

# Tenancy Offer Policy

<b>Who's this for?</b>	Resident, colleagues and stakeholders
<b>Document status</b>	Draft
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<b>Policy owner</b>	Neighbourhood and Income Manager
<b>Other related documents</b>	Settle documents: Tenancy Agreement Succession Procedure Tenancy Change Procedure Mutual Exchange Procedure Allocations Policy and Procedure Equality Policy GDPR Policy Customer care and complaint Policy Anti-Social Behaviour Policy and Procedure Lettings Policy Income Recovery and Arrears Policy Decant Policy Temporary Accommodation Policy

## 1. Policy statement

Our purpose is to give residents a firm foundation on which to build their lives. Our vision is a safe, comfortable and affordable home for every household. This policy explains how we offer tenancy's, consider requested changes to tenancy's and the key aspects of the tenancy agreement and the law that we have to consider when making these decisions. This policy combines the previous Tenancy Policy and Tenancy Change Policy that existed.

We recognise the importance of supporting residents in making informed decisions about their situation and will provide support as needed to help them manage their tenancy.

Through this policy we aim to:

- offer tenancies which make the most efficient use of our housing stock
- support tenants to remain in their home
- contribute to local authorities strategic housing functions to let homes effectively
- ensure effective processing of tenancy-related requests.

An equality impact assessment has been completed as part of this policy review.

### **Feedback from residents**

As part of this policy review, we gained feedback from residents through our settle voice platform. We had a high response rate, with a lot of positive feedback on the offer to residents. Due to this, the original policy title was amended to tenancy offer so that it is more aligned to the policy content. Other parts of the feedback were useful but relevant to tenancy-related procedures and will be considered where appropriate.

There was feedback to reduce some of the abbreviations and housing terms used so that it was more understandable, which has been amended. For some of the specific sections we have made changes based on:

- Policy statement – clearer policy aims on support to tenants and local authority functions
- Current position – more detail on who we offer joint tenancy's to and clearer explanation on assignments. Assurance that we offer lifetime tenancy's
- Objectives – more detail on what artificial intelligence could support with

## 2. Current position

We have changed our service hub and neighbourhood service models since the last policy review to increase the efficiency of how we work. As part of their roles, the service hub process tenancy change requests and the neighbourhood team support residents following a change, including new tenant's or those moving within our stock. The increased number of Neighbourhood Partners means we will increase contact with tenants to support them with tenancy enquiries, including completing check-in visits for all tenancy's.

### **Joint tenancy**

A joint tenancy is where two or more (legally up to four) have signed the agreement. We will

generally only offer joint tenancies between married couples, civil partners and people in a relationship who live together as partners. Joint residents have the same responsibilities even if they decide to leave the home. Any requests to change a tenancy from sole to joint, joint to sole or assigning a tenancy will be reviewed in line with our tenancy change procedure - we will suggest independent legal advice where appropriate.

### **Succession**

Succession is when another person holds the right to take over a tenancy following the death of a resident. Succession rights are set out in each tenancy agreement and requests are processed in line with the housing act. We may apply discretion in exceptional circumstances, which may include, but is not limited to where a resident is in housing need and eligible for a home in line with the lettings policy; and would be considered in priority need by the local authority.

### **Mutual exchange**

A mutual exchange is a voluntary arrangement between tenants who swap homes, each accepting the property condition that it is left in by the outgoing tenant(s). Details of residents' rights to mutually exchange are set out in our tenancy agreements in accordance with the Housing Act. We follow our mutual exchange procedure with residents informed of our decision within 42 days of the application.

### **Assignment**

An assignment is a way that a person can transfer their tenancy to another person. The most common way a tenancy is assigned is via an order from the court and we will suggest independent legal advice where it is appropriate. We may consider applications for a deed of assignment for other reasons, depending on the terms of the tenancy agreement and the reasons for the request. This may include, but is not limited to, where the tenant has a severe impairment or illness that affects their ability to manage their tenancy or if there is a need for a guardian to move into a property to look after the tenant's dependent children.

\*see appendix for information on type of tenancy's offered

## **3. Key principles**

- provide stable and comfortable homes through the offer of a tenancy - supporting sustainable neighbourhoods
- give residents the right support and advice (including independent advice) to make decisions
- ensure fairness and consistency in the allocation of new social housing tenancies
- residents can remain comfortably in their homes for as long as they need
- enhanced assistance and support to residents with additional needs

## **4. Policy Objectives**

- maximise the efficiency of the use of our housing stock
- support vulnerable residents with managing and sustaining their tenancy

- process changes in accordance with the tenancy agreement/legislation
- support residents to remain comfortably in their homes for as long as possible
- improved tenancy services based on resident feedback.

## 5. Policy Actions

Policy actions will be included in the directorate plan until the next policy review:

- effective processing of tenancy change requests – minimising the number of appeals
- automate existing tenancy processes to create increased capacity for us to support residents who need us most
- mutual exchanges processed effectively and within timescale to reduce resident effort after completion
- for housing colleagues to meet the set professional standards
- offer downsizing where appropriate when considering tenancy changes to maximise the use of our stock
- complete surveys on conclusion of all succession, assignment, joint tenancy and mutual exchanges to improve the service
- utilise the data we hold to proactively engage, advise and support residents.

## 6. Desired Outcomes

- reduced number of follow up actions following mutual exchange completions
- increase in number of downsizes completed and number of family sized homes let
- increased number of tenancy audits completed to support with tenancy requests
- all housing colleagues complete the relevant Chartered Institute of Housing (CIH) qualification
- increase in satisfaction with succession, assignment, joint tenancy and mutual exchange requests
- increase in pro-active contact with residents where our data identifies the possibility of a tenancy change request.

## 7. Performance Indicators

- decrease in repair costs within 6 months of a mutual exchange completion
- 10% reduction in existing under occupiers listed (currently 209)
- 20% increase in the number of tenancy audits completed
- 100% of the neighbourhood team complete the CIH qualification (over the next 3 years)
- >90% resident satisfaction with succession, assignment, joint tenancy and mutual exchange requests

## 8. Key legislation

- Tenancy consumer standard
- Neighbourhood and Community Standard
- Housing Act 1985

- Housing Act 1988
- Civil Partnership Act 2004
- Housing and Regeneration Act 2008
- The Localism Act 2011
- Equality Act 2012
- Prevention of Social Housing Fraud Act 2013
- Marriage (Same Sex Couples) Act 2013
- Immigration Act 2016
- Domestic Abuse Act 2021

## 9. Review

This policy will be reviewed every two years or earlier if there are any changes in legislation.

## Appendix – tenancy types

Assured (non-shorthold) tenancies are offered to residents moving into a socially rented or affordable home. Under this agreement resident(s) who keep to their tenancy terms will be able to live in their home for the rest of their life should they choose to.

There are some exceptions which include, but are not limited to:

- those with limited leave to remain where an assured shorthold tenancy can be offered
- settle residents in temporary accommodation or who require a temporary supported move (decant) from their main home will sign to a license agreement
- residents transferred to us through a stock acquisition with existing fixed term tenancies – we will offer an assured tenancy on completion of the fixed term.