



Housing Overview and Scrutiny Committee

21st March 2024

Report of Councillor Phil Dilks— Cabinet Member for Housing and Property

Mutual Exchange Procedure

Report Author

Jodie Archer, Head of Housing Services

✉ Jodie.archer@southkesteven.gov.uk

The purpose of this report is to notify to the Housing Overview and Scrutiny Committee of the updated Mutual Exchange Procedure. The Mutual Exchange Procedure outlines the circumstances in which a Mutual Exchange can be refused and also details the improved processes regarding the decision making process.

The Mutual Exchange Procedure demonstrates the Councils Landlord compliance in accordance with legislation.

Recommendations

That the Committee:

1. Notes the contents of the report and updated Mutual Exchange Policy
2. Recommends to Cabinet the approval of the updated Mutual Exchange Policy

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Connecting communities Housing Effective council
Which wards are impacted?	All ward(s)

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance

- 1.1 Any financial implications associated with the implementation of this policy will need to be met from existing budgets.

Completed by: Alison Hall-Wright, Deputy Director (Finance & ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 There are no governance implications arising from the development of this policy.

Completed by: James Welbourn, Democratic Services Manager and Deputy Monitoring Officer

2. Background to the Report

- 2.1 Following a request from the chair of the Housing Overview and Scrutiny Committee, this report has been produced to provide an overview of the mutual exchange procedure at South Kesteven District Council.
- 2.2 South Kesteven District Council complete mutual exchanges in accordance with the legislative framework under the Housing Act 1985 section 92. This is defined as when a tenant who has a secure or assured tenancy agrees to exchange with another secure or assured tenant.

- 2.3 A mutual exchange is a totally voluntary arrangement and historically a process in which residents can find it difficult to find a suitable partner who they wish to swap with.
- 2.4 Tenants' rights relating to a mutual exchange are listed within the Tenants Handbook, given to all tenants and available online via the Council's website.
- 2.5 A review of the inspection checklist is completed with Technical Services to ensure that specific items are not missed.
- 2.6 Arrangements are in place with Repairs Supervisors to have a second inspection if required around specific items that might require more technical knowledge/assessment.
- 2.7 Following agreement of the Mutual Exchange, a further inspection is carried out prior to the tenant moving out, to ensure the property is left in an acceptable condition.

3. Key Considerations

- 3.1 Key considerations are included in the content of the procedure and improved processes.

4. Other Options Considered

- 4.1 The alternative option would be to not have this procedure. However, to meet the requirements of legislation this would leave the Tenancy Service's team exceptionally vulnerable and open to critique that as a Landlord we are non-compliant.

5. Reasons for the Recommendations

- 5.1 It is recommended that the Housing Overview and Scrutiny Committee recommends to Cabinet to approve the procedure and improvements. These will provide clarity on how the operational services are provided.

6. Consultation

- 6.1 There was no consultation required around this procedure as this is set in statute.

7. Appendices

- 7.1 Mutual Exchange Procedure – Appendix 1