



POSITIVE FUTURES

ACHIEVING DREAMS. TRANSFORMING LIVES.

Name of Guidance:	Move On and Termination of Tenancy Guidance		
Policy this guidance is governed by:	N/A		
Policy Lead:	Operations Director		
Next Review Date:	10.08.27		
Change Record			
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22.08.12	First issue	SMT	15.08.12
01.08.17	Minor wording changes	MD	21.07.17
10.08.22	No changes	OD	04.08.22

Move On and Termination of Tenancy Guidance

Aim

To provide guidance to staff on:

- the separation between an individual's care / support provided and his/her tenancy arrangements
- how to support an individual who wishes to “move on” from being supported by Positive Futures (i.e. where our support is ceased and a person is no longer supported or is to be supported by another provider)
- how to support an individual throughout the termination of his/her tenancy arrangements.

Context

Positive Futures is committed to the concept of support for living which makes a clear distinction between the relationship an individual has with his/her care / support provider and the person's relationship with his/her Landlord. This distinction has clear implications for how Positive Futures supports individuals in terms of the responses to an individual's changing support needs, by either supporting the individual to start to live with either no support or support from a different provider, or supporting an individual through a termination of his/her tenancy.

It is important that the person's rights as a tenant are respected and that s/he is not evicted from their home in response to any changes in their support package. People must be able to change their care / support provider without jeopardising their accommodation rights.

The separation between an individual's care / support provided and his/her Tenancy arrangements

The concept of support for living makes it clear that the relationship an individual has with his/her care / support provider is entirely separate from his/her relationship with his/her Landlord.

This distinction has clear implications for how staff support individuals in terms of the response to their changing support needs. In Supported Living Services, we expect people's needs to change as they become more independent as they develop new skills, or as they become more dependent, for example, through ill-health or becoming older. Positive Futures, or our funders, cannot

insist that an individual moves from his/her home even if his/her needs change. Any changes to a person's living situation should be agreed with him/her and all relevant stakeholders. We also recognise that certain needs (e.g. the provision of intensive nursing care) may not be able to be met within an individual's existing home.

Supporting an individual who wishes to “move on” from being supported by Positive Futures

We recognise that individuals make different choices at different times in their lives and this may mean that someone supported by Positive Futures may wish to move on and be supported by another organisation. This may or may not mean the individual chooses to leave his/her tenancy.

If an individual chooses to move on, staff should support him/her in whatever way possible, including signposting him/her to other relevant agencies.

Supporting an individual throughout the termination of his/her tenancy arrangements

Supporting individuals to maintain the terms of their tenancy is a central part of all Supported Living Services. It is also an “eligible housing support task” which can be funded by Supporting People. Supporting individuals to make choices about where and with whom they live is also a key part of support for living.

If an individual chooses to move house, staff should support him/her in whatever way possible, including signposting him/her to other relevant agencies.

Housing Associations and other Landlords typically offer different types of tenancies to individuals in self-contained accommodation from those in shared accommodation.

Unless the tenant agrees to leave the tenancy, the Landlord / Housing Association can only seek possession through the Courts or on the grounds outlined within the Tenancy Agreement. This is a legal process and staff should support the individual at all stages, which may include seeking housing rights or legal advice. Staff should work closely with the individual's carers / representatives, HSC Trust staff and, where possible, engage independent advocacy during this process.

The conclusion of this process may result in a “Notice to Quit” requiring the individual to move out of his/her accommodation. Should the tenant remain within the property, the Landlord / Housing Association can issue a “Notice Seeking Possession”.

Housing Associations may offer or assist the tenant to find suitable alternative accommodation.

In these situations, staff will work closely with the person supported, his/her carer / advocate and the Landlord / Housing Association to seek to ensure the best outcome for the person and that the person’s rights are fully protected. Where relevant, the Service Manager will inform Supporting People of the actions being taken and seek advice on the status of the Supporting People grant. The Finance Director will provide advice and support as required.