



Guidance on the use of Family Intervention Tenancies



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Purpose of this guidance

1. This guidance is aimed at social landlords and their use of Family Intervention Tenancies. These tenancies were introduced in the Housing and Regeneration Act 2008 (“the 2008 Act”) and became available for use on 1 January 2009.
2. This guidance outlines what considerations social landlords, Family Intervention Projects and other agencies involved in delivering support to households who have been involved in anti-social behaviour should make when considering the use of Family Intervention Tenancies.
3. In so far as this guidance comments on the law, the comments herein can only reflect Communities and Local Government’s understanding thereof, at the time of publication, as such this guidance is not a definitive statement of the law.
4. This guidance is not statutory.
5. Please note that for more general information about Family Intervention Projects, readers should see *Family Intervention Projects – a toolkit for local practitioners*, which can be downloaded from the Respect website – www.respect.gov.uk
6. For information on the effectiveness of Family Intervention Projects readers should refer to the National Centre for Social Research’s evaluation published in July 2008. This can be accessed at www.dcsf.gov.uk/research/data/uploadfiles/ACF44F.pdf

Social landlords can be Registered Social Landlords (RSLs) or local authorities (LAs). In future RSLs will be known as Registered Providers.

The legislation in context

Summary

7. Section 297 of the Housing & Regeneration Act 2008 provides local housing authorities and registered social landlords (RSLs) in England and Wales with the power to offer Family Intervention Tenancies. They may do so in circumstances where the tenant is likely to be evicted on the grounds of anti-social behaviour or in the opinion of the landlord could have been so evicted and to support the provision of behaviour support services.
8. Family Intervention Tenancies will not be secure or assured. They fall into the list of excluded tenancies (ie those which are not secure or assured) specified in Schedule 1 of the Housing Act 1985 (for secure tenancies) and Schedule 1 of the Housing Act 1988 (for assured tenancies). As such they will be terminable on notice with no need to prove any grounds for termination or possession.
9. It is important to note that Family Intervention Tenancies are entered into voluntarily on the part of the tenant, who cannot be compelled to sign such a tenancy agreement.
10. There are strict notice requirements that the landlord must comply with when offering a Family Intervention Tenancy. Notices will include an explanation of the security of tenure of the Family Intervention Tenancy and the loss of security of tenure that is likely to arise in respect of their existing tenancy when the tenant agrees to enter into the new tenancy agreement.
11. Family Intervention Tenancies are designed to be used where intensive support is being delivered to households who have been accommodated in dispersed accommodation or purpose-built units in order to help maximise the success of such support. They cannot be used if the behaviour support services are provided in situ through outreach support delivered in the household's original home.

Rationale behind Family Intervention Tenancies

12. Social landlords and practitioners involved in Family Intervention Projects have reported difficulties when seeking to move families involved in anti-social behaviour into dispersed accommodation or purpose-built units due to a lack of clarity over the type of tenancy a family should be offered for the duration of that stay. A number were unclear as to whether it would be appropriate to grant the household a licence rather than a tenancy. Many were concerned that the nature of a secure or assured tenancy was inappropriate to both the temporary nature of the arrangement and because of the security it affords to families who having often been subject or likely to have been subject to possession action on grounds of serious anti-social behaviour.
13. By introducing this new type of tenancy, we have sought to make it easier for social landlords and their partners to work together to make the right choices in how behaviour support services should best be offered. We have also sought to bring transparency and provide safeguards to prevent the inappropriate use of Family Intervention Tenancies by clearly prescribing in the legislation the range of circumstances under which they may be offered.
14. Family Intervention Tenancies are intended to help sustain the delivery of intensive support for the duration of the Family Intervention Project. They are not intended to run on beyond completion of that programme. When a family has completed a support programme a decision needs to be reached between the family, social landlord and partner agencies on the longer term housing needs of the household which will assist in maintaining sustainable changes to a family's behaviour.
15. The length of a Family Intervention Tenancy can vary greatly according to the work required with the family to achieve the longer term outcomes but the typical length of tenancy would be expected to be between six months and a year or possibly longer. Evidence to date suggests that there may be occasions in extreme cases of long term entrenched behaviour where a Family Intervention Tenancy could continue for as long as two years.

Brief description of the law

16. Family Intervention Tenancies can only be offered for the purposes of providing behavioural support services to tenants against whom a possession order for anti-social behaviour:
 - has been made in relation to a secure/assured tenancy on the grounds of anti-social behaviour or
 - could, in the opinion of the landlord, have been so made in relation to a secure/assured tenancy or
 - could have been so made if the tenant had had such a tenancy
17. Family Intervention Tenancies can be converted into secure/assured tenancies as relevant on notice by the landlord to the tenant.
18. A proposed Family Intervention Tenancy will not be such a tenancy unless the local housing authority or RSL has served a notice on the household that complies with a number of requirements that are set out in s297 of the 2008 Act. The contents of the notice are covered in more detail in the section titled – “Making sure families make informed decisions”.
19. Family Intervention Tenancies can only be used for the purpose of providing behaviour support services that have been outlined in a written behaviour support agreement.
20. The behaviour support agreement will be an agreement between the tenant, the Family Intervention Project, the agencies who are providing support, the social landlord providing the accommodation and the local housing authority for the district in which the accommodation is to be provided, if different from the area of jurisdiction of the original landlord.

The termination of a Family Intervention Tenancy

21. A local authority cannot serve a notice to quit (a notice terminating the tenancy) on a tenant of a Family Intervention Tenancy unless a written notice of intent has been served on the tenant and either:
 - the tenant has not requested a review of the kind specified in the notice of intent
 - the tenant withdraws the request for a review or
 - where a review is undertaken, a notice setting out the reasoning and decision of the review is served on the tenant

22. RSLs (in future Registered Providers in England) are not obliged under the 2008 Act to issue a notice of intent, or to conduct a review process equivalent to those required by LAs. However, the Tenant Services Authority would expect registered social landlords to operate a similar termination and review procedure to that required under the Act by local authorities (as outlined above).
23. All notices served in relation to terminating a Family Intervention Tenancy must contain advice to the tenant about obtaining assistance in relation to the notice.

Considerations to be made when using Family Intervention Tenancies

24. This guidance provides a non-exhaustive list of considerations which the Government would expect social landlords and their partners (particularly Family Intervention Projects) to take full account of when assessments are being made of whether a family would benefit from an offer of support delivered in dispersed or purpose-built accommodation.
25. This guidance also offers advice on the 'review process' that local authority Family Intervention Project tenants would be entitled to, were a decision to evict them from a Family Intervention Tenancy to be taken.
26. Advice is also offered on the implementation of s160 (4) Housing Act 1996 regulations, which will enable local authorities to allocate housing accommodation (either a local authority secure or introductory tenancy or a nomination to an RSL to be an assured tenant) to households who hold a Family Intervention Tenancy upon termination of the former without having to comply with the allocation procedures and requirements under Part 6 of the Housing Act 1996.

Making sure families make informed decisions

27. In order to ensure that families are fully aware of the purpose and nature of a Family Intervention Tenancy and the consequences of relinquishing their secure/assured tenancy, we have provided in legislation that families must first be served a notice. This notice is intended to ensure the family is made fully aware of the nature of the decision they are being asked to make, in order that they might properly reflect on it before reaching a decision.
28. In practice a decision on whether to accept a Family Intervention Tenancy will be closely aligned with the family's decision on whether or not to accept the overall support package offered to them. There may be cases where a family does not want to accept a Family Intervention Tenancy but are prepared to accept support. Where this occurs Family Intervention Projects should give serious consideration as to whether support can be successfully offered on an outreach basis with the family in their existing tenancy.
29. Section 297(5) of the 2008 Act provides what information the Notice must contain:
 - reasons for offering the Family Intervention Tenancy
 - details of the accommodation in respect of which the Family Intervention Tenancy will be granted

- the other terms of the Family Intervention Tenancy (including any requirements on the new tenant in respect of behaviour support services)
- an explanation of the insecure nature of a Family Intervention Tenancy (in comparison to a secure/assured tenancy)
- an explanation that the tenant is under no compulsion to give up his existing tenancy or enter into the Family Intervention Tenancy
- an explanation of the possible consequence of not entering into the Family Intervention Tenancy
- advice as to how the tenant may obtain assistance in relation to the Family Intervention Tenancy notice served on him

30. Landlords and their partners are free to include additional information in the notice where they feel this would be valuable to the family in reaching a decision. Efforts should be made to ensure any information is presented in a user – friendly format so as not to distract from the key information specified above. If a landlord is aware that the tenant has difficulty in reading or understanding information they are given, the landlord should take reasonable steps to address this. This should include consideration of mental capacity and the Disability Discrimination Act.

Independent advice

31. The written notice described above is designed to be a useful tool in ensuring families understand the choice they face. However, in itself it is unlikely, in many cases, to be sufficient to guarantee that a family is fully equipped to reach a decision. A formal notice of this kind may be unfamiliar and off – putting to some and it is therefore important that landlords and their partners take the time to clearly explain its contents and address any concerns or questions a family may have.

32. Section 297(7) provides that:

“... A notice under sub-paragraph (5) must contain advice to the new tenant as to how the new tenancy may be able to obtain assistance in relation to the notice ...” (s297(7))

33. Landlords and their partners should ensure that they include in the notice helpful information on other sources of advice. We expect landlords would offer a clear explanation of what a Family Intervention Tenancy involves. It is also important that a family is given the option of seeking external advice from a party not directly involved in the Family Intervention Project referral and assessment process. When dealing with households who have the sort of multiple and complex problems and forms of exclusion which are likely to put them at risk of a Family Intervention Tenancy, we would expect landlords to make reasonable efforts in helping the family obtain appropriate advice.

Family Intervention Tenancies and Behaviour Support Agreements

34. For Guidance on the content of behaviour support agreements, please refer to the document *Family Intervention Projects – A toolkit for local practitioners* (July 2007) published by the Department for Children, Schools and Families, which can be downloaded from the Respect website: www.respect.gov.uk.
35. In summary, behaviour support agreements should:
 - clearly outline the changes in behaviour that are expected
 - clearly outline the behaviour support that will be provided
 - clearly outline what sanctions would be applied for non-compliance with the agreement
36. For Family Intervention Tenancies to work effectively, it is important that they are properly and clearly linked to behaviour support agreements. Family Intervention Tenancies have been created to support the successful delivery of behaviour support services. The terms of the tenancy agreement should match with those of the support agreement in order to ensure the family is clear about what grounds would lead to a review of whether they should remain in receipt of support and as a tenant.
37. Where eviction is sought we would expect this would normally be justified on the basis that a family had wilfully refused to accept support as defined through the Behaviour Support Agreement (having been given opportunities to address any breaches) and that there was no significant improvement in their behaviour.
38. There may be cases where a landlord (in consultation with partner agencies) might decide it is appropriate to terminate the tenancy and take possession proceedings against a family for reasons other than breaching the terms of their support agreement (for example rent arrears). Although we anticipate that this would be extremely rare in cases where families are undergoing resource intensive support programmes, landlords should ensure they have considered other reasonable steps before deciding that possession is the appropriate response.
39. In cases where breach of the Behaviour Support Agreement is wholly or partly on the basis of child protection issues we recommend that landlords allow families to remain in the Family Intervention Tenancy for up to 12 weeks, subject to the family co-operating with the support services provided until the long term future of the child has been decided before pursuing possession proceedings.
40. The 2008 Act provides that Family Intervention Tenancies can only be used for the provision of behaviour support services, which will be contained in the behaviour support agreement. Subsection 297(5)(c) provides that the pre-Family Intervention Tenancy notice must give details of the other main terms of the tenancy (including any requirements on the new tenant in respect of behaviour support services).

41. Landlords may wish to take legal advice on how best to draft the terms of a Family Intervention Tenancy to ensure its terms are clearly and appropriately linked with those of the Behaviour Support Agreement.

The nature of Behaviour Support Services

42. Family Intervention Projects are aimed at successfully addressing the underlying causes of anti-social behaviour. Some of the behaviour support services providers that may be involved in the Family Intervention Project are:

- children's services
- community safety
- education services
- police
- adult services
- benefits services
- mental health service
- alcohol dependency services
- drug misuse services
- parenting services
- youth intervention services
- general medical health services, to mention but a few

43. Behaviour support agreements must outline the services that will be provided during the course of the support programme offered through the Family Intervention Project. It is good practice for all agencies involved in providing the support services to sign the behaviour support agreement. This helps to ensure cross-agency buy-in from the outset.

44. The provision of the support services will not normally be the responsibility of the social landlord (who may play an important role in providing accommodation and often acts as a referral agent). However, close partnership working between the Family Intervention Project, contributing agencies and the landlord will be critical to the success of a Family Intervention Tenancy. All parties should be clear about the nature of the tenancy and its primary purpose: to act as a useful and temporary tool to deliver sustainable changes in a family's behaviour. Agencies should also have a shared view on whether the Behaviour Support Agreement is effective, and whether any review of support services is needed.

Eviction under a Family Intervention Tenancy

45. Family Intervention Tenancies are common law tenancies, which can be terminated with a 28 day notice to quit. Where a local authority wants to terminate a Family Intervention Tenancy they must first serve the tenant with a notice of that intention before they can issue the notice to quit. The notice of intention to serve a notice to quit must, among other things, inform the family of their right to a 'review' of the decision to terminate the tenancy.
46. Where a tenant fails to vacate a property after the 28 day notice to quit has lapsed, the landlord must then apply to its local county court for a possession order, which will be granted provided the social landlord has followed the prescribed procedure.
47. A key consideration in any decision to terminate the tenancy is what will happen to the family afterwards. The local authority homelessness and housing options teams need to be involved at or before the point at which the LA decides to terminate the tenancy.

Right to a review for tenants of a local authority

48. A tenant of a local authority has a right to request a review of the authority's decision within a period of 14 days beginning with the service of the notice of intention to evict. Where a tenant makes a request for a review the authority must review the decision and serve a notice on the tenant informing the tenant of the decision and the reasons for it. A copy of the regulations setting out the procedure to be followed on review is attached at appendix C.

RSLs and the review process

49. There is no statutory review process of the decision to terminate the Family Intervention Tenancy for RSL Family Intervention Tenancies, but there is a clear regulatory expectation of fairness. Eviction should be the last resort and only after due process. The Tenant Services Authority expects RSLs to offer a review process which closely parallels that offered by local authorities.

Moving on into social housing once a Family Intervention Tenancy has been brought to an end.

50. Previously, when a tenancy granted for the duration of support received in specialist accommodation came to an end and subsequently the local authority wished to grant the household a new social tenancy, this would constitute an allocation under Part 6 of the Housing Act 1996. This means that the family would have to join the waiting list and have their application assessed in accordance with the authority's allocation scheme and in relation to other applications that may have greater priority under it. This can make it difficult for local authorities to ensure a smooth transition back into settled social housing and may result in people remaining in accommodation

provided in connection with a Family Intervention Project for longer than appropriate or necessary.

Section 160(4) regulations

51. Part 6 of the Housing Act 1996 makes provision about the procedures and principles which LAs must follow in allocating housing accommodation (ie in selecting tenants for their own housing stock and nominating tenants to registered social landlords). These procedures and principles apply to any allocation made by a local authority, unless one of the exceptions in section 160 of the Act applies. Section 160 (4) of the Act enables the Secretary of State to make regulations to prescribe cases in which the procedures and principles will not apply.
52. We have made regulations under section 160 (4) which amend the existing regulations to include those who have a Family Intervention Tenancy as an extra category of persons to whom an allocation of housing accommodation can be made which will not be subject to the provisions of Part 6 of the 1996 Act.
53. These regulations do not prevent local authorities from considering whether a family should be allocated social housing on completion of their Family Intervention Project neither do they guarantee that families will be offered new social tenancies. Rather they ensure that, where local authorities consider it appropriate to offer a new, secure or assured tenancy, they will not be restricted by the requirements of Part 6. This will enable authorities to move people out of Family Intervention Tenancies and back into mainstream social housing whenever it is appropriate.
54. We expect local authorities to make it clear to tenants from the outset that there is no legal entitlement to a new social tenancy on completion of a Family Intervention Project.
55. A copy of the regulations setting out the procedure to be followed on review is attached at appendix D.

RSLs and allocating assured tenancies to families who behave anti-socially

56. When an RSL is considering making an allocation to a family who has been through a Family Intervention Tenancy whether as a direct applicant, a referral from a Family Intervention Project run by that RSL or by a nomination from a local authority, the principles contained in Circular 02/07 *Tenancy Management Eligibility and Evictions* should apply. Careful consideration of the current circumstances of the household in question should be given and liaison with the Family Intervention Projects and the local authority carried out. Any decision to refuse an application or a nomination from the local authority must be based only on an assessment of the applicant's current situation and must reflect any improvements or resolutions in anti-social behaviours brought about by the support programme.

57. As set out in circular 02/07, the test is whether the applicant's current circumstances and behaviour are such that an immediate possession order would be granted against them if they had a secure or assured tenancy and the landlord pursued possession action. RSLs must balance their status as private businesses and their need to build sustainable communities through their allocations with their duties as social housing providers to play their part in the potential rehabilitation of household members that have previously perpetrated anti-social behaviour. They should consider any local lettings policies in place and whether or not the particular property or district for which the applicant is being considered is suitable taking into account all the circumstances.

Role of introductory or starter tenancies

58. Local authorities who operate an introductory tenancy regime would place families back into mainstream social housing through offering them an introductory tenancy. This could help to provide a window in which the behaviour of the family can be closely monitored (they will often be in receipt of continued though less intensive support).
59. Use of this type of tenancy could be used to send a clear message to the family that their tenancy is held on a probationary basis and therefore their long term housing security is dependent on conducting their tenancy successfully without causing further nuisance to neighbours.
60. We would also encourage consideration of the use of starter tenancies (assured shorthold tenancy which later is converted into an assured tenancy), where accommodation is provided by an RSL. However, where an allocation is made by an RSL, that RSL may not use a starter tenancy on a discriminatory basis against applicants who have previously been subject to a Family Intervention Tenancy.
61. The Housing Corporation's Good Practice Note 14 provides that starter tenancies should be used in a strategic manner and their use consulted upon, planned and implemented across an RSL's entire stock or in defined geographical areas. Early strategic planning and partnership working with any Family Intervention Projects in the areas that an RSL has stock is desirable so that agreement can be reached with relevant stakeholders about how the RSL will approach allocations of former Family Intervention Project subjects. During this early planning process, the RSL might usefully consider whether they wish to introduce starter tenancies on a whole-stock or geographical basis.

Appendix A

The use of Family Intervention Tenancies within the Family Intervention Project process

The following table is not intended to be prescriptive but rather to provide helpful guidance in how the use of Family Intervention Tenancies might be integrated within the broader procedures under which Family Intervention Projects operate. It is likely that the majority of projects will follow procedures which match with those set out in the table below, but individual projects may have developed their own tailored approaches and will need to consider how Family Intervention Tenancies can best be utilised in the local context.

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|-----------------------------|---|---|
| 1. REFERRAL CRITERIA | <p>A family should be referred to a FIP when one or more of the following criteria are met (local criteria may also apply):</p> <ul style="list-style-type: none"> • the family are at risk of eviction due to anti-social behaviour (ASB) • one or more individuals within the family are currently subject to enforcement actions for ASB • the family are excluded from mainstream housing, with a previous history of homelessness due to ASB • any child or young person within the household is at risk of being taken into care because of ASB | <p>Family Intervention Tenancies (FITs) can only be offered for the purposes of providing behavioural support services to tenants:</p> <ul style="list-style-type: none"> • where a possession order has been made against the tenant • where, in the opinion of the landlord, a possession order would be made against the tenant • where in the opinion of the landlords, a possession order would have been made if the family had a social tenancy <p>There is an overlap between the housing related criteria for a FIP referral and the conditions for the use of a FIT, which practitioners should be aware of.</p> |

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|---|---|---|
| <p>2. AGREE KEY ASPECTS OF PROJECT</p> | <p>There are three distinct models for delivering FIPs. A key decision of the FIP referral process is therefore to decide the model, or combination of models, that will be appropriate to the family. The three models are:</p> <p>OUTREACH: low/medium outreach support services to families in their own home.</p> <p>DISPERSED UNIT: medium/high outreach support services and a non-secure tenancy in a managed unit of accommodation in the community. This support accommodation service would be offered on the same criteria as outreach, but where the family’s behaviour is so serious that to remain in their present accommodation would place an unacceptable burden on the local community and would offer the family little hope of success.</p> <p>PURPOSE-BUILT UNIT: high level support and supervised accommodation within a residential purpose-built unit where families live alongside project staff on site. The key distinction between families best accommodated in purpose-built units versus dispersed accommodation is the complexity of their needs. In both cases, serious anti-social behaviour makes a continuation in current accommodation intolerable. However, families who require purpose-built units are likely to face serious family dysfunction, homelessness, child protection issues, mental health, substance abuse and chaotic lifestyles. To address their behaviour will require the highest levels of support and supervision on a twenty four hour basis.</p> | <p>A FIT cannot be offered to tenants who are receiving assertive outreach support services in their own homes.</p> <p>If it is decided to offer support in a dispersed or purpose-built unit then a FIT may be appropriate.</p> <p>Practitioners need to ensure they are fully familiar with the process and understand the law which governs this type of tenancy.</p> |

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|-----------------------------|---|--|
| 3. REFERRAL RECEIVED | Following receipt of a referral, the FIP manager should check that referral criteria are met and then allocate the case to a key worker. The key worker should then call a referral meeting within an agreed timescale. At this stage a risk assessment should be carried out covering the safety of project workers when visiting families in their own home. Prior to the referral meeting, the key worker should visit the family to offer information about the FIP, explain their role and answer any questions the family may have. This initial visit is an opportunity to engage with a family and begin to build a relationship. | Project leaflets should be left with the family. Leaflets should contain information about FITs. |
| 4. REFERRAL MEETING | The purpose of the referral meeting is to secure agreement from the family to work with the FIP and to secure the commitment of relevant agencies to participate in work relating to the family. The family, key worker and all relevant agencies should attend this meeting. The meeting should be chaired by the key worker. The background to the case and the reasons for referral should be discussed. The outcome of the meeting should be to gain agreement from the family to undertake the assessment. | The referral meeting presents an opportunity to briefly introduce the idea of a FIT, especially if the referral indicates that a residential service would best meet the family's needs. |
| 5. ASSESSMENT | A comprehensive whole family assessment should clearly identify areas of need within the family and conclude with a clear recommendation for the type of intervention to tackle the family's anti-social behaviour. Assessment reports should be agreed with families and then presented and used as a basis for discussion at the assessment review meeting. | Any assessment should explicitly include coverage of whether a FIT is an appropriate measure in light of the needs of any child or young person as well the broader needs of the whole family. |

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|---|--|---|
| <p>6. ASSESSMENT REVIEW MEETING – IDENTIFICATION OF DISPERSED/PURPOSE-BUILT UNIT</p> | <p>The assessment review meeting is to feed back to the agencies involved with the family the outcome of the assessment and agree input to the family's behaviour contract. It should be attended by the family and all agencies working with them and be chaired by the key worker.</p> | <p>Though led by the FIP key worker, the landlord needs to have been closely involved with proceedings by this stage of the process. This is important because at this stage the landlord must have designated a property/space for the family in a dispersed/purpose-built unit FIP, if only on a conditional basis. At this meeting it is more realistic that the housing provider would be tasked with identifying a dispersed property within a given timescale. Similarly, the FIP staff will know if a purpose-built unit space is available as they will be managing that accommodation.</p> <p>Provided the property has been conditionally designated by the landlord, the family should be informed that a FIT will be offered to them and the pre-FIT notice should be served on the tenant, outlining (as per s297(5) of the Housing and Regeneration Act 2008):</p> <ul style="list-style-type: none"> • reasons for offering the FIT • details of the accommodation the FIT will be applicable to • the other terms of the FIT (including those pertaining to behaviour) • an explanation of the insecure nature of a FIT (in comparison to a secure/assured tenancy) |

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|--|---|---|
| <p>6. ASSESSMENT REVIEW MEETING – IDENTIFICATION OF DISPERSED/ PURPOSE-BUILT UNIT (continued)</p> | | <ul style="list-style-type: none"> • an explanation that the tenant is under no compulsion to either give up his existing tenancy or accept the FIT • an explanation of the possible consequence of not accepting the FIP support services and FIT • advice as to how the tenant may obtain assistance in relation to the FIT notice served on him <p>The reason for issuing the notice at this point is that it provides the family enough time before the commencement of their support programme to consider the implications of accepting a FIT and, if they so choose, to seek independent advice (as per the last bullet point above).</p> |
| <p>7. AGREE BEHAVIOUR CONTRACT WITH FAMILY</p> | <p>The behaviour contract (referred to as a “behaviour support agreement” in the Housing and Regeneration Act 2008) is an agreement between the family, the FIP and any other agencies who are contributing to the support package. The contract should clearly identify the input, processes, outcomes and sanctions. For example, it should detail the type of support to be offered and how it will be delivered: by which agency; on what day and how often; the intended outcome of the described piece of work; and what sanctions would be imposed should the family refuse to engage or change behaviour. Behaviour contracts are working documents and should be reviewed every 6/8 weeks.</p> | <p>This is the point at which the FIT agreement should be signed by the tenant (immediately after which they would normally sign the behaviour support agreement). It is important that the FIT is signed at this point because it will represent to the family a clear link between it (the FIT) and the “behaviour support agreement”.</p> <p>It is important that the FIT agreement is drafted in such a manner that failure to comply with the agreed contract could result in the landlord issuing a notice to quit.</p> |

| STAGE | Family Intervention Project | Family Intervention Tenancy |
|--------------------------|--|--|
| 8. REVIEWS | Reviews should be called no less than every eight weeks and should be attended by the family and those agencies contributing support as detailed in the behaviour contract. The purpose of reviews is for the family and agencies to consider progress and amend the behaviour contract accordingly. They should be chaired by the key worker and minuted. | During these reviews, compliance with terms of the FIT should be considered and discussed with the family, especially if compliance is questionable. Any breaches of the terms of the FIT should be brought to the attention of the family as early as possible so that they are clear what is expected of them in retaining the tenancy. |
| 9. CLOSING A CASE | Cases should only be closed where there is agreement and clear evidence that the family's anti-social behaviour has stopped and that they have made sustainable changes to their lives. Every FIP should devise an exit strategy to ensure that work with a family ends in a planned and co-ordinated way and whether signposting to further specialists or mainstream service is necessary. | Because FITs can only be used where behaviour support services are being provided, when the FIP comes to an end a family's future housing needs should form a key part of the exit strategy. |

Appendix B

HOUSING & REGENERATION ACT 2008

Family intervention tenancies

297 Family intervention tenancies: general

(1) In Schedule 1 to the Housing Act 1985 (c. 68) (tenancies which are not secure tenancies) after paragraph 4 insert—

“Family intervention tenancies

4ZA (1) A tenancy is not a secure tenancy if it is a family intervention tenancy.

(2) But a tenancy mentioned in sub-paragraph (1) becomes a secure tenancy if the landlord notifies the tenant that it is to be regarded as a secure tenancy.

(3) In this paragraph “a family intervention tenancy” means, subject to sub-paragraph (4), a tenancy granted by a local housing authority in respect of a dwelling-house—

(a) to a person (“the new tenant”) against whom a possession order under section 84 in respect of another dwelling-house—

(i) has been made, in relation to a secure tenancy, on ground 2 or 2A of Part 1 of Schedule 2;

(ii) could, in the opinion of the authority, have been so made in relation to such a tenancy; or

(iii) could, in the opinion of the authority, have been so made if the person had had such a tenancy; and

(b) for the purposes of the provision of behaviour support services.

(4) A tenancy is not a family intervention tenancy for the purposes of this paragraph if the local housing authority has failed to serve a notice under sub-paragraph (5) on the new tenant before the new tenant entered into the tenancy.

(5) A notice under this sub-paragraph is a notice stating—

(a) the reasons for offering the tenancy to the new tenant;

(b) the dwelling-house in respect of which the tenancy is to be granted;

(c) the other main terms of the tenancy (including any requirements on the new tenant in respect of behaviour support services);

(d) the security of tenure available under the tenancy and any loss of security of tenure which is likely to result from the new tenant agreeing to enter into the tenancy;

(e) that the new tenant is not obliged to enter into the tenancy or (unless otherwise required to do so) to surrender any existing tenancy or possession of a dwelling-house;

(f) any likely action by the local housing authority if the new tenant does not enter into the tenancy or surrender any existing tenancy or possession of a dwelling-house.

(6) The appropriate national authority may by regulations made by statutory instrument amend sub-paragraph (5).

(7) A notice under sub-paragraph (5) must contain advice to the new tenant as to how the new tenant may be able to obtain assistance in relation to the notice.

(8) The appropriate national authority may by regulations made by statutory instrument make provision about the type of advice to be provided in such notices.

(9) Regulations under this paragraph may contain such transitional, transitory or saving provision as the appropriate national authority considers appropriate.

(10) A statutory instrument containing (whether alone or with other provision) regulations under this paragraph which amend or repeal any of paragraphs (a) to (f) of sub-paragraph (5) may not be made—

(a) by the Secretary of State unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament; and

(b) by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(11) Subject to this, a statutory instrument containing regulations made under this paragraph—

(a) by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament; and

(b) by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(12) In this paragraph—

- “appropriate national authority”—

- (a) in relation to England, means the Secretary of State; and

- (b) in relation to Wales, means the Welsh Ministers;

- “behaviour support agreement” means an agreement in writing about behaviour and the provision of support services made between the new tenant and the local housing authority concerned (or between persons who include those persons);

- “behaviour support services” means relevant support services to be provided by any person to—

- (a) the new tenant; or

(b) any person who is to reside with the new tenant; for the purpose of addressing the kind of behaviour which led to the new tenant falling within sub-paragraph (3)(a);

- “family intervention tenancy” has the meaning given by sub-paragraph (3);
- “the new tenant” has the meaning given by sub-paragraph (3)(a);
- “relevant support services” means support services of a kind identified in a behaviour support agreement and designed to meet such needs of the recipient as are identified in the agreement.”

(2) In Part 1 of Schedule 1 to the Housing Act [1988 \(c. 50\)](#) (tenancies which cannot be assured tenancies) after paragraph 12 insert—

“Family intervention tenancies

12ZA (1) A family intervention tenancy.

(2) But a family intervention tenancy becomes an assured tenancy if the landlord notifies the tenant that it is to be regarded as an assured tenancy.

(3) In this paragraph “a family intervention tenancy” means, subject to sub-paragraph (4), a tenancy granted by a registered provider of social housing or a registered social landlord (“the landlord”) in respect of a dwelling-house—

(a) to a person (“the new tenant”) against whom a possession order under section 7 in respect of another dwelling-house—

(i) has been made, in relation to an assured tenancy, on ground 14 or 14A of Part 2 of Schedule 2;

(ii) could, in the opinion of the landlord, have been so made in relation to such a tenancy; or

(iii) could, in the opinion of the landlord, have been so made if the person had had such a tenancy; and

(b) for the purposes of the provision of behaviour support services.

(4) A tenancy is not a family intervention tenancy for the purposes of this paragraph if the landlord has failed to serve a notice under sub-paragraph (5) on the new tenant before the new tenant entered into the tenancy.

(5) A notice under this sub-paragraph is a notice stating—

(a) the reasons for offering the tenancy to the new tenant;

(b) the dwelling-house in respect of which the tenancy is to be granted;

(c) the other main terms of the tenancy (including any requirements on the new tenant in respect of behaviour support services);

(d) the security of tenure available under the tenancy and any loss of security of tenure which is likely to result from the new tenant agreeing to enter into the tenancy;

(e) that the new tenant is not obliged to enter into the tenancy or (unless otherwise required to do so) to surrender any existing tenancy or possession of a dwelling-house;

(f) any likely action by the landlord if the new tenant does not enter into the tenancy or surrender any existing tenancy or possession of a dwelling-house.

(6) The appropriate national authority may by regulations made by statutory instrument amend sub-paragraph (5).

(7) A notice under sub-paragraph (5) must contain advice to the new tenant as to how the new tenant may be able to obtain assistance in relation to the notice.

(8) The appropriate national authority may by regulations made by statutory instrument make provision about the type of advice to be provided in such notices.

(9) Regulations under this paragraph may contain such transitional, transitory or saving provision as the appropriate national authority considers appropriate.

(10) A statutory instrument containing (whether alone or with other provision) regulations under this paragraph which amend or repeal any of paragraphs (a) to (f) of sub-paragraph (5) may not be made—

(a) by the Secretary of State unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament; and

(b) by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(11) Subject to this, a statutory instrument containing regulations made under this paragraph—

(a) by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament; and

(b) by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(12) In this paragraph—

- “appropriate national authority”—

(a) in relation to England, means the Secretary of State; and

(b) in relation to Wales, means the Welsh Ministers;

- “behaviour support agreement” means an agreement in writing about behaviour and the provision of support services made between the new tenant, the landlord and the local housing authority for the district in which the dwelling-house which is to be subject to the new tenancy is situated (or between persons who include those persons);

- “behaviour support services” means relevant support services to be provided by any person to—
 - (a) the new tenant; or
 - (b) any person who is to reside with the new tenant;
 for the purpose of addressing the kind of behaviour which led to the new tenant falling within sub-paragraph (3)(a);
- “family intervention tenancy” has the meaning given by sub-paragraph (3);
- “landlord” has the meaning given by sub-paragraph (3);
- “local housing authority” (and the reference to its district) has the same meaning as in the Housing Act 1985 (see sections 1 and 2(1) of that Act);
- “the new tenant” has the meaning given by sub-paragraph (3)(a);
- “registered social landlord” has the same meaning as in Part 1 of the Housing Act 1996;
- “relevant support services” means support services of a kind identified in a behaviour support agreement and designed to meet such needs of the recipient as are identified in the agreement.”

(3) This section does not apply to any tenancy granted before the coming into force of this section.

298 Certain family intervention tenancies: termination

(1) A local housing authority must not serve a notice to quit on the tenant of a family intervention tenancy unless—

- (a) the authority has served a notice under subsection (2) on the tenant, and
- (b) either—
 - (i) the tenant has not requested a review of the kind mentioned in subsection (2)(e) within the period of 14 days beginning with the service of the notice,
 - (ii) any such request has been withdrawn, or
 - (iii) the authority has served a notice on the tenant under subsection (4)(b).

(2) A notice under this subsection is a notice in writing stating—

- (a) that the authority has decided to serve a notice to quit on the tenant,
- (b) the effect of serving a notice to quit,

- (c) the reasons for the authority's decision,
- (d) when the authority is intending to serve the notice to quit, and
- (e) that the tenant has the right to request, within the period of 14 days beginning with the service of the notice under this subsection, a review of the authority's decision.

(3) Subsection (4) applies if the tenant requests a review of the kind mentioned in subsection (2)(e) within the period of 14 days beginning with the service of the notice under subsection (2) and the request is not withdrawn.

(4) The local housing authority must—

- (a) review its decision to serve a notice to quit on the tenant, and
- (b) serve a notice on the tenant informing the tenant of the decision of the authority on the review and the reasons for it.

(5) The appropriate national authority may by regulations make provision about the procedure to be followed in connection with such a review.

(6) Regulations under subsection (5) may, in particular—

- (a) specify the description of person who is to make the decision on a review,
- (b) specify the circumstances in which the tenant is entitled to an oral hearing on a review,
- (c) specify whether, and by whom, the tenant is entitled to be represented at such a hearing.

(7) A notice under subsection (2), and a notice to quit, served by a local housing authority in respect of a family intervention tenancy must contain advice to the tenant as to how the tenant may be able to obtain assistance in relation to the notice.

(8) The appropriate national authority may by regulations make provision about the type of advice to be provided in such notices.

(9) In this section—

- “appropriate national authority” means—
 - (a) in relation to England, the Secretary of State, and
 - (b) in relation to Wales, the Welsh Ministers,
- “family intervention tenancy” has the same meaning as in paragraph 4ZA of Schedule 1 to the Housing Act 1985 (c. 68),

and other expressions used in this section and in paragraph 4ZA of that Schedule have the same meaning as in that paragraph.

(10) This section does not apply to any tenancy granted before the coming into force of this section.

Appendix C

STATUTORY INSTRUMENTS

2008 No. 3111

HOUSING, ENGLAND

The Family Intervention Tenancies (Review of Local Authority Decisions) (England) Regulations 2008

| | | |
|-------------------------------|---------|---------------------------|
| <i>Made</i> | - - - - | <i>4th December 2008</i> |
| <i>Laid before Parliament</i> | | <i>11th December 2008</i> |
| <i>Coming into force</i> | - - | <i>5th January 2009</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 298(5) of the Housing and Regeneration Act 2008(a):

Citation, commencement and application

- 1.**—(1) These Regulations may be cited as the Family Intervention Tenancies (Review of Local Authority Decisions) (England) Regulations 2008 and shall come into force on 5th January 2009.
 (2) The Regulations apply in relation to dwelling-houses(b) in England only.

Interpretation

2. In these Regulations—

- “the Act” means the Housing and Regeneration Act 2008;
 “the authority” means the local housing authority(c);
 “behaviour support services” has the same meaning as in paragraph 4ZA of Schedule 1 to the Housing Act 1985(d);
 “family intervention tenancy” has the same meaning as in paragraph 4ZA of Schedule 1 to the Housing Act 1985;
 “the review” means a review of the authority’s decision to serve a notice to quit upon the tenant under section 298 of the Act; and
 “the reviewer” means the person carrying out the review.

Reviewers

- 3.**—(1) A reviewer must be a person who was not involved in the decision to serve a notice to quit upon the tenant.

(a) 2008 c.17. The Secretary of State is the appropriate national authority for making regulations under section 298 in relation to England: *see* section 298(9). Section 298 has been commenced for the purpose of making regulations, *see* S.I. 2008/3068 (C.132), article 4(3).
 (b) For the meaning of “dwelling-house”, *see* section 112 of the Housing Act 1985 (c.68).
 (c) For the meaning of “local housing authority”, *see* section 1 of the Housing Act 1985.
 (d) 1985 c.68. Paragraph 4ZA was inserted by section 297 of the Housing and Regeneration Act 2008.

- (2) Where the review—
 - (a) relates to a decision of an officer of the authority; and
 - (b) the reviewer is another officer of that authority,

the reviewer must hold a more senior position within the authority than the officer whose decision is the subject of the review.

Request for oral hearing

- 4.—(1) The tenant may request a review by an oral hearing.
- (2) The tenant must make such a request within 14 days of receipt of the notice under section 298(2) of the Act.
- (3) Where the tenant has requested a review by oral hearing—
 - (a) the hearing must not take place before the period referred to in paragraph 2 of Schedule 1 has expired; and
 - (b) the authority must give—
 - (i) the tenant; and
 - (ii) any person providing behavioural support services to the tenant, at least 7 days' notice of the date, place and time of the oral hearing.
- (4) The procedure to be followed for an oral hearing is set out in Schedule 1.

Review by written representations

- 5.—(1) The review will take place by written representations, where the tenant—
 - (a) has requested a review by written representations;
 - (b) has not requested a review by oral hearing; or
 - (c) has requested a review by oral hearing, but has not done so within the time limit imposed by regulation 4(2).
- (2) The procedure to be followed for a review by written representations is set out in Schedule 2.

Signed by authority of the Secretary of State for Communities and Local Government

4th December 2008

Kay Andrews
Parliamentary Under Secretary of State
Department for Communities and Local Government

SCHEDULE 1

Regulation 4

Procedure for Review by Oral Hearing

Prior to the hearing

- 1. Within 21 days of the period beginning with the service of the notice under section 298(2) of the Act, the tenant must send to the reviewer and the authority—
 - (a) a copy of any written evidence that the tenant will rely upon; and
 - (b) the name and address of any person the tenant intends to call to give evidence.

2. Where the authority—

- (a) receives any information from the tenant under paragraph 1; and
- (b) wishes to respond to that information

it must send its response (which should be limited to matters not already stated in the notice served under section 298(2) of the Act) to the reviewer and the tenant within 14 days of receipt of the information.

The hearing

3.—(1) Subject to the provisions of this Schedule, the reviewer shall determine the conduct of the oral hearing.

(2) The tenant may be accompanied or represented by another person (whether or not that person holds a relevant professional qualification).

(3) The reviewer must allow the authority and the tenant or the tenant's representative equal opportunity—

- (a) to make representations;
- (b) to call persons to give evidence; and
- (c) to put questions to any person who gives evidence.

(4) Where any person providing behavioural support services to the tenant wishes to give evidence, the reviewer must allow—

- (a) that person to give evidence; and
- (b) the authority and the tenant or the tenant's representative to put questions to that person.

4. The authority and the tenant must be notified in writing of the decision of the reviewer within 7 days of the end of the hearing.

Absence of the tenant

5. Where notice of the hearing has been given to the tenant and the tenant or the tenant's representative does not attend the hearing, the reviewer may—

- (a) proceed with the hearing; or
- (b) give directions on the further conduct of the review.

6. Where the hearing proceeds in the absence of the tenant under paragraph 5(a), the reviewer may reach a decision and if the reviewer does so, paragraph 4 of this Schedule will apply.

7. Where the reviewer gives directions under paragraph 5(b), the reviewer must notify the tenant and the authority of the directions within 7 days of the end of the hearing.

Postponement of hearing

8. The tenant may request the reviewer to postpone a hearing and the reviewer may grant or refuse such a request.

9. Where the reviewer—

- (a) grants a request for the postponement of a hearing under paragraph 8; or
- (b) makes a direction under paragraph 5(b) postponing the hearing,

the reviewer must give the tenant and the authority reasonable notice of the date, time and place of the postponed hearing.

Adjournment of hearing

10. The reviewer may adjourn the hearing—

- (a) at the request of the authority;
- (b) at the request of the tenant or the tenant's representative; or
- (c) otherwise as the reviewer sees fit.

11. Where more than one individual is carrying out the review by oral hearing, the hearing must be adjourned on each occasion on which any of those individuals is absent unless the authority and tenant agree otherwise.

12. The reviewer must give the authority and the tenant reasonable notice of the date, time and place of the adjourned hearing.

13. Where the reviewer of the adjourned hearing is not the same individual as the individual who heard the earlier hearing, the review must proceed as a complete rehearing unless the authority and tenant agree otherwise.

SCHEDULE 2

Regulation 5

Procedure for Review by Written Representations

Prior to the review

14. Within 21 days of the period beginning with the service of the notice under section 298(2) of the Act, the tenant must send to the reviewer and the authority any evidence to be taken into account by the reviewer.

15. Where the authority—

- (a) receives any information from the tenant under paragraph 1; and
- (b) wishes to respond to that information

it must send its response (which should be limited to matters not already stated in the notice served under section 298(2) of the Act) to the reviewer and the tenant within 14 days of receipt of the information.

The review

16. When reviewing the decision of the authority, the reviewer must take account of—

- (a) the notice served under section 298(2) of the Act;
- (b) any evidence submitted by the tenant and authority under paragraphs 1 and 2;
- (c) any representations received from any person providing behavioural support to the tenant; and
- (d) any other information the reviewer considers relevant.

17. The authority and the tenant must be notified in writing of the decision of the reviewer—

- (a) where the tenant has not submitted evidence under paragraph 1, within 28 days of the period beginning with the service of the notice under section 298(2) of the Act;
- (b) where the authority has submitted a response under paragraph 2, within 14 days of the submission of the response; or
- (c) where the tenant has submitted evidence under paragraph 1 but the authority has not submitted a response under paragraph 2, within 28 days of the authority receiving the evidence submitted by the tenant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 297(1) of the Housing and Regeneration Act 2008 (“the 2008 Act”) inserted a new paragraph 4ZA into Schedule 1 to the Housing Act 1985 to create a new type of tenancy, the family intervention tenancy, which can in certain circumstances be offered by local housing authorities.

Section 298 of the 2008 Act provides that the local housing authority (“the authority”) must not serve a notice to quit on a tenant of a family intervention tenancy unless the authority has served a notice stating the matters set out in subsection (2) of that section.

Where a tenant makes a request for a review of the decision to serve a notice to quit, the authority must review the decision and serve a notice on the tenant informing the tenant of the decision and the reasons for it.

These Regulations set out the procedure to be followed in connection with such a review.

Regulation 3 states that the review must be carried out by a person who was not involved with the decision to serve the notice to quit on the tenant. Where the person carrying out the review (“the reviewer”) is an official of the authority, the reviewer must hold a more senior position than the official who took the decision to serve the notice to quit.

Regulation 4 provides that the tenant may request a review by way of an oral hearing provided the request is submitted within the time limit set out. Schedule 1 sets out the procedure to be followed.

Regulation 5 provides that in all other cases, the review will take place by way of written representations. Schedule 2 sets out the procedure to be followed.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Appendix D

STATUTORY INSTRUMENTS

2008 No. 3015

HOUSING, ENGLAND

The Allocation of Housing (England)(Amendment)(Family Intervention Tenancies) Regulations 2008

| | |
|-------------------------------|------------------------------------|
| <i>Made</i> - - - - | <i>19th November 2008</i> |
| <i>Laid before Parliament</i> | <i>26th November 2008</i> |
| <i>Coming into force</i> - - | <i>1st January 2009</i> |

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by section 160(4) of the Housing Act 1996(a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Allocation of Housing (England)(Amendment)(Family Intervention Tenancies) Regulations 2008 and shall come into force on 1st January 2009.

(2) These Regulations apply in England only.

Amendment of the Allocation of Housing (England) Regulations 2002

2.—(1) The Allocation of Housing (England) Regulations 2002(b) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation), after the definition of “the Common Travel Area”, insert the following definition—

““family intervention tenancy”—

- (a) in relation to a tenancy granted by a local housing authority, has the meaning given by paragraph 4ZA(3) of Schedule 1 to the Housing Act 1985(c);
- (b) in relation to a tenancy granted by a registered social landlord, has the meaning given by paragraph 12ZA(3) of Part 1 of Schedule 1 to the Housing Act 1988(d).”.

(3) In regulation 3 (cases where the provisions of Part 6 of the Act do not apply), after paragraph (3) insert—

(a) 1996 c.52. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 of the Housing Act 1996, and paragraphs 30 to 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(b) S.I. 2002/3264.

(c) 1985 c.68. Paragraph 4ZA of Schedule 1 was inserted by section 297(1) of the Housing and Regeneration Act 2008 (c.17). See also sub-paragraph (12) of paragraph 4ZA.

(d) 1988 c. 50. Paragraph 12ZA of Part 1 of Schedule 1 was inserted by section 297(2) of the Housing and Regeneration Act 2008 (c.17). See also sub-paragraph (12) of paragraph 12ZA.

“(4) They do not apply in relation to the allocation of housing accommodation by a local housing authority to a person who lawfully occupies accommodation let on a family intervention tenancy.”.

Signed by authority of the Secretary of State for Communities and Local Government

Kay Andrews

Parliamentary Under Secretary of State

Department for Communities and Local Government

19th November 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

By virtue of section 159 of the Housing Act 1996 (“the Act”), a local housing authority must, when allocating housing accommodation, comply with the provisions of Part 6 of the Act which relate to the process by which people apply and are considered for an allocation of housing accommodation.

The Allocation of Housing (England) Regulations 2002 (S.I. 2002/3264) (“the principal Regulations”) make provision for certain cases where the provisions of Part 6 of the Act do not apply when a local authority allocates housing accommodation.

Regulation 2 of these Regulations amends the principal Regulations so that they specify an additional case where Part 6 of the Act will not apply. That is where a local housing authority makes an allocation of housing accommodation to a person who lawfully occupies accommodation let on a family intervention tenancy (whether that tenancy was granted by a local housing authority or by a registered social landlord).

A definition of “family intervention tenancy” is inserted in regulation 2 of the principal Regulations. (A family intervention tenancy is a tenancy granted in the circumstances mentioned in paragraph 4ZA of Schedule 1 to the Housing Act 1985 or paragraph 12ZA of Part 1 of Schedule 1 to the Housing Act 1988, where the landlord has served a notice under sub-paragraph (5) of whichever of those paragraphs is relevant).

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Appendix E

Glossary and acronyms

Assured Tenancy – A tenancy offered by a Registered Social Landlord (Registered Provider)

Behaviour Support Contract – an agreement between the family, the FIP and any other agencies who are contributing to the support package. The contract should clearly identify the input, processes, outcomes and sanctions

Common Law Tenancy – Common law tenancies are any tenancies that are not regulated by statutory law (that is, laws issued by parliament)

Dispersed Accommodation – Medium to high outreach support services and a non-secure tenancy in a managed unit of accommodation in the community

FIP – Family Intervention Project

FIT – Family Intervention Tenancy

Introductory Tenancy – An introductory council tenancy that has the same rights as a secure council tenancy but the tenant can be evicted more easily

Licence – Gives a person permission to reside at a property but not a legal right to reside at the property

Notice of Intent – A notice issued to say that you are going to apply for possession of a property

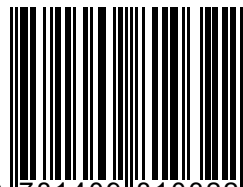
Partner Agencies – Any agencies involved with the family such as children's services, community safety, education services and benefits, etc.

Purpose-built unit – High level support and supervised accommodation within a residential unit where families live alongside project staff

Secured Tenancy – Secure tenants have landlords who are public bodies such as local authorities. The landlord must get a court order to end the tenancy

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