



## Housing Services

### Vulnerable Residents in Arrears Policy

## Document Control

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## Contents

1.	Purpose of this Policy .....	4
2.	Scope of this Policy .....	4
3.	Delegated Authority to make Changes to this Policy .....	4
4.	Timescales of this policy.....	5
5.	Equal Opportunities Statement.....	5
6.	Identifying Vulnerable Residents .....	<b>Error! Bookmark not defined.</b>
7.	Resident Support.....	5
8.	Suspected Abuse .....	<b>Error! Bookmark not defined.</b>
9.	Households with Children.....	<b>Error! Bookmark not defined.</b>
10.	Evicting Vulnerable Residents.....	<b>Error! Bookmark not defined.</b>
11.	Dissemination and communication this Policy...	<b>Error! Bookmark not defined.</b>

## **1. Purpose of this Policy**

- 1.1. The aim of this policy is to establish a framework for managing rent arrears, ensuring equity, preventing disadvantage due to vulnerability. Additionally, this policy emphasizes that eviction is a last resort.
- 1.2. Although our priority is providing assistance and support to those facing vulnerabilities, it's essential to highlight that all residents, irrespective of their circumstances, have an obligation to fulfil their rent commitments.
- 1.3. Striking a balance between supporting vulnerable residents and ensuring the financial sustainability of the HRA is crucial for guaranteeing continued access to quality housing services for everyone. Our efforts to assist vulnerable tenants align with the principles of equity, compassion, and social responsibility. However, it's equally vital for all residents to contribute to the upkeep of their homes by meeting their rent commitments.

## **2. Scope of this Policy**

- 2.1. This Policy relates to managing any arrears process where tenant vulnerabilities arise in Havering owned or other accommodation under Income Services remit.
- 2.2. Tenants could be vulnerable for many reasons. They might:

- Be a Care Leaver
- Chronic illness
- Former asylum seeker
- Been in armed forces
- Victims of trafficking or modern slavery??
- Be prison leavers
- Have mental health problems
- Have, or be recovering from, drug or alcohol dependencies
- Have a disability
- Be neurodivergent
- Have learning difficulties
- Be living with, or escaping from, domestic abuse.
- Fleeing violence (e.g gang etc)
- Be elderly
- Be in ill health
- Have other reasons that make them vulnerable to tenancy failure through amassing rent arrears.

Many people in these circumstances could be fully independent and not vulnerable, however, others will need support.

## **3. Delegated Authority to make Changes to this Policy**

- 4.1. To ensure that this policy is operated fairly and legally throughout, the Assistant Director of Housing Operations, in consultation with the Director of Housing and Property, will be able to approve minor amendments; i.e. amendments that do not significantly change this policy or associated procedures.

#### **4. Timescales of this policy**

- 5.1. This policy will commence in April 2024 and will be subject to updates every year in line with the updated business plan and changes in legislation and guidance.

#### **5. Equal Opportunities Statement**

- 5.1. All residents will be invited to provide details of vulnerabilities, protected characteristics or other equalities information. Provision of this information will not be obligatory or a requirement. Such information however will help the Council monitor the number and types of households with protected characteristics and their position under the policy. Therefore, residents will be encouraged to supply the relevant information to be used for this purpose.
- 5.2. Equalities data will be kept and monitored on a regular basis. This policy itself will be monitored to ensure it does not operate in ways that discriminate against, or unfairly disadvantage, any particular group.
- 5.3. The Council will seek to ensure that this policy is operated in a manner that is fair to all sections of the community. The information provided will be kept confidential and treated with respect at all times.

#### **6. Identifying vulnerable tenants**

- 6.1. The identification of vulnerable tenants within Havering Council's housing framework relies on a multifaceted approach. This includes the proactive placement of vulnerability markers on rent accounts when vulnerabilities are disclosed or become apparent. Moreover, each tenant interaction, particularly during supportive calls, involves targeted inquiries aimed at uncovering potential vulnerabilities. Recognising the dynamic nature of vulnerabilities, this process is not confined to a single assessment but is an ongoing, vigilant effort to capture changes in a tenant's circumstances. Additionally, collaboration with external support services and agencies, as well as adherence to the principles outlined in the Equality Act, contribute to a comprehensive strategy for identifying and supporting vulnerable tenants. This approach ensures that Havering Council maintains an evolving and responsive system to safeguard the well-being of all residents. (person-centred approach)
- 6.2. When Havering Council becomes aware of a vulnerability, a marker will be placed on the rent accounts.
- 6.3. In every call, specific questions aimed at uncovering vulnerabilities will be asked, fostering an environment conducive to offering appropriate support.

## **7. Resident Support**

Below is a non-exhaustive list of support we may offer to residents. (Second language or no English, dialects, language line, translators, staff languages, document, family interpreting)

### **Trans LGBT - vulnerability**

- 7.1. A tenant with autism spectrum condition or other neurodivergence may encounter challenges in communication, making it appear as if they are unwilling to engage with you at times. They might express themselves in a straightforward manner or raise concerns about minor issues that may not seem noteworthy. In such instances, it's important to reassure the tenant that these minor concerns won't be held against them.
- 7.2. Similarly, a tenant dealing with mental health issues, such as anxiety or depression, may exhibit reluctance in answering the door or responding to correspondence on occasion.
- 7.3. Additionally, asylum seekers may face unique challenges in communication and adapting to a new environment. They might find it difficult to express their needs or concerns, requiring extra patience and understanding to build a trusting relationship.
- 7.4. Those struggling with substance misuse disorder may experience periods of instability, affecting their ability to communicate effectively. It's crucial to approach such tenants with empathy and provide appropriate resources or support.
- 7.5. For tenants who are deaf or blind, communication barriers may exist, necessitating alternative methods such as sign language or Braille. Ensuring access to necessary accommodations is essential for their understanding of tenancy agreements and other important documents. (Sensory team Lavelle Gould)
- 7.6. Care leavers, having experienced transitions within the care system, may have specific needs in adapting to independent living. Offering additional guidance and support can aid in their understanding of tenancy responsibilities and paperwork.
- 7.7. Single mothers may face unique challenges balancing their responsibilities, potentially impacting communication. Recognising and accommodating their circumstances ensures a supportive and understanding approach, fostering a positive landlord-tenant relationship.
- 7.8. This list is not intended to be exhaustive. Officers will use their discretion and professional insight to identify valuable tenants.

Havering Council keeps a record of all tenants who state they are vulnerable, and this is taken into account in communications. The type and style of communication used is decided on a case-by-case basis and home visits can be made where necessary. Rent Officers will carry out home visits to tenants in housing schemes for older people.

Havering Council will endeavour to provide or signpost appropriate housing support services to vulnerable residents and liaise with other agencies about their particular care and support needs.

Arrears Prevention and Recovery Officers involved with the rent arrears process will provide assistance to vulnerable residents in order to ensure that appropriate support measures are put into place to assist them with managing their rent account and arrears, with the aim of preventing vulnerable residents from being put at risk of losing their home. Havering Council will consider applying for a direct deduction from a resident's benefits where this represents a viable option to reduce arrears and to sustain their tenancy.

## **8. Suspected Abuse**

- 8.1. The identification of potential cases involving domestic abuse or financial abuse is a crucial aspect of Havering Council's commitment to resident well-being. Recognising that rent arrears may be indicative of such issues, the Council is vigilant in spotting patterns that may suggest abuse. In these cases, it is imperative to initiate further investigations, collaborating with relevant authorities and support services, to safeguard residents from harm. This proactive approach aligns with our dedication to creating a safe and secure housing environment, ensuring that instances of abuse are identified early and appropriate interventions are swiftly implemented to protect and support affected individuals.
- 8.2. In instances where abuse, whether domestic, financial, sexual or otherwise is suspected, Havering Council is committed to taking swift and comprehensive action to safeguard residents. The initial step involves a thorough investigation, conducted in collaboration with relevant authorities and support services, to assess the situation and gather essential information. This process ensures a nuanced understanding of the potential risks and allows for the formulation of tailored support plans. Havering Council prioritises the well-being and safety of residents, and, when necessary, may involve law enforcement, social services, and other appropriate agencies to provide immediate assistance and intervention. Furthermore, affected individuals will be offered access to confidential support services to address their specific needs and facilitate their ongoing wellbeing. This proactive and collaborative approach underscores our commitment to creating a secure housing environment and protecting vulnerable residents from any form of abuse.
- 8.3. Our commitment to information sharing adheres to all relevant data protection legislation.

## **9. Households with Children**

- 9.1. We will consider the specific needs of children within vulnerable households, recognising the impact of housing stability on their well-being before taking any arrears enforcement action.
- 9.2. Where appropriate, we will notify Children's Services with details of households at risk of eviction where children are listed as occupants.

## **10. Eviction**

- 10.1. Evicting vulnerable tenants will be considered an absolute last resort, pursued only when all support mechanisms and alternate solutions have been exhausted.
- 10.2. The decision to evict a vulnerable tenant will involve a thorough consultation with multi-disciplinary teams, including input from support services, to ensure fair and compassionate decision-making. The vulnerable persons' panel will be notified of appropriate pending evictions.
- 10.3. If Havering Council is aware that the tenant is particularly vulnerable, the Council will consider at an early stage:
  - 1. whether or not the tenant has the mental capacity to defend possession proceedings and the extent to which Part 21 of the Civil Procedure Rules applies (children and protected parties);
  - 2. whether or not any issues arise under the Equality Act 2010;
  - 3. whether or not there is a need for a community care assessment in accordance with the Care Act 2014.

## **11. Dissemination and communication of this policy**

- 11.1. Housing Services will consult with all affected stakeholders, directly or indirectly, to ensure this policy fulfils its purpose to be clear and transparent.
- 11.2. This policy will be made available internally and externally in hard copy and electronic versions, as well as various formats – such as but not limited to large print, multi-lingual, braille and audio - upon request.