

# Policy

Title: **Tenancy Visits**

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A policy should be a short statement which describes in general terms or objectives what a service area's principles and key objectives are on a particular subject and should be no longer than a 2 pages in length. The aim of the policy is to give practical effect of the strategy it supports.

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Housing Trust  
Delivering quality and excellence for all

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## **Introduction**

Halton Housing Trust aims to contribute to delivering quality and excellence for all by having a proactive management service through the enforcement of tenancy conditions, the Trust will also use tenancy checks to identify customers in need of advice, support or assistance and to update the Trust's customer profiling information.

As well as confirm on a regular basis that each of the properties it owns is occupied by the customer (and has not been sublet) and also that properties are not being damaged, neglected or otherwise used in an obviously criminal or inappropriate manner either internally or externally.

To achieve this aim Housing Officers, Income Recovery Officers, Maintenance Officer, Lettings Officers, Anti-social Behaviour Officers, and Legal Support Officers, Welfare Benefit Support Officer and Customer Liaison Officers will visit each customer over the course of a three year cycle and carry out a "tenancy check".

A tenancy check will consist of a check on identity and residence and a brief inspection of the property if necessary.

## **Aims / Objectives**

The key objectives of the Annual Tenancy Visit policy are to:

- Ensure that the Trust holds as up to date information on every household and that any special needs are identified and recorded
- Find customers who are under occupying or overcrowding their home, with a view to providing advice and assistance on moving to a more suitably sized property
- Prevent unauthorised subletting
- Identify properties that may be used unlawfully or inappropriately
- Locate abandoned properties
- Identify properties which have been neglected by the Trust's customers or are in need of repair

## **Performance Measures / Monitoring**

The process for managing this process will be driven from Academy, housing management computer system. Academy will be able to provide a range of monitoring reports to ensure that the system is been effectively managed. The Area

Managers(AM)/Assistant Area Managers(AAM) will monitor the work of the area team.

## Scope

This policy applies only to Halton Housing Trust's own customers.

## Responsibility

The Director of Customer Services will have overall responsibility for the effective implementation of this policy.

### Area Manager/Assistant Area Housing Manager

The AM/AAM is responsible for:

- Monitoring the implementation of the policy.
- Co-ordinating investigations into cases referred by visiting officers and ensuring appropriate action is taken.

### Visiting Officers

- Carrying out an annual tenancy check on every HHT customer.
- Completing an annual tenancy check *form* in respect of each property and placing this form on the customer's file.
- Gathering any support needs information, such as languages spoken by the household or details of disabilities which are not already held on the Academy system.
- Updating the Academy system after each visit.
- Referring to the AM or AAM cases where the customer is not at home for three visits or has inadequate identification.
- Undertaking additional investigation into suspected cases of subletting or breach of tenancy as directed by the Trust's existing policy and procedures

## Service Standards

Visits will take place as a maximum every three years, but are likely to be more frequent.

Visits will last approximately 30 to 60 minutes.

Timescales from first visit to third visit will be within a 6 to 8 week period.

## Policy Statement

This policy is designed to provide our customers with the opportunity to have a regular visit from the Trust to ensure that their needs and the needs of their family are being addressed.

The Trust is committed to delivering services that meet the expectations of our customer base and through these visits the Trust will gather personal data from its customers to enable the Trust to tailor its services to meet those needs.

Each Trust customer will have a signed tenancy agreement with a number of stated obligations and which the customer agrees to comply with in order to maintain the tenancy to agreed standards.

Extracts from the tenancy agreement.

*'The tenancy agreement makes you a Tenant of Halton Housing Trust. You must behave responsibly and keep to the rules in this tenancy agreement. If you do not and we want to take possession of your home, we can apply to the court for an order for possession. You would then have a right to put your case at the Court hearing.'*

*'We have the right to gain reasonable access to your home in the circumstances described in Clause 14 of Section 6.'*

### **Care of your home.**

*'You must:*

- (i) keep your home in a clean and tidy condition (including shared areas in the case of flats), in particular you must not place any item or items or allow any item or items to be placed in such a position (either inside or outside your home) so that access to and from your home or to and from any neighbouring property or land is obstructed.'*
  
- (v) not damage, deface or put graffiti on your home or any part of our property. You may have to pay the reasonable costs for any repair or replacement arising from any damage caused to your home or any other property by your family, visitors, including children or lodgers. These costs may be charged in addition to your rent and recovered as explained in Clause 4(iv) above;'*

### **Access**

- (i) 'allow us, or anyone working for us, including contractors acting on our behalf, reasonable access to all parts of your home. Access will usually be during the daytime, on production of appropriate proof of identity, to inspect the condition of your home or carry out repairs or other works to your home or adjoining property. We will normally give you a minimum of 24 hours notice that we need access, but we may need immediate access in an emergency; and'*

Each Customer will be visited during the three year cycle to ensure that they are keeping to key obligations of their tenancy, particularly that:

- They are actually occupying the property
- The property is not being used unlawfully or inappropriately
- The property is not being neglected
- They are not severely overcrowding the property

The visiting officer will initially visit unannounced and if a customer is not at home, will repeat the visit on two further occasions (three times in all) before referring the case to the AM/AAM for a decision to progress the case to the most appropriate course of action.

The customer will be asked to provide two forms of identification similar to that produced at the application stage, complete a customer profiling form and to allow the visiting officer to briefly inspect the property.

It is very important to note that customers have the right to privacy and there may be very good reasons why a customer is unwilling to allow an unannounced property inspection.

If the customer (or other occupant) declines the Trust's request to inspect, their wishes should be respected.

If the Trust has grounds to believe that an inspection is appropriate, they will advise the customer of their reasons and either arrange a mutually convenient time or, in the case of serious neglect or damage, refer the matter to the Maintenance Officer, who will arrange for the works to be done and recharge the customer for any costs incurred.

An Annual Tenancy visit form and Customer profiling form will be completed by the Trust for each for each customer- on which they will note the times and dates of their visits; the type of I.D. supplied by the Customer and any other relevant information. The dates and results of the visits will also be recorded on the Trust's Academy System.

If a customer is not at home for the initial visit, wherever possible, repeat visits will be carried out at a different time of day or on a different day of the week

Where repeat visits are necessary, these will be re-visited within a two week period but no more than six weeks (to reduce the possibility that the customer is away on holiday).

If a customer has not been at home on any of the Trusts three visits, the officer will refer the case to the AM/AAM for advice and investigation under the appropriate Trust Policy

The AM/AAM will review the Annual Tenancy Visits on a quarterly basis and ensure that an investigation is carried out into any cases where the officer has either not been able to catch the customer at home or where the customer cannot provide acceptable I.D.

The nature of the investigation will depend on the customer's circumstances, but will usually include one or more of the following:

- Asking the officer to carry out additional unannounced visits
- Asking the officer to arrange a visit by letter or by telephone
- Speaking to the customer's neighbours
- Contacting the customer's next of kin

The initial aim of the investigation will be to contact the Customer, arrange a visit and obtain suitable I.D and complete a customer profiling form. Other than in cases where the Trust has good cause to believe that a Customer has abandoned their property or if there is evidence of a serious breach of tenancy, Customers will receive at least one letter from the trust requesting contact before any action is taken to end the tenancy.

The Trust recognises that a number of its customers may be disadvantaged by this policy unless action is taken to ensure that their particular needs are taken into account. The Trust will always check whether a customer has any known support needs before carrying out an annual tenancy visit.

As part of the annual tenancy visit the Trust will also take the opportunity to complete and/or up date the customer profiling information that it has concerning the customer to ensure that services can be tailored to meet the needs of the customer where ever possible

### **Customers who first language is not English**

If the Trust is aware that a customer first language is not English an unannounced visit is not appropriate. Instead, the Trust should establish what language(s) the customers speaks fluently (if known the Customer can be offered use of a suitable translation service (such as Language Line).

Some customers may prefer to arrange for their own translator to attend the interview. This is usually acceptable, but unless the interview is straightforward, children under the age of 16 should not be expected to translate.

If the Trust is unaware that a customer cannot speak English before arriving at their home and the customer cannot find a family member or friend to interpret, the officer should leave and arrange an appointment by telephone or post.

### **Customers with mental health problems**

People with certain mental health conditions can be reluctant to open their door to unexpected visitors and where the trust suspects that this is happening, it may be appropriate to make an appointment in advance.

If the Trust knows that a customer suffers from a mental health problem, particularly if there has been a history of difficulty in making contact or temporary absences from the property, it is important that the customer's social worker, community psychiatric nurse, key worker or other support agency/organisation should be advised of the situation before any consideration is given to legal action for possible or suspected abandonment.

If it is not possible to contact the customer, or the customer cannot demonstrate to the Trust's satisfaction that they are genuinely occupying the property, the appropriate policy/procedure will be applied to the case – abandoned, disrepair etc

## **Legal Action**

Referral form to be sent to Legal Support Officer requesting Court Action. The referral form must include evidence of all attempts made to contact the customer to try to arrange access up to the point of referral.

Legal Support Officer to hand deliver a letter within 7 working days of receiving referral form informing the customer that an application for an Injunction will be made unless they respond within 7 days of receiving the letter. The Officer will ensure that a Certificate of Service is completed regarding the service of this letter.

Within 14 working days of receiving the referral the Legal Support Officer will submit an application for an Injunction to Court to gain access.

The Trust can take the following actions against customers failing to comply with the policy:

## **Injunction Proceedings**

- Social landlords can seek Injunctions under the Housing Act 1996. Three types of injunctions are available each with its own conduct test that the landlord must meet before a court will grant an injunction Order.
- The Injunction specific to this procedure relates to Section 153D "Breach of Tenancy conditions".

## **Eviction**

- An eviction action can be pursued under ground 1 of Schedule 2 of the Housing Act 2001. This would only be suitable in the most extreme cases and where the Trust is able to demonstrate that the request for recovery of possession is reasonable.

## **Consultation arrangements**

In producing this policy a number of customers have been involved on the working group to ensure that our customers' views have been reflected in the development of the processes.

## **Benchmark Analysis**

The working group have consulted with a number of organisations to establish how other organisations have introduced or developed their tenancy visits, these include:

Northern Counties  
CDS Co-operatives  
Wulvern Housing  
St Leger Homes of Doncaster  
Peabody Trust  
Southern Housing Group  
Cherwell Housing Trust  
Arena Housing  
South Liverpool Housing

From the research undertaken the Trust has been gathered the Trust has developed its own policy taking into account good practice from other housing associations.

## **Regulatory or Legal Compliance**

There are no legal or regulatory requirements that apply to this policy.

## **KLOE's affected**

### **KLOE 5 Resident Involvement**

Active customer involvement is the key to the successful long-term development of our communities. The coordination of customer involvement activities is undertaken by a dedicated customer involvement team. Their aim is to encourage customers to participate at a level that best suits them. Opportunities for involvement are communicated in person, at sign up, via the newsletter and website and at specific events. A new customer steering group will be established in 2008. Over the next 6 months HHT will be using customer profiling data to develop representation and involvement from a cross-section of our customer base in order to ensure that the delivery of services truly reflects customers' needs. Also to engage with customers who would normally not engage with the Trust for whatever the reason.

### **KLOE 6 Tenancy and Estate Management**

HHT uses all available resources to minimise ASB and improve the quality of life for all customers. Partnership working with the Police and Council leads to an effective approach to the management of issues that affect many customers. Cases of ASB are monitored and reviewed regularly to ensure compliance with service standards. HOs hold regular estate walkabouts to ensure estate management issues can be speedily resolved. A locally devolved estate budget allows HOs to target hot spots

and address environmental issues. Groundwork Mersey has been commissioned to consult and develop a series of environmental improvement action plans in HHT communities. By visiting all current customers in their home the Trust are able to understand and identify customers perceptions or expectation of how their estate should be managed.

### **KLOE 30 Access & Customer Care**

Customers' views and opinions are actively canvassed in a variety of ways and used to inform improvements in service provision. Service standards have already been developed to measure the quality of customer service provided.

### **KLOE 31 Equality & Diversity**

Formal targets ensure the provision of inclusive and accessible services. A comprehensive health check has been commissioned to consider HHT's performance which is due to report in April 2008. E&D issues are explicit in all HHT's policies and training programmes. Customer profiling information will be used to accurately target spending to those most in need. Hard-to-reach groups are the subject of special focus.

## **Links to Strategies, Procedures and Associated Documents**

Anti-social Behaviour Policy  
Customer Involvement Policy  
Empty Property Management Policy  
Equality and Diversity Policy

## **Equality and Diversity Considerations**

This policy could be seen as an invasion of our customer's right to privacy. However, the intention of the policy is to give our customers the opportunity to raise any concerns or issues that affect their normal local environment. It also will provide the Trust with the opportunity to make customers with special needs aware of other services and support that maybe available to assist them to live independently in their homes, such as partner agencies including SHAP, Carr Gomm or Social Services.

## **Business Impact**

This is difficult to assess at the current time, but potentially could involve additional financial resources being placed on the Trust, through additional repairs expenditure, additional officer time involved in resolving issues being identified. However, once introduced and fully operational it could ultimately result in some savings in that problems are resolved at an early stage, and therefore reducing any potential costs.

## **Self Assessment Compliance Statement (SACS) Considerations**

This will need to be included in the self assessment compliance statement, as this was one objective that the Trust stated that it would introduce.