

# Golden Lane Housing



## Tenancy Policy

**September 2023**

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## 1. Policy purpose

This policy reflects the requirements of the Regulator of Social Housing's Tenancy Standard 2012 and proposed revised Tenancy Standard which comes into force on 1<sup>st</sup> April 2024. It sets out Golden Lane Housing's approach to offering tenancies and licence agreements which are compatible with the purpose of the available accommodation.

## 2. Mission, Vision, Values

Everything we do at Golden Lane Housing is in support of our customers and potential customers:

### Our vision

Our vision is a world where everyone with a learning disability has opportunities to access good quality housing that meets their needs.

### Our mission

Our mission is to help people with a learning disability or autistic people to find and enjoy a suitable and safe home with advice and housing.

### Our values

- **Caring:** we support our tenants and colleagues and help them to achieve goals.
- **Listening:** we involve tenants in the review and design of housing services.
- **Honesty:** we build trust with tenants and families with fairness.
- **Reliable:** we are dependable and trusted to keep our standards and commitments.
- **Creative:** we work together in many different ways for great results.

## 3. Letting our properties

Vacant properties can be found advertised via our website. We have a team of Allocation and Voids Officers working proactively and in partnership with our local authority Adult Social Care partners looking to match potential customers with their future home. This partnership working enables us to support local authorities in meeting their strategic housing function and other statutory obligations whilst helping us to minimise the time that homes are left empty. We also use bespoke local nominations agreements to support our partners. We also use direct lets in some circumstances where there is urgent need and in a residential care type scenario. More about our lettings approach can be found in our Allocations and Lettings Policy. We seek to allocate homes that are designated, designed, or adapted to meet specific needs.

## 4. Pre-tenancy

We undertake a 'pre-tenancy' assessment of potential customers to determine what support packages are in place for their care needs. It is a requirement of our customers in specialist supported housing that they engage with support provision on a long-term basis: to support their health and wellbeing; to ensure the sustainability of the tenancy – because failed tenancies increase our overheads and mean we have less resources to provide excellent services; and, to ensure compliance with specialist supported housing rent requirements.

## **5. Tenancy types**

The types of tenancy that we offer depend on whether we own a property or not.

Due to the fact that there is not currently sufficient grant available to design and build new homes for people with a learning disability our strategy is to ensure potential customers can secure the independence a new home with us offers, by developing new housing solutions. Sometimes this means we lease homes from developers and investors. Our Board's Development Strategy does not permit us to enter long leases or leases without break clauses, because these types of arrangements are not sustainable in the long term and present too much risk to our business, and consequently to our customers. Therefore, we cannot always offer an Assured Tenancy (sometimes called a tenancy for life).

However, we do endeavour to issue tenancies which are compatible with the purpose of the accommodation, the needs and aspirations of the individual households, the sustainability of the community, and the efficient use of our housing stock.

Our tenancy agreements meet all applicable statutory and legal requirements in relation to their form and terms of occupation.

We issue Assured Shorthold Tenancies, which are suitable for customers living in supported accommodation, and provide flexibility for both customer and landlord.

We also issue Fixed Term Tenancies. The length of the fixed term will reflect the legal interest that we hold in the property. For example, if we have a 3-year lease with a third party, we cannot offer more than 3 years security of tenure to our customer. Where we have offered a fixed term tenancy and can continue to house the customer within the same property, for example signing up to or extending the third-party lease, we will not normally issue another fixed term tenancy but allow the tenant to become a periodic tenancy on the same terms that the customer currently has, because **1.** It can be confusing and upsetting to the customer to be involved in the ending of one tenancy and entering into another, and **2.** It is not a great use of scarce resources to be overly administrative.

We do want to offer security of tenure to our customers and their families, where it is possible to do so. As such we aim to issue Assured Tenancies where we own the property.

We infrequently use Licence Agreements in a residential care homes type setting or for customers and families in receipt of respite care.

For customers under the age of 18yrs or lacking capacity we will ask an appropriate adult or a deputy to hold the legal tenancy on trust for the customer beneficiary.

## **6. Accessible Tenancy Agreements**

In addition to our standardised forms of each tenancy type, all tenants are issued with an accessible copy of their tenancy agreement. Written in a language that is easy to understand and that highlights rights and obligations of landlord and tenant.

## **7. Joint tenancies, succession, assignment, right to exchange**

We may issue joint tenancies to partnered or married couples.

In the event of one of the joint tenants passing away, the surviving tenant is permitted to succeed to the tenancy if they wish.

If a right of assignment is available to a tenant, then it would normally be set out in our tenancy agreement, along with any right to exchange a home with another customer. In general, given the nature of the accommodation we do not provide for these options, and they are also very rarely requested. Any request made would be reviewed by the Allocations and Voids Manager.

## **8. Decants/Temporary accommodation and Primary Home**

If we ask, or permit, a customer to move to alternative accommodation whilst major repairs or redevelopment works are being undertaken, the home being repaired will remain the customer's primary home and they will be asked to return to that home once repairs have been effected. There will be the same security of tenure upon their return to settled accommodation.

## **9. Sustaining tenancies and preventing evictions**

We are committed to supporting customers to sustain tenancies. We offer an intensive housing management service to operationalise that aim. This includes advocacy, in particular around housing benefit issues, and to meet the needs of our customers where they have severe or multiple disabilities. We will take a proactive approach to tenancy management by making interventions where we feel it will have a beneficial impact on the customer's life and have the outcome of maximising independence or supporting their wellbeing.

Where the terms of a tenancy are breached, we will work with our customer and their support networks with the aim of sustaining the tenancy and avoiding an eviction scenario.

We will take steps to offer advice through our own staff or signpost tenants to independent agencies.

We will, however, take formal action, including injunction and/or possession proceedings where there is a significant risk of harm to person(s), property or the community, and where there is evidence of tenancy fraud.

## **10. Supporting neighbourhoods and communities**

Our property portfolio is largely dispersed across the country, in order to meet the needs of our customers. We are proud that we are a national housing provider that contributes the wellbeing of customers in every country of the United Kingdom.

Our Housing Officers are each responsible for their own geographical patch. Their role includes ensuring that tenants have the right support to contribute to their neighbourhood and local areas in a positive way.

We take a proactive approach to ensuring that our customers are suitably housed in a safe, stable and sustainable neighbourhood. In particular we take steps to avoid housing customers in areas where they could be exposed to risk or threat of harm.

We work in collaboration and partnership with a range of agencies to address reports of anti-social behaviour, liaising with Local Neighbourhood Policing Teams, Safeguarding Adult teams and others. Please refer to our Anti-Social Behaviour Policy for further details.

## **11. Rents and service charges**

Our agreements state the rent or occupancy charge payable, plus any associated payments due, such as service charges. All of our customers receive regular rent statements and our colleagues are available to address any questions about charges.

## **12. Ending the tenancy**

We may use a Notice to Quit in cases of abandonment, or the death of a sole tenant, or where security of tenure is lost for some other reason.

We would usually use a Section 21 Notice to end an assured shorthold tenancy. We will continue to use this tool until government provide an appropriate alternative. We can also use the statutory grounds for possession when ending an assured tenancy.

Where a customer decides to give notice, we may waive the requirement to provide four weeks' notice, however, we do need to maximise our income and it is not always possible to do so.

Excluded licences can be ended with a simple notice and do not require a court order to be ended, however, we will explain this concept to customers and families and will not end a licence without a good reason.

We offer advice and support to customers moving on to other accommodation, either with us or another provider and we seek to involve customers in those decision as much as possible. We offer timely advice and assistance about housing options to tenants before a tenancy ends.

## **13. Complaints and challenges**

Applicants and customers who are dissatisfied with any aspect of this policy, or the length of tenancy terms or type of tenancy offered have the opportunity to make a complaint via our complaints service – details are contained in our Complaints Policy. Any challenge as to the interpretation of the Policy will be dealt with by the Director of Housing.

## **14. Roles and Responsibilities**

It is the responsibility of everyone at Golden Lane Housing to adhere to this policy and for colleagues to carry out their roles and delegated duties in accordance with their contractual obligations and additional policies of Golden Lane Housing.

## 15. Legislative or other Guidelines

This policy will be updated to reflect and comply with changes relevant law and the Regulator of Social Housing's regulatory framework.

Relevant Legislation:

- Equality Act 2010
- Localism Act 2011
- General Data Protection Regulation 2018
- Housing Act 1988
- Housing Act 1985
- Housing and Planning Act 2016
- Welfare Reform and Work Act 2016
- Social Housing (Regulation) Act 2023

## 16. Links to the Board's Strategic Objectives

Tenant Satisfaction:

This policy sets out how we offer tenancies that meet the needs of our tenants helping to improve services, communication and increase tenant satisfaction.

Housing More People :

This policy, in conjunction with our Development Strategy, supports our approach to providing quality supported housing across diverse communities.

Investing in homes:

This policy references some of the strategic decisions taken by the Board, to provide good quality, safe and environmentally friendly homes.

Strong Finances:

This policy supports our business to be healthy, viable and to continue to deliver on our Board's Vision and Mission.

Working together:

This policy supports our approach to making Golden Lane Housing a great place to work, influencing housing and welfare policy.

MONITORING, APPROVAL AND REVIEW	
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