

Vulnerable Tenant Policy

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1. Introduction

- 1.1 Dover District Council (the “Council”) is committed to ensuring that our services are easily accessible to all our tenants. It is important that everyone can access and benefit from our housing services. For some tenants who may be vulnerable, barriers can exist which may prevent participation or accessing housing-related services we provide, therefore we recognise the importance of having an established policy that supports staff in making informed decisions when supporting vulnerable tenants to have equal access to our services.

2. Definitions

2.1 For the purposes of this policy:

- ‘We’, ‘ours’ and ‘us’ refers to the Council as the landlord.
- ‘Staff’ refers to member of staff who provide housing related services, including housing management, housing options, strategic housing, and property services.
- ‘Contractors’ refers to third party organisations who provide housing-related services on our behalf.
- ‘Tenant’ refers to an individual or individuals who have an active tenancy agreement and are renting and living in a Council owned property.
- ‘Household member’ refers to an individual or individuals living in a Council owned property with a tenant, who are not named tenants.
- The ‘Policy’ refers to this Vulnerable Tenancy Policy

3. Legal and regulatory requirements

- 3.1 The Council has a duty under the Equality Act 2010 to advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it, however as a social landlord we recognise that many other tenants can be vulnerable for reasons other than the characteristics under the equalities legislation, and this policy sets out how we define vulnerability and how we aim to respond to those tenants’ needs.
- 3.2 The Regulator of Social Housing’s (RSH) Tenant Involvement and Empowerment Standard, requires registered social landlords, including local authorities, to provide choices, information and communication that is appropriate to the diverse needs of tenants and to demonstrate that they understand the different needs of tenants, including in relation to equality and to tenants with vulnerabilities.

- 3.3 The Housing Ombudsman Complaints Handling Code states that landlords should comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs.

4. Purpose and scope

- 4.1 This Policy sets out the Council's commitment to assisting vulnerable tenants to ensure they can access our services and where required, receive support to help them sustain their tenancy and home.
- 4.2 The Policy focuses on tenants who are vulnerable but have capacity to make their own decisions. Where a tenant has been assessed as lacking, or believed to lack capacity to make decisions, we will work with their appointed representative as set out in section 6 of this policy.
- 4.3 The Policy does not aim to explain how we will approach every circumstance where a tenant requires a service to be adjusted. It is a general statement of our commitment to endeavour to make sure vulnerable tenants are not at a disadvantage when accessing housing-related services.
- 4.4 The following strategies and policies should be read alongside this Policy:
- [Tenancy Strategy 2021 – 2026](#)
 - [Tenancy Management Policy](#)
 - [Tenant Engagement Strategy 2023 – 2027](#)
 - Domestic Abuse (Housing) Policy
 - Anti-Social Behaviour and Hate Crime Policy
 - [Complaints Policy](#)
 - [Safeguarding Policy](#)
 - [Equality Policy](#)

5. Policy objectives

- 5.1 As a responsible landlord, our overall aim is to ensure that vulnerable tenants receive equal access to services and where required assistance to sustain their tenancy or home. This policy sets out to achieve the following:
1. How we identify vulnerable tenants.
 2. How vulnerable tenants can access services from the Council.
 3. How the Council can adapt its services to make adjustments to housing-related services to support vulnerable tenants have equal access.
- 5.2 To achieve this, we aim to:
- Use all available and relevant information to identify if a tenant is vulnerable.
 - Record any vulnerabilities on the tenant contact record and keep this consistently up to date.
 - Take account of known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement.

- Assist vulnerable tenants in accessing additional services that they may need.
- Record any known representatives who act as a delegated authority or power of attorney to act on a tenant's behalf.
- Ensure that vulnerable tenants have equal access and are not disadvantaged because of their vulnerability.
- Make appropriate referrals to statutory agencies and other external partner support agencies, based on our local knowledge of resources and the needs of the tenant, where appropriate to do so.
- Make safeguarding referrals whenever they are needed.

6. Policy statements

Defining vulnerability

6.1 For the purposes of this policy, the Council defines 'vulnerable' in relation to the provision of our housing services as:

A dynamic state which arises from a combination of a tenants' personal circumstances, protected characteristics and / or life experiences that may mean they are unable to independently manage and / or unable to cope with managing their tenancy without additional tenancy support.

6.2 Our definition does not replace statutory definitions, but reflects our understanding that 'vulnerability' can be a changeable state influenced by various factors and experiences such as age, disability, bereavement, mental health, domestic violence etc. We also recognise that vulnerability may not be a constant state but can occur at different points in a person's life, and therefore the support needed may be required for a temporary period or for the entirety of their tenancy.

6.3 This policy does not assume that whole groups of people are vulnerable, but merely highlights that some tenants are vulnerable and may require additional support to sustain their tenancies and homes. An individual's ability to act, engage or cope with everyday activities is an important factor in considering how vulnerable they are and what, if any, additional support they need to sustain their tenancy is required.

Identifying vulnerability

6.4 The Council can identify vulnerabilities in several ways, including the following:

- At the sign-up stage for a new tenant and upon completion of a benefit review.
- A member of Council staff, or staff/contractors working on behalf of the Council, raises concerns about potential vulnerability after contact with a tenant.
- Reports from relatives or caregivers of the tenant.
- Reports via an external agency or organisation such as the police, social services, KCC wardens or probation.
- Through local knowledge gathered or observed through day-to-day housing management activities, e.g., neighbourhood walkabouts, tenancy home checks, repairs, and maintenance or as a result of a breach of tenancy.

- 6.5 We will attempt to ascertain whether a tenant is vulnerable whenever they contact us, throughout the tenancy where contact is made, or where we are made aware of potential vulnerability.
- 6.6 Council staff delivering housing-related services to tenants will be provided with training, so they are able to recognise potential signs of vulnerability such as:
- Anti-social behaviour because of mental health issues.
 - Being a victim of anti-social behaviour, harassment, or domestic violence.
 - A repeated failure to respond to correspondence or to answer the door when visited by a member of Council staff.
 - Hoarding, self-neglect or other behaviour which results in the person's home and / or garden becoming damaged, neglected or unfit for occupation.
 - Erratic rent payments and falling into arrears when the tenant previously has a good payment history.
- 6.7 These are some examples of potential vulnerability. Staff should be alert to all signs and possibilities that a tenant may be vulnerable and ensure that actions are taken to review making adjustments and / or support is given to the tenant.
- 6.8 If the tenant believes there is a member of their household whose vulnerability (in terms of the landlord and tenant relationship and as defined by this Policy) may require an adjustment to a housing service we provide, they should inform us at the earliest opportunity so that housing-related services we provide can accommodate an adjustment if we deem it to be reasonable and justified (6.16 – 6.20).

Recording vulnerability

- 6.9 We will record on the tenant record any known vulnerability, any communication or access needs and whether there is anyone with delegated authority to speak on the tenant's behalf, such as care or support worker, or family member. This will ensure our staff will have advance knowledge of any additional factors to consider when delivering services.
- 6.10 The Council has a duty to protect children and vulnerable adults. Where it is brought to our attention that a child or adult may be at risk or there are safeguarding concerns, we expect all housing staff to adhere to the Council's [Safeguarding Policy](#) and procedures.
- 6.11 Safeguarding concerns must be raised with line managers in the first instance who will determine if the concern needs to be discussed further with the Council's Designated Safeguarding Officers (DSO) who will advise on how to proceed. This may include referrals to external organisations that provide specialist support, and where referrals are made, staff must have the tenant's consent to do so.

Tenants lacking mental capacity

- 6.12 Capacity is a person's ability to understand information and make decisions about their life.

- 6.13 The Mental Capacity Act 2005 provides the legal framework for acting and making decisions on behalf of people who lack mental capacity. This might be due to illness, injury, a learning difficulty, or a mental health condition.
- 6.14 In accordance with the Mental Capacity Act 2005, the Council will liaise with those who have legal authority to act on behalf of a tenant who lacks capacity.
- 6.15 We consider a representative of a tenant in these circumstances to be:
- Lasting Power of Attorney (LPA)
 - Deputyship Order from the Court of Protection
 - Litigation friend appointed in Court proceedings if the tenant lacks capacity to litigate.
 - Appointee appointed by the Department of Work and Pensions (DWP) to manage a person's benefits if they lack capacity.
 - An Independent Mental Capacity Advocate (IMCA) appointed where a person aged 16 or over lacks ability to act to decide for themselves where to live and has no-one, such as a friend, relative, attorney or deputy to advise or support them.
- 6.16 Officers will work in line with the [Mental Capacity Act Code of Practice](#) in any dealing with a tenant who lacks or who may lack mental capacity.

Adjustments to housing-related services

Our definition of an adjustment

- 6.17 When we say 'adjustment' we are only referring to a change made to a housing-related service we provide. Tenants who require physical adaptations or alterations to their properties as a result of an identified disability should refer to our Disabled Adaptations Policy.
- 6.18 By making adjustments to our housing-related services we aim to ensure that vulnerable tenants have equal access and are not disadvantaged because of their vulnerability. In deciding whether to approve an adjustment to service provision, we will consider the following when determining whether an adjustment is reasonable and justified:
- How effective the adjustment will be in assisting a tenant with a vulnerability and in preventing or reducing the possibility of them being at a disadvantage.
 - The practicality of making the adjustment.
 - If there is a cost associated with the adjustment, and whether this is possible within our current available resources; and
 - Any disruption to the service that making the adjustment may cause.
- 6.19 An adjustment to a service can be requested from Housing Services in the following ways:
- By the tenant calling, emailing, or writing to the Housing Service and explaining what the adjustment is and why it is needed.
 - By referral from a support or external agency.
 - By a family member when they have been given permission by the tenant to do so; and

- A member of Housing staff who may suggest for an adjustment to be made if they are aware, it will support the tenant's access to a housing-related service. However, all suggestions made by Housing staff must be done so with the tenant's permission.
- 6.20 In determining whether a request for an adjustment to a service is reasonable and justified, we may ask for additional information or ask additional questions. Tenants are expected to respond to and provide this information when requested.
- 6.21 We will endeavour to make adjustments to a service we provide when this is requested by a tenant, however in some cases we may not always be able to approve a request if we deem it to be unreasonable and unjustified as identified in 6.17.

Provision of services

- 6.22 While we do not define whole groups of people as vulnerable by default (e.g., age or disability) we will embed in our way of working consideration for vulnerable tenants' needs, abilities, and circumstances in the delivery of our services.
- 6.23 Where a vulnerable tenant has been identified, they can be assessed for further advice and support and where appropriate sign posted to:
- The Council's Community Development team
 - The Property Services team regarding aids and adaptations
 - External services and / or providers for financial advice and support
- 6.24 Each service area will consider what support, consideration or variation in usual service provision is appropriate for vulnerable tenants. This section will provide an overview of the types of adjustments each housing-related service area can make.

Complaints process

- 6.25 We will make reasonable adjustments to our complaints service and processes where necessary, ensuring vulnerable tenants receive equal access and are not disadvantaged because of their vulnerability when accessing any one of our services. All adjustments will be made in accordance with the Council's [Complaints Policy](#).
- 6.26 Types of reasonable adjustments we may make include:
- Using the tenant's preferred form of communication throughout the duration of the complaint.
 - We will not request a complaint to be made in writing where this presents a barrier or disadvantage to the tenant or leaseholder due to their disability of additional needs.
 - Extension for any time limits (where it is lawful to do so).
 - Provide information in alternative formats (e.g., Braille and large print).

Communications

- 6.27 The Council communicates with tenants using a variety of methods, including:
- In person, which includes home visits or booked officer appointments

- Phone
- Letters
- Email
- Keep Me Posted bulletins
- Text messaging
- Social media
- Reports
- The Council website

- 6.28 The tenant will be asked at the earliest opportunity if they have any support needs and / or any communication preferences but also at other opportunities throughout their tenancy term. This ensures that Housing Services are always communicating with the tenant effectively and where appropriate in their preferred method of contact.
- 6.29 Tenants can request that correspondence is sent to someone who has 'delegated authority' to act on their behalf.
- 6.30 Communication preferences will be recorded onto our internal systems and will be used to meet the tenants' specific needs through the duration of their tenancy.
- 6.31 Tenants can update their communication preference at any time should they wish to change this. Officers will also regularly check that our internal systems have the correct communication preferences, and that the information held is up to date.

Allocations and lettings

- 6.32 When allocating our homes, we will review any information we receive on vulnerability to help ensure that an offer of housing is right for the individual and their family, as a commitment to longer-term tenancy sustainment. All determinations on housing priority due to an applicant's vulnerability will comply with our Housing Allocation Policy.
- 6.33 When we let a property, new tenants will be given the opportunity at the sign-up stage to tell us about their needs, the needs of any vulnerable household members (see 6.8), and any existing care and support services received. Where appropriate adjustments can be made by Officers to accommodate the vulnerable tenant and household member. Examples of adjustments include, but are not limited to:
- Providing documents in a format that the tenants understand.
 - Communicating with tenants and applicants in their preferred method of contact.
 - Speaking with tenants in person about their tenancy.

These are just some of the adjustments we can make, however, we will adjust our support based on the requirements of the individual(s). We may also make a referral to an external support agency for further advice and support; however, this will only be done with the vulnerable tenant's permission.

- 6.34 We will ensure that any new prospective tenant is able to understand the following when entering into a tenancy agreement:
- Their obligation to pay rent as a tenant and to occupy and maintain the interior of the property;
 - The landlord's obligations, e.g., to maintain the property; and

- That failure to keep to the terms of the tenancy agreement may mean that enforcement action is taken. This may involve legal action resulting in repossession of the property and the tenant being evicted.

6.35 We will ensure that information and documentation pertaining to the tenancy agreement is in a format that is both easily accessible and understood by the vulnerable tenant.

Arrears and income collection

6.36 All tenants must pay their rent or service charge or both on time, as this is a condition of their Tenancy Agreement. Advice and support are available to tenants who struggle to make these payments on time. The Council will sign-post tenants to external support and advice services to seek assistance, such as from the Citizens Advice Bureau (CAB), debt advice agencies or other appropriate agencies.

6.37 We recognise that many vulnerable tenants may well have other financial problems and / or difficulties with budgeting as a result of a disability or their current circumstances. In these situations, tenants will be referred to Benefit and Money Advisors who will:

- Complete a full benefit review to ensure that tenants are in receipt of their correct entitlements and can support them with any applications for other welfare benefits.
- Offer advice on current schemes to help those on low incomes with their utility bills and low tariff options.
- Carry out these services in the tenant's home, preferred location or remotely, using the communication method that most suits them.
- Make referrals to the most appropriate support services/agencies both local and national, with the agreement of the tenant.
- When necessary, work intensively with the tenant over a longer period of time.
- Support or complete applications for grants, financial support and discretionary housing payments, where appropriate.
- Update the case file if details of any vulnerability and/or support needs are missing, incorrect or outdated.
- Liaise with the Income Collection Officer regarding the arrears/court process when appropriate.
- Complete a benefit review for every new tenant following sign up and identify any vulnerability.

Repairs and maintenance

6.38 We recognise that vulnerable tenants may find it more difficult to cope if something goes wrong in their home and where maintenance and / or a repair are required.

6.39 When a tenant contacts the Council to request a repair or service, the contact centre will:

- When made aware by a tenant about a vulnerability, ensure that this is appropriately flagged on our internal systems;

- Update the case file if details of any vulnerabilities and / or support needs are missing, incorrect or outdated; and
- Ensure that the repairs and maintenance team or contractor is aware that the tenant is vulnerable and / or has support needs so that the repair service can be adapted to meet their needs.

If the contact centre is unable to update and / or flag a tenant's vulnerability on their file, information about the vulnerability should be securely shared with the Housing Officer so that it can be appropriately recorded. In these occasions, the contact centre should inform the tenant that this is what they will do.

6.40 In circumstances where a tenant is vulnerable, the Council may:

- Schedule the repair faster than is normal, particularly if the repair will have a detrimental impact to the vulnerable tenant if it is not repaired urgently. By 'normal' we refer to the normal service response timescales for repairs as shown on our [website](#).
- Provide appropriate assistance or guidance for customers in carrying out repairs that are the tenant's responsibility.
- Where necessary, ensure that a Housing Officer is present when the repairs are carried out.

6.41 If the tenant's vulnerability is preventing the Council and / or our contractors from entering the property to carry out and complete the repair, we will work with the tenant to make adjustments that are reasonable and justified while allowing us to carry out the repair work.

Anti-social behaviour

6.42 Officers will at all times comply with our Anti-Social Behaviour and Hate Crime Policy when resolving incidents of anti-social behaviour.

6.43 The Council have adopted the definition of Anti-Social Behaviour (ASB) used in Section 2 of the Anti-Social Behaviour Crime and Policing Act 2014, which states that ASB refers to:

- Conduct that has caused or is likely to cause, harassment, alarm, or distress to any person; or
- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- Conduct capable of causing housing-related nuisance or annoyance to any person.

6.44 We recognise that some vulnerable tenants may act in an anti-social way due, or due in part, to behaviours related to their vulnerability. When anti-social behaviour is reported, Officers should endeavour to evidence any vulnerabilities and record them on either the complainant's and / or perpetrator's files. This is so that when Officers investigate allegations, they are well informed and can do so objectively in line with the Anti-Social Behaviour and Hate Crime Policy.

6.45 While we recognise that a tenant's vulnerability may be, or may in part be, a relevant consideration in respect of their alleged anti-social behaviour, any adjustments made

to housing-related services in no way means that we excuse any alleged anti-social behaviour by the tenant. Neither does it mean that we will not pursue tenancy enforcement action for anti-social behaviour in line with the Anti-Social Behaviour and Hate Crime Policy.

Victims / survivors of domestic abuse

- 6.46 We understand that victims / survivors of domestic abuse may need additional support and may require adjustments to how we provide our services. Some of the adjustments we may make include:
- Where appropriate only contacting them on their chosen / preferred method of contact.
 - Arranging to meet them at places they feel safe.
 - Only Officers of the same sex to contact, support and advise.
- 6.47 These are some of the common adjustments requested by victims / survivors, however we understand that not all victims / survivors require the same level of support, and we will tailor our support and adjustments to the needs of the individual on a case-by-case basis.
- 6.48 In carrying support and setting adjustments, Officers will comply with our Domestic Abuse (Housing) Policy which provides a framework of how and what we will do to support victims / survivors of domestic abuse and our Safeguarding Policy.

7. Safeguarding

- 7.1 Every effort is made to ensure that vulnerable tenants are kept safe from harm and abuse. All Officers will comply with the Council's Safeguarding Policy when dealing with concerns for the wellbeing and safety of a vulnerable tenant. The Council has assigned Designated Safeguarding Officers (DSO) who are trained to deal with safeguarding incidents for both adults and children.
- 7.2 Officers are also trained on safeguarding issues and are aware of the correct processes for reporting any safeguarding concerns, whether for a vulnerable adult or child, and work closely with DSOs to ensure that vulnerable individuals are supported.

8. Implementation, monitoring, and review

- 8.1 Line managers and team leaders will be responsible for ensuring that their staff comply with the provisions within this Policy. Training and procedures will be provided for Officers to ensure they are aware of their responsibilities and our expectations on staff conduct when supporting vulnerable tenants.
- 8.2 This policy will be regularly monitored to ensure that it is reflective of current operational practices and is working effectively to support vulnerable tenants.

- 8.3 This policy will formally be reviewed every 3 years, or in response to relevant changes in legislation, regulation, changes to organisational structure or processes, and / or good practice.
- 8.4 Any minor amendments to the policy will be made through delegated approval. Any significant changes made as a result of changes to our operational processes, Council strategy or Government legislation or regulation will be made through our internal governance process and approved by Cabinet. Any significant changes will be consulted on before a decision is taken to implement them.

9. Complaints

- 9.1 The Council's definition of a complaint is:
- “An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or a group of residents.”*
- 9.2 The Council takes complaints made about any service it provides, officers who work for the Council or contractors who provide our services, seriously. If a tenant or leaseholder wishes to make a complaint about the service they have received, a Council officer or contractor, they can be made:
- In writing (letter or email)
 - Using our online complaint form
 - Using the Council's Complaint Leaflets (these are available at the Council's office reception, or they can be posted to the tenant / leaseholder)
 - Via telephone; or
 - In person by an appointment
- 9.3 Reasonable adjustments can be made during the complaints process for vulnerable tenants (please see 6.23 & 6.24).
- 9.4 All complaints received will be dealt with in accordance with the Council's Complaints Policy and Procedure. More information about how to make a complaint can be found on our website: [If you are unhappy \(dover.gov.uk\)](https://www.dover.gov.uk).

10. Equality and diversity

- 10.1 The Council is committed to promoting equality of opportunity and to eliminating unlawful discrimination on grounds of race, age, disability, gender, sexual orientation, religion or belief, financial status and any other differences that can lead to discrimination or unfair treatment considering the principles of the Equality Act 2010. Please see our [Equality Policy](#) for more details.
- 10.2 The provisions of this policy aim to make a positive impact to all vulnerable tenants, including those who have one or more protected characteristics.
- 10.3 A full Equality Impact Assessment (EIA) was conducted for this policy in accordance with our Public Sector Equality Duty (PSED) when carrying out our public duties (s149

of the Equality Act 2010). The EIA has identified no negative impacts as a result of the Policy's implementation, and therefore there is no requirement at this time for mitigative actions to be put into place.

11. Data privacy and confidentiality

- 11.1 Information pertaining to a tenant's (or a member of their household) vulnerability will be kept confidential, and only accessible by staff who are required to know. To ensure that we provide a consistent and human-centric service to vulnerable tenants, we may on occasion need to inform other staff, such as maintenance contractors working on our behalf, of any adjustments that are required.
- 11.2 All data captured in relation to the provision of housing-related services as identified in this policy and other housing-related policies will be used in accordance with the functions as outlined by the Council's [Housing Service Privacy Notice](#).

12. Version control

	Date required	Completed	Completed by
Policy adopted	N/a		Rachel Collins, Head of Housing Perry DeSouza, Senior Housing Policy Officer
Review required			
Review required			
Review required			
Review required			