

Vulnerable Tenant Policy

Publication date: V1 XXXXXX

Next review date: XXXXXX

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Document Control

Governance

Table 1 – Policy information

Item	Response
Title	Vulnerable Tenant Policy
Responsible officer	Janet Sharpe, Interim Service Director, Homes & Neighbourhoods
Author	Claire Felvus, Housing Services Strategic Manager
Approved by	Cabinet
Version approval date	Xx
Next review date	Xx
Review responsibility	Head of Housing Management and Partnerships
Applicable to	Kirklees Homes & Neighbourhoods staff and subcontractors; Kirklees Homes & Neighbourhoods tenants, leaseholders and household members.
IIA date and reference	4 th November 2024, IIA-656985036

Revision history

Table 2 – History of revisions

Date	Version	Author	Authorised by	Revision details
Xxxxxx	1.0	Xx	Xx	First publication

1. Introduction

1.1 Purposes of this policy

1.1.1 As a social landlord, Kirklees Council has an obligation to deliver housing management and maintenance services as set out in the tenancy agreement, and to comply fully with legislative and regulatory requirements.

1.1.2 Some tenants may be vulnerable and have support needs which could be barriers to them accessing housing-related services. This policy aims to support council staff in making informed decisions when supporting vulnerable tenants and household members to successfully manage and sustain their tenancies and homes.

1.1.3 The policy sets out Kirklees Council's commitment to assisting vulnerable council tenants and household members in accessing housing-related services. This may sometimes require support from additional services and providers. The council recognises that early intervention will give the best chance of successful, positive and sustainable outcomes for tenants and their homes.

1.1.4 This policy also responds to the Housing Ombudsmen recognition that vulnerability and associated needs may change and can be influenced by external factors, which includes the interactions they receive from housing services and whether any adjustments are considered and actioned.

1.2 Legal context

1.2.1 This policy responds to the [Social Housing Regulation Act 2023](#) and the associated [Consumer Standards](#) by addressing the following requirements:

Tenancy Standard

- Registered providers must set out their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
- Registered providers must provide services that support tenants to maintain their tenancy or licence and prevent unnecessary evictions.

Safety and Quality Standard

- Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

Transparency, Influence and Accountability Standard

- In relation to the housing and landlord services they provide, registered providers must take action to deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants.
- Registered providers must use relevant information and data to a) understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs; and b) assess whether their housing and landlord services deliver fair and equitable outcomes for tenants.
- Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.
- Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants.
- Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

1.2.2 This policy also aims to ensure compliance with the following legislation:

Housing Act (2004)

- Introduced to protect the most vulnerable people in society and help to create a fairer and better housing market.

Equality Act (2010)

- Requires the council to “advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it”.

Disability Discrimination Act (2018)

- Places duties on providers of housing to make reasonable adjustments for disabled people.

1.2.3 The Housing Ombudsman’s ‘Complaints Handling Code’ states that landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.

1.3 Definitions

1.3.1 For the purposes of this policy, the following definitions apply:

Table 3 – List of definitions used in this policy

Term	Definition
Tenant	A person that has an active tenancy or lease agreement, living in a property owned and/or managed by Kirklees Council.
Household member	Another person (other than the named tenant) living in a home owned and/or managed by Kirklees Council.
Homes & Neighbourhoods	Kirklees Council's housing management service.
Staff or officer	An employee of Homes & Neighbourhoods.
Contractor	A person working on behalf of Homes & Neighbourhoods.
Delegated authority	Where a tenant has named another person to agree to certain activities and make arrangements on their behalf.
Reasonable adjustment	A change to housing-related services provided by Homes & Neighbourhoods.
Adaptation	A physical change made to a tenant's home to accommodate a disability.

2. Objectives and scope

2.1 Policy objectives

2.2.1 All tenants and household members living in properties owned and/or managed by Kirklees Council must comply with the terms and conditions of their tenancy or lease agreement, as set out in the [Homes & Neighbourhoods Service Standards](#). While being vulnerable does not absolve tenants from their obligations, Homes & Neighbourhoods recognises that some tenants may require additional support in meeting the conditions, and that some flexibility in tenancy management may be required.

2.2.2 Likewise, Homes & Neighbourhoods must comply with its commitments to effectively manage its properties and provide housing-related services to tenants. It is important to ensure that all tenants, regardless of their vulnerabilities have fair and equitable access to these services.

2.1.3 This policy document aims to:

- Explain what 'vulnerability' means in the context of housing management.
- Describe how Homes & Neighbourhoods will identify and record potential vulnerabilities.
- Set out what Homes & Neighbourhoods will do to ensure housing-related support is in place for vulnerable tenants, including making reasonable adjustments where appropriate, in line with legal requirements.

2.1.2 In applying the policy, Homes & Neighbourhoods aims to:

- Identify tenants and household members that have a vulnerability and/or support need.
- Consider individual, family and household circumstances and take a proactive approach to decision-making in housing management, maintenance services and enforcement, while promoting inclusion and accessibility.
- Commit to ensuring that any additional needs due to vulnerability are considered and, where appropriate, adapt service delivery to ensure vulnerable residents can access services.
- Assist residents in accessing additional services through timely, appropriate referrals to colleagues within Homes & Neighbourhoods, wider council services or external providers.
- Ensure vulnerabilities are identified, managed, and recorded securely on relevant housing platforms and systems, and that information is kept up to date and reviewed periodically.

2.2 Policy scope

2.2.1 This policy does not aim to explain in detail how Homes & Neighbourhoods will approach and respond to each individual circumstance where a service may require additional consideration or adjustment to support a vulnerable tenant. It is a general statement of Homes & Neighbourhoods' commitment to try and ensure that vulnerable tenants with support needs are not disadvantaged when accessing housing-related services.

2.2.2 This policy covers reasonable adjustments to housing-related services provided by Homes & Neighbourhoods. Where physical adaptations to a tenant's home are required due to a disability, the tenant will need to liaise with the council's [Accessible Homes Team](#).

3. Policy statement

3.1 What is vulnerability?

3.1.1 It is difficult to provide a simple definition of the term 'vulnerable' or to provide an exhaustive list of the potential 'signs of vulnerability'. Identifying vulnerability requires a holistic understanding of a tenant's circumstances and needs.

3.1.2 It is important to note that not all vulnerabilities indicate a safeguarding concern, as the two are not intrinsically linked. Equally, whilst we will not discriminate against any individual with a protected characteristic, we also recognise not all those who have a protected characteristic will be vulnerable nor have support needs.

3.1.3 For this policy, Homes & Neighbourhoods' definition of vulnerability is as follows:

- Vulnerability includes both individuals with recognised care and support needs alongside anyone experiencing difficulties with everyday living and/or who may require additional

support to comply with their tenancy agreement. Vulnerability is not always a permanent state, and individuals may be vulnerable at different times, for different reasons.

3.2 Identifying vulnerability

3.2.1 It is important that all staff are aware of this policy and understand the role they play in identifying vulnerability. Staff should exercise professional curiosity, where appropriate, and be observant of what is going on around them. Opportunities to identify vulnerabilities will often arise for front-line Homes & Neighbourhoods staff during their day-to-day duties, such as through:

- Direct contact with the tenant and information provided at application, pre-offer check and property-matching stage.
- Information shared by a relative/carer of the tenant and/or household member.
- Information received from external services/organisations shared in line with existing partnership agreements e.g. Police, Health, Social Care, Probation, Schools, Fire Service.
- Information gathered from staff/contractors having contact with a tenant or household member through housing-related activities, e.g. home visits, repairs and maintenance work, estate walkabouts, income collection, tenancy breach.
- Information gathered from the local area/community.

3.2.2 Vulnerability may be a result of environmental factors, an individual's circumstances, or a person's behaviour. Below are three generalised areas where it has been identified lay potential risks of being vulnerable:

- **Inherent vulnerability** – due to demographics and/or circumstances (e.g. age, disability, inequality, economic deprivation).
- **Occupancy** – e.g. overcrowding, condition, repair status, domestic abuse.
- **Community safety** – e.g. crime hot spots, cuckooing, county lines, antisocial behaviour.

3.2.3 Vulnerability can be displayed and presented in different ways, and individuals may have a combination of support needs. Not everyone with an apparent vulnerability will also have a support need; their ability to act, engage or cope with activities and surroundings is an important factor when considering vulnerability. What is key is that vulnerabilities that may require an adjustment to housing-related services are identified as soon as practicable so that Homes & Neighbourhoods can accommodate any adjustments, if justified and reasonable, and/or make appropriate referrals to enable the individual(s) to receive support or access other services required to maintain their tenancy and home.

3.2.4 Appendix A lists examples of several potential indicators or points of vulnerability, along with examples of people who might be vulnerable. Whilst Homes & Neighbourhoods may consider whole groups as a vulnerable community for example due to political or social issues, we will not categorise all people in certain groups as vulnerable by default but will also consider individual and situational circumstances.

3.3 Service delivery

3.3.1 Homes & Neighbourhoods aims to ensure all tenants, including those with vulnerabilities, have fair and equitable access to services. Where adjustment needs are identified, Homes & Neighbourhoods will aim to make these adjustments if they are considered reasonable and justified. To decide whether an adjustment to housing-related services is approved the decision may need to be escalated to a senior manager within the respective service area, depending on resource / cost requirements. Additional information may need to be obtained from the tenant and what is 'reasonable' will depend on the circumstance relating to each individual request and the following (and more) may be considered:

- The practicality of making the adjustment.
- The associated costs and whether the adjustments are possible within existing resources.
- The level of effectiveness the adjustment has in reducing or preventing any disadvantage.
- Whether there will be any service disruption by making the adjustment.
- The extent of any disruption and effect on other occupiers.
- Is any work required essential to help a person live an independent life.

3.3.2 In response to identified vulnerabilities, each service area will consider any adjustments, variation or support appropriate to the usual housing-related services they provide. Actions could include, but are not limited to:

- Asking tenants whether they have any support needs and/or communication preferences (with an expectation that tenants or their representatives will update any changes in communication preferences where able) including named advocates and recording and updating communication preferences on our internal systems.
- Corresponding with someone who has 'delegated authority' upon request.
- Ensuring awareness of and accessibility to Homes & Neighbourhoods' Complaints Procedure.
- Reviewing all information available on vulnerability when allocating properties, to assist with ensuring the housing offer is right for that individual/family and complies with Kirklees Council's Housing Allocation Policy.
- At pre-offer, sign-up and viewing stages, providing individuals with the opportunity to advise of any vulnerabilities (in addition to care and support services they're already receiving) that they or household members have so that appropriate adjustments can be considered.
- Ensuring that new tenants can understand the tenancy agreement they will be signing, including understanding that failure to keep to the terms may mean enforcement action is taken.
- Recognising that vulnerable tenants may have additional financial problems or difficulties with budgeting and providing advice and support to those individuals. This could include a full benefit review and referral to the council's Money Advice Unit for specialist advice, particularly where tenants have difficulty making their required rent payments on time.

- Ensuring that Repairs & Maintenance teams and contractors are aware of the existence of known vulnerabilities, and liaising with Housing Management Officers to inform decisions, assess risk and deliver services effectively.
- When ordering a repair, if a member of the household is vulnerable and a delay will be detrimental to health, consider bringing forward the repair from its scheduled target date.
- If damp and mould are reported and a member of the household has a relevant vulnerability, escalating the remediation process accordingly.
- If, due to a tenant's vulnerability, staff or contractors are unable to access a property to carry out repairs and maintenance, we will work with the tenant to make any reasonable adjustments that will allow the work to go ahead.

3.3.3 Whilst working in compliance with Homes & Neighbourhoods' Anti-Social Behaviour (ASB) Policy, which may involve tenancy enforcement action, it is recognised that an individual may act in an anti-social way due to or in part due to a vulnerability. Staff will attempt to evidence and record any vulnerabilities on the victim's/perpetrator's files so that any investigations are well informed. A vulnerability matrix will be completed as early as possible in any cases of ASB.

3.3.4 In relation to domestic abuse, it is recognised that not all victims/survivors require the same level of support, and all cases will be treated individually. Appropriate adjustments to housing-related services to consider could include providing adequate notice of any appointments within the tenant's home to allow an advocate to be present, arranging to meet at places they feel safe (through their chosen method of communication), or ensuring that council officers of the same sex are available to contact, should this be required.

3.3.5 For any safeguarding incidents that may occur, staff will follow [Kirklees Council's Safeguarding Policy](#) and Homes & Neighbourhoods' internal procedures.

3.4 Recording information and data privacy

3.4.1 Homes and Neighbourhoods staff will record information on vulnerabilities that could (i) affect an individual's ability to sustain their tenancy, or (ii) prevent Homes and Neighbourhoods from undertaking housing-related duties, or (iii) indicate a need for additional support/services, where consent is given, or (iv) identify a risk of significant harm. Information will be recorded and shared across the relevant management systems and databases utilised within Homes & Neighbourhoods.

3.4.2 Information must only be recorded on a tenant record if:

- The tenant has willingly shared the information with us (verbally/in writing) and is told that a marker will be noted on their client record.
- The information is pertinent for us as a social landlord to inform decisions, assess risk and deliver our housing services effectively.
- A concern has been shared/observed that identifies a significant risk of harm.

3.4.3 Any vulnerability markers added to a tenant's file will be reviewed at least once every 12 months to ensure information is current and accurate.

3.4.4 All information captured and recorded in connection to the delivery of housing-related services, as identified in this policy, will be used in accordance with the functions and activities outlined in Homes and Neighbourhoods' Privacy Notice.

4. Roles and responsibilities

4.1 Council responsibilities

4.1.1 Supervisors, team leaders and managers will be responsible for ensuring that their staff are aware of and comply with the provisions of this policy through supervisions and appraisals.

4.1.2 Training and procedures will be made available to staff and officers to ensure they are aware of their responsibilities.

4.1.3 All staff are responsible for implementing this policy in their day-to-day duties.

4.1.4 When working with tenants, staff should keep in mind the Homes & Neighbourhoods Key Principles (Appendix B).

5. Monitoring and review

5.1 Monitoring and improvement

5.1.1 The effectiveness of the Vulnerable Tenant Policy will be monitored through regular case audits to identify gaps in procedures, strengthen our response to residents and adapt to evolving risks and challenges. Audits serve as a tool for peer review, highlight good practice and support learning and development.

5.1.2 Audit data will be shared with Homes & Neighbourhoods Senior Management Team on a quarterly basis for discussion and review. Data will be included on new tenancy visits, home visits, ASB cases etc.

5.1.3 Data relating to safeguarding and managed concern reports will be shared and discussed at the Homes & Neighbourhoods Safeguarding Working Group. The data will be used to identify gaps in service provision, inform future training and development, highlight areas of strength across the services and recognise individual cases of good practice. All relevant services within Homes & Neighbourhoods will provide appropriate senior representation at the working group; as a minimum this will include Housing Management & Partnerships, Properties, and Assets, with the addition of other colleagues as required (e.g. Learning & Occupational Development).

5.1.4 Learning from complaints and performance data about our management of tenancies will be shared with the groups above and the Tenant-Led Panel. This will include details of how the learning will be used to improve service delivery and the management of vulnerable tenants.

5.2 Policy review

5.2.1 This policy will be reviewed at least every three years, or in response to relevant changes in legislation, regulation or organisational structures. Any significant changes will be consulted on prior to implementation with the Tenant-Led Panel.

5.2.2 Updates to this policy will be published on the council's website.

6. Associated policies and procedures

6.1 Homes & Neighbourhoods policies

6.1.1 The following Homes and Neighbourhoods policies are relevant and should be read in conjunction with this vulnerable tenant policy:

- [Anti-Social Behaviour \(ASB\) Policy](#)
- Domestic Abuse Policy (updated policy also on flightpath)
- [Repairs and Maintenance Policy](#) (currently under review)
- [Complaints Policy](#)

6.2 Council-wide policies

6.1.2 The following broader Kirklees Council policies are relevant and should be read in conjunction with this vulnerable tenant policy:

- [Kirklees Council Housing Allocations Policy](#)
- [Kirklees Council Safeguarding Policy](#)

Appendix A – Indicators and examples of potential vulnerabilities

Homes & Neighbourhoods will not categorise all people in certain groups as vulnerable by default and will also consider individual and situational circumstances. It is also acknowledged that vulnerability is not always a permanent state.

During a resident's customer journey, *potential* indicators or points of vulnerability might include:

- Homelessness/repeat homelessness
- Hospitalisation
- Periods following discharge from hospital or other institutional care
- Periods of sustained illness at home
- Bereavement
- Period of change from supported accommodation to independent living
- Victim of neighbour anti-social behaviour, harassment or abuse toward the individual or household
- Offender of anti-social behaviour as a result of mental health issues
- Repeated failure to respond to correspondence or answer the door when visited
- Unemployment/reduction in hours
- Divorce/relationship breakdown
- Arrears or erratic payment of rent when previously had a good payment history
- Moving home

Examples of people who *might* be vulnerable include, but are not limited to:

- People with a physical or sensory disability
- People with a learning disability
- People with mental health issues
- People who are seriously ill
- People experiencing or having had past experience of domestic abuse
- Older people who have been identified as requiring support, no next of kin, no contact with family or friends
- People who are very young
- Single parent families
- Pregnant women (especially teenagers)
- Unemployed people
- Former members of the armed forces
- People leaving care*
- Ex-offenders
- People who are considered to be financially excluded
- People with addiction issues
- People who have difficulties understanding, speaking or reading English

*Homes & Neighbourhoods support [Kirklees Parenting Strategy](#) for care leavers in accessing and maintaining supportive housing options.

Appendix B – Homes & Neighbourhoods Key Principles

When working with tenants and household members, staff are asked to keep in mind the Homes & Neighbourhoods key principles:

Empowerment

- support/encourage individuals to make own decisions/informed consent.

Prevention

- acting before harm takes place.

Proportionality

- the least intrusive response appropriate to presented risk.

Protection

- for all in need.

Partnership

- with services and local communities.

Accountability

- including transparency for all to understand everyone's role.