

Vulnerable Residents Policy Wandsworth Borough Council: January 2025

This policy sets out how the Housing Department identifies vulnerable residents and its approach in meeting their needs.

1. Introduction and background

- 1.1. Social housing landlords provide homes for those in need of housing and Wandsworth Council manages over 17,000¹ general needs social homes. However, a proportion of residents who live in these homes, may have additional needs because of health conditions or other personal circumstances, for example needing aids and adaptations to their home, requiring support as a survivor of domestic abuse or anti-social behaviour, or someone who has a mental health condition.
- 1.2. The Council has a responsibility to identify vulnerable residents and address additional needs to keep them safe in their homes and enable those residents to access the services they are entitled to.
- 1.3. This policy is applicable to tenants, leaseholders and their household members who live in properties managed or owned by Wandsworth Borough Council and to staff in the Housing department.
- 1.4. Other Wandsworth Council departments have their own policies and definitions relating to vulnerabilities, tailored to their service or the legal and regulatory framework they operate in.
- 1.5. The Housing Department aims to embed, through the relevant procedure and practices, how each service supports and addresses the needs of vulnerable residents. Policies, procedures and strategies will be developed in reference to understanding and meeting the diverse needs of their residents.
- 1.6 This includes (but is not limited to) the following procedures:
 - Access to dwellings – Tenants and Leaseholders
 - Adapted housing procedure
 - Anti-social Behaviour procedure
 - Assessing Housing Register Applications procedure
 - Breach of tenancy procedures
 - End of Tenancy procedure
 - Eviction procedure
 - Gas Access procedure
 - Hate Crimes, Hate Incidents and Harassment
 - Hoarding procedure
 - Homeless Applications: Assessments, Inquiries and Personal Housing Plans

¹ This includes ten Housing Co-operatives/Resident Management Organisations

- Housing 16 and 17 year olds approaching the HRD procedure
- Mental Capacity procedure
- Non Safeguarding Adults procedure
- Safeguarding Children procedure
- Safeguarding Adults procedure
- Tenancy Support Service procedure
- Translation and Interpreting Services procedure
- Vulnerable Residents No Contact Check Procedure

2. Legal and regulatory context

2.1. Equality Act 2010

The Act identifies people with ‘protected characteristics’, including age and disability. It protects those with one or more protected characteristic from direct (treating someone with a protected characteristic less favourably than others) and indirect discrimination (putting rules and arrangements in place that apply to everyone but that put those with a protected characteristic at an unfair disadvantage).

To “advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it”, the Act requires organisations to make reasonable adjustments in respect of:

- the way things are done (for example, changing a practice)
- the built environment
- providing auxiliary aids and services

2.2. Data Protection Act 1998

Information about a resident’s vulnerability is likely to be ‘sensitive personal data’. The collection, recording, use and sharing of such information must meet at least one of the conditions set out in Schedules 2 and 3 of the Act. - the conditions which are most likely to apply to the processing of vulnerability information are; where the resident consents, to protect the vital interests of the resident or where the landlord has to comply with or participate in legal proceedings.

2.3. Mental Capacity Act 2005

Residents may be identified as vulnerable but will generally have capacity to make their own decisions. Through the relevant processes, for example, taking tenancy enforcement action, the Housing Department will carry out a mental capacity assessment where relevant. Where a resident has been assessed as lacking, or believed to lack capacity, in line with the Mental Capacity Act 2005, housing officers will liaise with those who have legal authority to act on their behalf.

2.4. Care Act 2014

The Care Act 2014 places a general duty on local authorities to promote the wellbeing of individuals when carrying out care and support functions, including obtaining supported housing, establishing priority need, or showing that current accommodation is not reasonable to continue to occupy. Where this is applicable, an appropriate assessment will be sought from the relevant social care provider.

The Care Act 2014 also set out the Council's Safeguarding Duties, that 'all workers need to be vigilant about adult safeguarding concerns and the actions local authorities must take where there is a safeguarding concern'.

2.5. The Regulator of Social Housing / Social Housing (Regulation) Act 2023

The Regulator of Social Housing, through their regulatory Consumer Standards, outline their expectations and outcomes for vulnerable residents. As set out through the Transparency, Influence and Accountability Consumer Standard, landlords must treat tenants and prospective tenants with fairness and respect and deliver fair and equitable outcome for residents with diverse needs.

2.6. Housing Ombudsman

The Housing Ombudsman's role is to investigate complaints and resolve disputes which arise from the delivery of landlord services.

The Housing Ombudsman service defines vulnerability as, "A dynamic state which arises from a combination of a resident's personal circumstances, characteristics and their housing complaint. Vulnerability may be exacerbated when a social landlord or the Housing Ombudsman Service does not act with appropriate levels of care when dealing with a resident's complaint... if effective reasonable adjustments have been put in place, the vulnerability may be reduced".

3. Defining vulnerability

3.1. As there is no standard definition, for the purposes of this policy, the following will be considered:

- a) No entire groups will be vulnerable, however, individuals from some groups are more likely to be vulnerable and may be unable to cope with some of their day-to-day housing needs (such as sustaining their tenancy or accessing the services they are entitled to).
- b) Vulnerable residents are likely to include the following groups:
 - Aged 70 years or older
 - Those isolated from support or support needs are not met
 - Those with learning, physical or sensory needs, and/or mental health or cognitive issues
- c) Vulnerable individuals may be considered as those less able or unable to take care of themselves or protect themselves from exploitation and harm.

d) Housing officers may also consider personal circumstances such as illness, substance abuse issues, leaving care, bereavement, victims of domestic abuse or harassment, relationship breakdown, discharge from institutional care/hospital, history of ASB or rent arrears, communication needs or history of homelessness. Those likely to be affected include ex-offenders, care leavers or those experiencing or with previous experience of domestic abuse.

3.2. Vulnerability may or may not be permanent and residents may no longer be vulnerable if their circumstances change, such as access to support or a change of household.

3.3. The Housing Department acknowledges other definitions of vulnerability used by partners and in legislation, for example, priority needs under homelessness guidance.

4. Our approach to identifying vulnerability

4.1. All staff are responsible for identifying and recording vulnerability information during all points of customer interaction.

4.2. At the point of housing application, Housing Services will become aware of a vulnerable resident through:

- Information provided in the housing application, medical information form or transfer forms.
- Referrals from internal or external agencies such as Adult Social Care or the NHS

4.3. Operational staff may become aware of a vulnerable resident where:

- The resident self-identifies or presents to the Council
- Information is provided through application forms (such as the management transfer form or a demographic monitoring form)
- Concerns are raised by officers or contractors during face-to-face contact or visiting the property
- Concerns are raised by neighbours or family members
- Information is provided from an external organisation or partner agency such as the fire brigade or the NHS or from another Council department (or person/organisation acting on the resident's behalf)

4.4. Staff and contractors providing services to residents are to be aware of signs of vulnerability and how the vulnerability may manifest in the resident's behaviours and interactions. Examples of these behaviours may include:

- Anti-social behaviour or unreasonable behaviour where this may be linked to their vulnerability
- Being a victim of anti-social behaviour, or domestic abuse
- Where regular payments to their rent account have stopped or there is a large debt or credit on their rent or service charge account

- Evidence of self-neglect, hoarding, or where property is in poor condition
- Outstanding gas-safety or front door checks, not reporting repairs, refusing access to the property
- Not responding to letters or phone calls and no contact with the Council
- Language or communication barriers resulting in the resident not being aware of their rights and responsibilities

- 4.5. Vulnerable residents will also be identified through regular exercises such as occupancy checks.
- 4.6. Residents will be advised (through publicity in resident communications such as the resident newsletter, Homelife or the website) to contact the council with any changes in circumstances which may include identifying new vulnerabilities.
- 4.7. During tenancy management activities, such as a tenancy review or an Equalities Act Assessment when considering tenancy enforcement actions, housing staff are expected to identify any other indicators of vulnerability that residents may exhibit.

5. How we will tailor our approach and communications to those with vulnerabilities

- 5.1. As defined by the Equality Act 2010, a 'reasonable adjustment' is a legal duty the Council must comply with, 'to make an adjustment, to make a physical change to premises or to change work practices to avoid or correct the disadvantage to a person with a disability'.
- 5.2. The below provides a summary of the types of adjustments that may be considered reasonable.

(This list is not exhaustive, and staff will be empowered to use their discretion to find an appropriate solution)

- Carrying out the appropriate risk assessments in relation to fire safety or anti-social behaviour
- Providing information in alternative formats, for example, easy read format, in large print or Braille, as an audio file, or on coloured paper
- Giving residents more time to do something, such as responding to a letter or contributing to public or statutory consultations, if this is allowed by law.
- Using the resident's preferred method of contact (for example, by email or by post)
- Communication through an interpreter, representative or an intermediary if required
- Allowing more time for the resident to answer the door
- Carrying out small repairs outside of the Council's repair responsibility but may be challenging for an individual to complete, for example, replacing batteries in a smoke alarm
- Recategorising standard repairs so that they are carried out sooner.

- Carrying out the appropriate Equality Act or Mental Capacity Act assessments before making decisions about their tenancy or housing application

6. Managing Information

- 6.1. It is vital that information about a client, resident and their household is recorded in the Housing IT system (NEC) under 'client details' and any additional information placed on their file. Information on a person's protected characteristic(s) should be clearly recorded for housing staff to find, as this may inform our response to that person. For example, reasonable adjustments to accommodate a person's needs may be required, such as a change in how we communicate with them. Expressed communication needs by the client/resident should be clearly recorded to avoid them having to repeat such requests.
- 6.2. The Housing Department will be aware that a resident's circumstances will change over time and their personal information will be updated on the housing information systems where this information is known.
- 6.3. In developing policy, strategy and procedures, available vulnerability and demographic profile information will be considered to ensure that diverse needs are accounted for. An Equalities Impact and Needs Assessment will be completed as part of developing services where appropriate.

7. Partnerships

- 7.1. Staff and contractors providing housing or estate management services are expected to follow the appropriate referral processes where a vulnerable person's needs are not being met or if there are safeguarding concerns.
- 7.2. When a member of staff identifies someone who needs additional support, they will seek to signpost or refer the person to appropriate support if it is needed. Some of the services signposted or referred to may include for example:
 - GPs and other health services
 - Mental health services
 - Adult Social Care (for care and support services or safeguarding)
 - Tenancy Support
 - Housing options and move on (if in Temporary Accommodation)
 - Access to the housing assessment and housing register
 - Home Improvement Agency for Aids and Adaptations
 - Substance misuse services
 - Domestic abuse specialists
 - Debt advice and welfare benefit services, including the Financial Inclusion Team
 - Advocacy services
 - Additional fire safety measures or assessments through the local Fire Brigade

- 7.3. To identify roles and responsibilities in the delivery of services, joint working protocols or working arrangement are in place with key partners such as Adult Social Care and Children's Services.
- 7.4. Where services are commissioned or contracted to act on behalf of the Council, those providers would be expected to have due regard to this policy.

8. Training

- 8.1. All housing staff will be made aware of this policy through briefings and where relevant, completing the appropriate training (and completing any refresher training) such as safeguarding or domestic abuse training.

9. Monitoring and review

- 9.1. The effectiveness of this policy will be monitored through the quality of data collected for vulnerable residents and the monitoring of additional services that are provided, for example, the number of translation services provided or reasonable adjustments made.
- 9.2. Other monitoring arrangements will include tracking complaints where vulnerabilities have been highlighted, and periodic audits on how vulnerabilities information is stored and updated.