

# Tenancy Audit Policy & Procedure

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## **1. Introduction**

- 1.1 Enfield Council is committed to supporting our tenants' wellbeing and ensuring that the best use is made of our housing stock. This policy sets out our approach to conducting tenancy audits and their role in supporting fair allocation and good management of homes. It applies to our secure housing tenants.
- 1.2 Tenancy audits are conducted on a five-year cycle with the aim to audit approximately 20% of our housing stock each year. They are carried out by the Resident Relationship, Community Partnership and First Response teams.

## **2. Tenancy Audit Purpose**

2.1 As outlined in the tenancy agreement and handbook for new tenants, audits are a condition of a secure Council Housing tenancy. Whilst we appreciate that the vast majority of Council tenancies are held and conducted with honesty and in compliance with the tenancy agreement, audits are necessary to ensure authorised occupation, management of property and wellbeing. They aim to achieve the following outcomes:

- To ensure tenant contact details and next of kin are up to date
- To ensure all household member details and number of occupants are up to date
- To detect and prevent tenancy fraud
- To detect and prevent abandonment and non-occupancy of a property deemed to be the tenant's principal home
- To detect and prevent unauthorised subletting or assignment
- To identify severe over-crowding or under-occupancy
- To identify concerns around property condition and make necessary repair referrals or clarify what falls under the tenant's responsibility to fix
- To check tenant's wellbeing and identify unmet support needs such as debt and benefits advice, disabled adaptations, safeguarding.
- To support the collection of equalities information
- Where appropriate, to promote fire safety advice and conduct Person Centred Fire Risk Assessments to support the development of Personalised Emergency Evacuation Plans (PEEP)
- Where appropriate, to investigate circumstances behind arrears and offer support services

2.2 The Resident Relationship, Community Partnership and First Response teams will work across Council Housing, Fire safety and Adult / Children's social care services to achieve these outcomes.

### **3. Relevant legislation and regulatory compliance**

3.1 We will conduct our tenancy audits in accordance with the following legislation and regulation:

- The Housing 1996 Part VI, S.171 (False statements, withholding information and failure to disclose).
- The Proceeds of Crime Act 2002.
- The Fraud Act 2006 Sch.2 & Sch.3 (Fraud by false representation & Fraud by failing to disclose information)
- The Theft Act 1968 (Confiscation orders)
- The Data Protection Act 2018.
- The Public Interests Disclosure Act 1998.
- The Human Rights Act 1998.
- Social Security Administration Act 1992
- Prevention of Social Housing Fraud 2013
- The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994
- Landlord and Tenant Act 1985
- Care Act 2014
- Social Housing Regulatory Framework

3.2 Legal remedies identified in these Acts will be used to support compliance with the conditions of the tenancy.

### **4. Tenancy Audit Visit Process**

4.1 Audits are assigned to officers by Resident Relationship, Community Partnership and First Response managers. The Resident Relationship team conducts audits on a systematic, rolling basis with the aim to audit the entire stock every 5 years. Properties are prioritised based on asset data, known tenant vulnerabilities and whether they are situated in high rise buildings.

4.2 Audits delivered by the Community Partnership and First Response teams are conducted on an adhoc basis in response to specific information relating to tenant wellbeing and queries surrounding occupancy.

4.3 Tenancy audits are conducted as unannounced visits. In particular circumstances, such as to support residents' working hours, timeframes can be agreed with officers.

- 4.4 As outlined in the tenancy agreement, tenants must give officers access to the property to complete the audit. This includes a visual inspection of each room to identify fire hazards, damp and mould, and disrepair.
- 4.5 Where officers receive no response at the property, they will leave a card notifying the tenant of the attempted visit and their contact details. Officers will make two unannounced visits, after which tenants are expected to make contact using the cards left. In some cases, such as where there are visible signs on unoccupancy, if there has been no response or contact from the tenant, suspicions of abandonment or fraud may be raised. As a last resort we may pursue legal action, such as applying for an injunction to enforce access to the property. The steps for escalating investigations are outlined in section 6 of this policy.
- 4.6 During the audit, tenants' details are checked against pre-printed audit forms. Tenants will be asked for two forms of ID, one of which must be photo ID and one of which must contain proof of address. These include:
- Passport
  - Full driving license
  - Freedom pass
  - Valid UK Residence Permit
  - Blue Badge
  - Benefit documents (including child benefit documents)
  - Pension letters
  - Bank statements
  - Utility Bill from the last 4 months
- 4.7 Officers will ask if all contact, next of kin and occupancy details are current and update if necessary. Occupancy details include who lives in the property, their relationship to the tenant, dates of birth and gender. Identification for new household members will be requested and photographed.
- 4.8 Tenants are also asked questions around their health and wellbeing to identify support needs. Where appropriate, a Person-centred fire risk assessment will also be completed to inform a Personal Emergency Evacuation Plan. This information will be passed onto the London Fire Brigade to inform their emergency response and aid those who require additional support evacuating in the event of a fire.
- 4.9 Officers will complete a brief visual inspection of all rooms in the property and will ask tenants about any need for repairs. During this visual inspection, officers will assess breaches of the Decent Homes Standard and other signs of disrepair such as damp and mould.

- 4.10 Audits undertaken by the Community Partnership Team may include discussing the circumstances behind any rent arrears and arranging necessary support.
- 4.11 Tenants will be asked to sign, either electronically or on a paper audit form, to confirm that the audit has taken place and all information provided is correct to their knowledge.
- 4.12 Information collected at the visit will be used in line with data protection legislation and shared with other services to make relevant referrals or investigate fraud. Contact / next of kin / occupancy changes will be recorded on the Housing Management System. Identification for new household members will be photographed at the visit.

## **5. Meeting Housing and Support Needs**

5.1 During the audit, officers will discuss housing, support and other needs with residents, asking relevant questions on their capacity to evacuate in an emergency where appropriate.

5.2 These conversations will support:

- A faster identification of anti-social behaviour
- A faster identification of potential domestic violence, child abuse and neglect and trauma informed, appropriate reporting
- An increased take up of disabled adaptations and equipment
- Where appropriate, increased referrals to money and welfare benefit advice and debt counselling
- Where appropriate, increased referrals to floating and specialist support for vulnerable residents
- An increased subscription to the Community Alarm Service

5.3 The Council Housing service will work with Adult Social Care and Children's Social Care to meet the aims of the Council's safeguarding strategies. Our Council Housing services will ensure that staff understand safeguarding issues and are trained to recognise the signs of abuse when visiting tenants in their homes, report and escalate their concerns appropriately.

5.4 Some referrals for support including domestic abuse services, debt counselling, welfare advice will only be made with the resident's consent.

5.5 A referral to the allocations team based on the identification of potential overcrowding / underoccupancy is not a guarantee of a change in property. Confirmation will be sought on household members' primary residence and any

other properties they may be entitled to occupy. Decisions relating to moving to a different property are made by the allocations team, not the officers conducting the audit.

5.6 The identification of vulnerabilities through tenancy audits will increase the Council Housing Service's vigilance over vulnerable tenants and will be used to inform the development of Personal Emergency Evacuation Plans. Known vulnerabilities will be uploaded to the Housing Management system to inform future wellbeing visits and support services. Information on vulnerable tenants will be used to support our upkeep of Premises Information Boxes in high rise buildings.

## **6. Detecting Fraud and Unlawful Activities**

6.1 It is illegal to sublet or part with possession of a social housing property. Tenancy audits will be used to support the detection of fraud through validating household information against prepopulated forms. Tenants will also be required to show proof of identity and address.

6.1 In addition to the audits completed on a rolling basis to achieve the aim of auditing the stock on a five-year cycle, unannounced visits are done to combat fraud in the following circumstances:

- In response to validated information passed to Enfield Council
- Where discrepancies have been revealed by data comparisons
- Where access has been difficult for contractors
- Where there signs of abandonment such as an overgrown garden or dirty windows
- Where the Council needs to verify tenancy information for welfare or other relevant purposes

These measures will support desk-based investigations such as analysing the frequency and types of interaction between Enfield Council and the tenant over the preceding two years, examining rent accounts for unusual transactions and cross referencing data with other agencies.

## **7 Escalating Fraud Investigations**

7.1 The escalation process is initiated where suspicion of fraud has been corroborated by findings from desk-top investigation, two unannounced visits and checks conducted at the visit against known household information.

7.2 Cases where the escalation process has been initiated will be referred to the Council's Fraud team.

7.3 Enfield Council will actively seek to recover losses and compensation under the provisions of the prevailing legislative framework.

## **8 Managing Stock Condition and Addressing Disrepair**

8.1 The officer conducting the audit will complete a visual inspection of all rooms within the property to identify signs of disrepair and damp and mould. Findings will be documented on the audit form to make relevant early referrals.

8.2 As outlined in the tenancy agreement, tenants are not permitted to alter the property in ways which increase fire risk e.g by removing fire doors or installing metal grilles over windows. Tenants will be reminded of this if such changes are noticed during an audit, and officers will report appropriately. Residents could be recharged for the removal of safety features.

8.3 Tenants will also be asked about any need for repairs in the property.

8.4 Officers conducting audit visits are responsible for making referrals. It is the resident's duty to chase repairs team for timelines using the repair job number provided by officers. Officers are able to instruct or clarify residents on how to report repairs online.

8.5 Some management of repairs are the tenant's responsibility. These are outlined in the Enfield Housing Repairs, Maintenance and Planned Works Policy. Residents will be made aware where it is their responsibility to manage damage to the property.

## **9 Performance Monitoring**

9.1 We will monitor the implementation of this policy and collect data quarterly on:

- The number of fraudulent let properties detected and repossessed
- Repairs completed within agreed timescales
- The number of new disrepair orders raised
- The number of damp and mould orders raised
- Overall satisfaction with Landlords repairs and maintenance service

These will be reported on quarterly and will be used to inform and improve the repairs, allocations and housing management services.

9.2 Key Performance Indicators for the tenancy audits include the number of audits conducted per month. This information is used to support reaching the target of 2760 audits completed per year.



9.3 Referrals made as an outcome of the visit to other services like adult social care will be monitored by that service against their key performance indicators.

9.4 This policy will be reviewed by the Council every three years with interim reviews where a relevant change in legislation or guidance would necessitate a reassessment.

## **10 Managing Tenant Data**

10.1 Data collected during a visit is kept securely on the Council's Housing Management System. Whilst we operate on a paper-based system, forms will be scanned and destroyed once data has been securely uploaded. It will be used to contact residents, manage tenancies, support engagement and respond to support / housing / repairs needs identified. The document a tenant provides as proof of address, which may include benefit letters, will be noted on the audit form. However, except in conversations surrounding arrears or debt, income data will not otherwise be collected.

10.2 Council Housing will ensure that personal information provided by tenants in respect of tenancy verification will be treated in accordance with the provisions of the Data Protection Act 2018 and European General Data Protection Regulation.

10.3 Residents have the right to access their personal data. They may access elements of their personal data such as their rent and council tax payments online via their Enfield Connected account.

10.4 Residents also have the right to request a copy of their personal data. They may make this request by visiting [Data Subject Requests webpage](#) at Enfield Council's website.

10.5 Residents with any concerns, complaints or question regarding their personal data may contact the Enfield Council Data Protection Officer via the Enfield Council Website at [www.enfield.gov.uk](http://www.enfield.gov.uk).

10.6 Residents have the right to complain about Enfield Councils processing of their personal data to the Information Commissioner at [www.ico.org.uk](http://www.ico.org.uk)

## **11 Making a Complaint**

11.1 As outlined in the tenancy agreement and in line with this policy, audits are necessary and tenants cannot opt out of this process. The officer visiting the property will explain the procedure clearly, answer any questions concerning the purpose of the audit and provide tenants with a supporting explanatory sheet.

11.2 However, if tenants wish to make a complaint concerning the audit for another reason, they may do so following the process outlined in the Council's Corporate Complaints Policy.

## **12 Equality and Diversity**

12.1 Enfield Council is dedicated to achieving equality of opportunity for all and is wholly opposed to all forms of discrimination.

12.2 Accessibility measures are provided for visits where residents have specific needs. These include document translation and interpretation services, large print and braille. Staff are expected to be sensitive to the needs of residents who may not be able to read documents and will provide clear verbal information.

12.3 At the visits, tenants will be provided with the opportunity to request special requirements, which are added to the Housing Management system. Known special requirements will be acted upon before the visit.

12.4 Audits support the delivery of an accessible Council Housing Service by making referrals, flagging vulnerable tenants and those who would require translation services in future.

## **13 Health and Safety**

13.1 In addition to the safeguards outlined in the Council's lone working policy, we are committed to training staff involved in conducting tenancy audits. This will include undertaking a regular risk assessment. Audits of properties considered to be high risk will be flagged and normally carried out by officers working in pairs.

13.2 All staff complete mandatory GDPR and Data Protection training on a yearly basis. Staff are automatically blocked from LBE systems and are unable to conduct audits without refreshing this training.

13.3 We do not tolerate threats, abuse or violence against staff or partners. If necessary, enforcement remedies will be used against any resident using threats, abuse or violence.

13.4 All staff working within Council Housing, whether permanent or temporary, directly employed by the Council or a contractor, are expected to be vigilant for signs of abuse when visiting tenants in their home. They will report their concerns in accordance with the Council's Domestic Abuse policy and procedures.

#### **14 Relevant Enfield Policies and Strategies**

- The London Borough of Enfield Secure Tenancy Agreement
- Enfield Tenancy Policy
- Enfield Housing Repairs, Maintenance and Planned Works Policy
- Enfield Council New Users Guide
- Council Tenant Disabled Adaptations Policy
- Enfield Vigilance in Supporting the Wellbeing of Council Tenants Policy
- Enfield Allocations Scheme
- Council Plan 2023 - 2026