

London Borough of Newham

Housing Services

Tenancy Audit Policy

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1. Context

- 1.1. Social housing is a valuable asset that provides security and stability to people in housing need. All local authorities have a duty to make the best use of public resources and ensure existing stock is properly managed. One of the ways in which Housing Services can ensure that the London Borough of Newham's (LBN) housing stock is being properly maintained and managed is by implementing a tenancy audit programme.
- 1.2. Newham Council also has a duty to understand any individual or collective needs of their tenants and their families in order to help keep them safe.

2. Equality

- 2.1. Newham Council is committed to promoting equality of opportunity, good community relations and the prevention of all forms of unlawful discrimination in the way services are provided.

3. Scope and terminology

Aim of the policy

- 3.1. The aim of this policy and procedure is to set out how Housing Services conduct tenancy audit visits, how the information collected is treated and used and what action may be taken as a result of the information obtained.

Policy Objectives

- 3.2. This policy's objectives are to:
- 3.2.1. ensure that the Council has up-to-date information about tenants and their households;
 - 3.2.2. ensure that there is no breach of the Tenancy Terms & Conditions;
 - 3.2.3. ensure that the Council has up-to-date information about the condition of its tenanted properties;

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- 3.2.4. enable the Council to identify opportunities to provide support to tenants and household members where this is needed; and
- 3.2.5. ensure the Council effectively identifies and responds to tenancy fraud.

Scope

- 3.3. This policy applies to all London Borough of Newham (LBN) directly-managed tenanted properties. Actions taken as described within the policy will be undertaken by LBN Housing officers in order to:
- ensure tenants are adhering to all Tenancy Terms & Conditions
 - inspect the property's condition
 - review the status of those residing in LBN properties as tenants or household members
 - ensure all accurate information relating to residents is captured and recorded.

Terminology

- 3.4. Tenancy audits are mandatory visits to properties and are primarily conducted by Housing Liaison Officers (HLOs) under the supervision of the Resident Services Managers (RSMs) and are necessary to:
- Update household information
 - Check the condition of the tenant's home
 - Help identify any resident support needs and to refer them onto the appropriate team or department
 - Identify potential tenancy fraud and other breaches of tenancy
 - Discuss the rent account, advising of any rent arrears or rent credit on the account
 - Identify households who are under-occupying properties and appropriately referring to LBN's under-occupation scheme should they wish to move to smaller properties.
- 3.5. The Tenancy Audit Programme is a three-year rolling plan so that each directly-managed tenanted property is visited and subject of a full audit at least once every three years.
- 3.6. Further key terms are set out in the following table:

Term	Definition
LBN	London Borough of Newham
RSM	Resident Services Manager, overall responsibility for the teams who carry out the audits, for ensuring the audits take place, that appropriate referrals happen and monitoring the outputs.
HLO	Housing Liaison Officer, an officer who is responsible for the day-to-day management of tenancies and properties. The HLO carries out the audit and ensures all follow up actions are carried out.

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Tenancy Audit	The process of gathering, checking and recording information about who lives in a property and the condition of property.
Household Information	Who lives in the household and their relationships to each other, dates of birth and gender information.
Equalities and Diversity Information	Gender, age, ethnicity, religious belief, sexual orientation and disability of tenants to monitor compliance with our Public Sector Equality Duties
Subletting	If the tenant of a rented property in turn rents out part or all of the property to someone else, this is known as subletting. Subletting of an entire council property is not allowed and tenants subletting illegally can face prosecution. Subletting part of the property (i.e. renting a room) may be considered, however written permission is required from the Landlord.
Tenancy Fraud	Tenancy fraud is a criminal offence. Tenancy fraud includes illegal subletting or an individual occupying a property where they do not have the right to do so. Newham council will take action against anyone suspected of tenancy fraud.
Under-occupation	When a household is living in a property that has more bedrooms than the allocations policy says it needs, it is considered to be under-occupying the property. The number of bedrooms a household needs is normally based on the number of adults and their relationship to each other, and the age and sex of children.

4. Understanding our tenants and their needs

Household Information

- 4.1. During a tenancy audit Housing Services will review and update the information currently held on record, which may include:
- Who lives in the household and their relationship to the tenant, dates of birth, and gender
 - Contact details, including email address where applicable

Equality and Diversity Information

- 4.2. In addition to the household information Housing Services will also be asking the tenant(s) to confirm equality and diversity information, which includes:
- Disabilities;
 - Ethnicity;
 - Sexual orientation; and
 - Religion

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- 4.3. This is to ensure that Newham Council can plan our services better and that we are complying with our Public Sector Equality Duties. Tenants are not obliged to answer these questions and this is reflected on the tenancy audit form, but refused response will be recorded.

Identifying tenant needs

- 4.4. We will make appropriate referrals arising from tenancy audits. For example,
- Tenancy support
 - Fire safety concerns
 - Income management support
 - Benefits advice
 - Antisocial behaviour
 - Safeguarding and referrals to the Independent Living Service
 - Mobility impaired adaptations, or any other issues that may arise.

Rent Discussion

- 4.5. If there are rent arrears on the account, the visiting officer will discuss the circumstances as to why the rent is not being paid by the tenant/s and will encourage them to make contact with the Income Team to make an arrangement to clear the rent arrears.

5. Process of tenancy audits

Prioritising properties for audit

- 5.1. There are two main strands to the tenancy audit programme launched in April 2024
- Identifying and targeting selected blocks. High rise blocks are currently prioritised due to the higher risk to tenants in the case of fire. Other factors such as rates of ASB also affect the priority afforded to particular blocks
 - Ongoing audits on patches, whereby HLOs are expected to spend part of the time on their patches conducting tenancy audits. This will include any causes for concern or safeguarding matter which may be raised by housing, council colleagues or any of our multi-agency partners.
- 5.2. Audits will not be by appointment and households will not be informed in advance of the audit. Audits will be carried out during the normally accepted office hours, early mornings and evenings. Audits could be carried out at weekends in some circumstances. .

Pre-audit checks

- 5.3. Pre-audit desk-based checks are carried out for all visits in order to identify potential issues and ensure officers are informed and able to make best use of their time speaking to the tenant.
- 5.4. Pre-audit checks can allow officers to identify potential irregularities, be aware of any vulnerabilities affecting the tenant or their household members, and to flag any safety and wellbeing issues that might affect Council officers.

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Ensuring the safety of Council staff

- 5.5. In cases where risks to officers are identified (for example a history of aggression towards Council staff), the cautionary contact process will be followed.
- 5.6. HLOs are required to update their calendars fully and keep lone working devices on their person.

Gaining Access

- 5.7. Prior to the tenancy audit taking place, the Council will review the information we hold about the household.
- 5.8. Tenancy audits are unannounced to effectively identify fraud where this is taking place.
- 5.9. The Tenancy Terms and Conditions state: "You must co-operate with the Council's tenancy audit programme that the Council carry out to check that you are living in your home properly. You must:
 - *make yourself available for an interview at your home with the Tenancy Audit Officer for the purpose of carrying out the tenancy audit; and*
 - *allow the Tenancy Audit Officer into your home to carry out a reasonable inspection to find out whether:*
 - (a) *it has been sublet, or*
 - (b) *you are not living in it as your only or main home."*
- 5.10. Households who do not respond to the HLO team visiting on the second occasion will be left with a card notifying them that we tried to visit.
- 5.11. We will then contact the tenant(s) to make them aware that we have been attempting to carry out an audit (including all relevant information about the purpose of the visit) and to arrange a time slot for the tenancy audit to take place.
- 5.12. The subsequent visit will be at another time of day (including out-of-hours in case the issue is the tenant being out at work).
- 5.13. If this issue recurs three times, it will trigger a desktop investigation which may be carried out by the HLO Team or the Tenancy Fraud Team. Referrals to the Tenancy Fraud Team will be considered on a case-by-case basis where it is considered that their access to data would be beneficial to the case.
- 5.14. In cases where only a non-tenant household member is present, the Council will reschedule in order for the tenant (or at least one of two joint tenants) to be present. The Council will not conduct interviews or enter a property where unaccompanied under-18s are present.

6. Understanding the condition of properties

Property Condition

- 6.1. Tenancy audits provide an opportunity to assess the condition of our properties including, where relevant, gardens.

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6.2. LBN tenants are expected to:

- Keep the interior of the home clean and in a good state of decoration
- Keep and maintain gardens, trees, lawn and hedges in a neat and tidy condition
- Make good any damage caused to fixtures and fittings or structure of the property by a member of the household or a visitor to the home
- Report to LBN repairs promptly any disrepair or defect for which LBN is responsible for

6.3. Any urgent or emergency repairs that are identified as part of the tenancy audit will be reported by the officer conducting the audit.

6.4. If the condition of the property is unsatisfactory, the officer conducting the audit would discuss this with the tenant(s) during the visit. The tenant(s) would then be informed by the visiting officer that they will be sent a follow up letter within 5 working days of the visit, setting clear objectives and timescales relating to the required improvement.

Permissions/ Retrospective Permissions

6.5. Secure tenant(s) have the right to carry out certain improvements with the permission of the Landlord. The visiting officer will take note of any alterations made by the tenant(s) within the property and will look to clarify if permission has been sought from the Landlord prior to the alterations taking place. This will be cross referenced with details held on our system.

6.6. If permission has not been sought prior to the alteration taking place, retrospective permission, in some cases, may be issued. If any un-permitted works are deemed to be unsatisfactory, the tenant(s) can be requested to reinstate the property to its original condition. If the tenant(s) fail to co-operate appropriate legal action may be taken in response to this breach to tenancy conditions.

7. Tenancy fraud

7.1. Under the Prevention of Social Housing Fraud Act 2013 it is a criminal offence to sub-let or part with possession of social housing. We will take appropriate investigatory and legal action to ensure that only those with a legal right to be in residence occupy our homes.

7.2. In line with current tenancy conditions, tenants must use the property as their only or principal home.

7.3. Therefore, tenants will be asked to provide proof of identification and proof of address during the visit to ensure that the correct persons are living in the property.

7.4. Tenant(s) must also inform their Landlord if they intend to be away from their property for longer than four weeks, in order to avoid any potential enforcement action.

8. Policy author

Name	Role	Service area and directorate
Tony Lynes	Head of Housing Services	LBN Housing

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