfaction Questionnaire (Hate Crime) is attached to the case closure letter for the victim to complete and return to Service Development Team, Housing Services, Hackney Homes at the following address: Freepost NAT2 1828, 136-142 Lower Clapton Road, London E5 0QJ. Comments about the service can also be made by completing the Customer Comments Form in the Hackney Homes Hate Crime leaflet. Hackney Homes will review all feedback received from victims and other service users and take action as appropriate to improve our response to dealing with hate crime.

Equality Impact Assessment

This policy will undergo an Equality Impact Assessment (EIA) to review any likely equality implications.

Review of the policy

Hackney Homes will consult with service users, staff and internal/ external agencies in the periodic review of policy and procedures. Hackney Homes will review the policy and procedure every three (3) years. Any legislative or government policy changes affecting hate crime will be reflected in amended policy and procedure documents as necessary.

Draft

Appendices

1. Acknowledgements
2. Relevant Legislation
3. Roles and Responsibilities
4. Acknowledging and responding to specific needs of groups
5. Domestic Violence - Good Practice Guidelines
6. Hackney Tenancy Agreement : Condition 3- Behaviour
7. Housing Options
8. Hate Crime Central Review Panel Objectives
9. BME Outreach Sessions
10. Language Line (24 Hour Telephone Interpretation Service):How to use the service
11. Advice and Support Agencies- leaflet for people experiencing domestic violence
12. Hackney Council Publications
13. Useful websites or contacts for Housing Staff
14. Monthly Monitoring Return Data
15. Forms:


Form 1: Sanctuary Project Referral Form
Form 2: Draft DVHC Team Referral Form
Form 3. Customer Feedback Questionnaire

APPENDIX 1

Acknowledgements

Thank you to following people who have contributed to the development of this document:

Steve Tucker	Chief Executive, Hackney Homes
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Tom Hogan	NHCM, Hackney Homes
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 <p>HackneyHomes In partnership with Hackney Council</p>	<p>HACKNEY HOMES BOARD - 30th October 2006</p> <p>Report of Chief Executive</p> <p>Classification Decision</p>	<p>ITEM:</p> <p>10</p>
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Hate Crime Policy

<p>1.0</p>	<p>SUMMARY</p> <p>This report provides an account of the steps taken in preparing a Hate Crime Policy. The purpose of the Hate Crime Policy is to outline how Hackney Homes and its Housing Management partners approach dealing with incidents of hate crime affecting/involving council tenants and leaseholders. A summary of the draft Policy is appended to this report.</p>
<p>2.0</p> <p>2.1</p>	<p>RECOMMENDATIONS</p> <p>That the Board notes the current draft of the Hate Crime Policy and agrees to its formal adoption.</p>
<p>3.0</p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.4</p>	<p>BACKGROUND</p> <p>In June this year the Board of Hackney Homes adopted an Equality and Diversity Strategy. The Equality and Diversity Action Plan recommended that a clear Hate Crime Policy be published, accessible in hard copy and on the virtual library.</p> <p>Hackney Homes has the main responsibility for tackling hate crime incidents on its own housing estates.</p> <p>For the purpose of this Policy document, hate crime may include race, homophobic, transphobic, religion/faith, disablist incidents and sexual harassment.</p> <p>This Policy document outlines Hackney Homes 'customer-centred' approach to tackling hate crime, increasing the under reporting of hate crime and commitment to multi-agency working with both internal and external partners such the Police and the Domestic Violence & Hate Crime Team (DVHC).</p>

4.0 Importance to Hackney Homes

- 4.1 This Policy will make it clear Hackney Homes commitment to effectively tackling hate crime by promoting and defending the rights of women, men and children to live free from violence, intimidation and abuse. Sending a clear message that Hate Crime is unacceptable and that action where appropriate will be taken by Hackney Homes.
- 4.2 Hackney Homes has an important role within a national agenda and must meet its legal obligations. For example, this document adopts the ODPM's recommendations - Tackling Racial Harassment: Code of Practice for Social Landlords (2001). The Policy will help in meeting these requirements together with Key Line of Enquiry 31- Diversity, which will be used by the Audit Commission in assessing whether the service deserves two stars or more. The Policy also adopts the definition of a racist incident as being 'any incident which is perceived to be racist by the victim or any person' from the Stephen Lawrence Inquiry 1999 and further extended this definition for other hate crimes (see 3.3).
- 4.3 The development of a Hate Crime Policy is vital requirement of Hackney Homes, Equality and Diversity Strategy (2006).
- 4.4 This Policy contributes to meeting the objectives of the Hackney Council's Crime and Disorder & Combating Drug Misuse Strategy 2005-2008: Violent Crime and the Disability Equality Scheme (2006).

5.0 Development of the Policy - Consultation

- 5.1 The draft Policy document was distributed widely to both internal and external key stakeholders for comments in February 2006. This included members of the Multi-Agency Racial Incidents Forum; Hackney Homophobic Crime Forum; Safer Communities; Hackney Police (Community Safety Unit), Hackney Legal Services; Hackney Victim Support, Domestic Violence & Hate Crime Team (DVHC); Hackney Housing Service; Housing Management Partners and Tenant Management Organisations(TMO's).
- 5.2 Two consultation meetings were held to review the draft Policy document: On the 30th March 2006 with key stakeholders including Pinnacle, Pathmeads, DVHC and the nia project and on 11th April 2006 with chairs of eight Tenants and Residents Groups.

6.0 CONCLUSION

This Policy aims to meet the needs of tenants and leaseholders who are victims of hate crime.

Intrinsic to the Policy is a commitment to work with multi-agency partners to develop joint working with the aim of increasing awareness about hate crime and reducing its content and impact on the community.

Contact Officer: Tom Hogan

Originating officer: Belinda Jones, Policy Officer

Background and supporting Information: Draft Hackney Homes Hate Crime Policy (August 2006)