

<b>Document Name:</b>	<b>Tenancy Policy</b>
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### **Our Vision**

Our Housing Service vision is that all homes in East Suffolk are safe, suitable, and sustainable, in communities where residents are proud to live.

This vision supports the Sustainable Housing theme in the Council's Corporate Strategy: Our Direction 2028.

### **Equality and Diversity Statement**

East Suffolk Council is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity and socio-economic deprivation.

This document complies with the Council's equality, diversity and inclusion policy.

## 1. Introduction

- 1.1. This Tenancy Policy sets out the approach of East Suffolk Council (ESC) to the granting, management, and termination of tenancies within its housing stock. It provides a clear framework for how tenancies are allocated and sustained, ensuring consistency, transparency, and fairness in decision-making.
- 1.2. This policy is designed to support the ESC's strategic housing objectives, promote stable communities, and make best use of available housing resources. It reflects the council's commitment to supporting tenants, preventing homelessness, and ensuring that housing is allocated in a way that meets local needs.
- 1.3. The need for a Tenancy Policy is a requirement of social housing reforms set out in the Localism Act 2011 and is a requirement of the Regulatory Framework for Social Housing.

## 2. Policy Details

- 2.1. The scope of this policy applies to:
  - All new and existing tenants of ESC
  - All tenancy types offered by the ESC
  - ESC officers involved in tenancy management and housing allocations
  - Partner agencies working with tenants or supporting housing services
  - ESC Corporate Fraud Team
- 2.2. This policy does not cover housing association tenancies or private sector housing, although it may inform partnership working and strategic planning across the wider housing sector.

## 3. Legal Framework

- 3.1. This Tenancy Policy is underpinned by a range of legislation and statutory guidance that governs the allocation and management of social housing in England. It ensures that ESC meets its legal obligations as a local housing authority and registered provider of social housing.
- 3.2. Key Legislation and Guidance
  - Theft Act 1968
  - Housing Act 1985 and 1988

- Housing Act 1996 (Part 6)
- Proceeds of Crime Act 2002
- Fraud Act 2006
- Localism Act 2011
- Statutory Guidance on Allocation of Accommodation 2012
- The Prevention of Social Housing Fraud Act 2013
- Anti-Social Behaviour, Crime and Policing Act 2014
- Money Laundering Regulations 2017
- Domestic Abuse Act 2021
- Social Housing Regulation Act 2023

3.3. This policy has been developed in accordance with these legal and regulatory requirements and will be reviewed regularly to ensure ongoing compliance and responsiveness to legislative changes.

#### **4. Health and Safety**

4.1. ESC is committed to ensuring that all homes are safe and compliant with statutory health and safety requirements. Tenants also have responsibilities to maintain a safe living environment.

4.2. ESC Responsibilities:

- Carry out regular safety checks in line with legislation, including:
- Gas safety inspections (annually)
- Electrical safety checks (5 yearly)
- Fire safety measures in communal areas
- Asbestos management where applicable
- Provide tenants with safety information and guidance.
- Respond promptly to reports of hazards or repairs that may affect health and safety.

4.3. Tenant Responsibilities:

- Allow reasonable access for welfare visits, safety inspections and repairs.
- Maintain smoke and carbon monoxide alarms and report faults immediately.
- Avoid tampering with safety equipment or making unauthorised alterations that compromise safety.
- Keep communal areas free from hazards
- Report any health and safety concerns promptly to the council.

4.4. Failure to comply with health and safety requirements may result in enforcement action, including legal proceedings where necessary.

## 5. Types of Tenancies offered

### 5.1. Introductory Tenancy

New tenants are usually offered an introductory tenancy for the first 12 months. This acts as a probationary period during which the tenant must demonstrate their ability to manage a tenancy responsibly. If successful, the tenancy will automatically convert to a secure tenancy unless extended or terminated due to breaches. Key features of an introductory tenancy are:

- Limited rights (e.g. no Right to Buy, no mutual exchange)
- Tenants are not permitted to make alterations or improvements to the property during the probationary period.
- Action may be taken to end the tenancy sooner if tenancy obligations are not met.
- Can be extended by 6 months if concerns arise

### 5.2. Secure Tenancy

Secure tenancies are typically granted following successful completion of an introductory tenancy. These are sometimes referred to as 'lifetime' tenancies, as they offer long-term stability and security.

Key features of a secure tenancy are:

- The property must be occupied as the tenant's main and principal home at all times to retain secure status and associated rights.
- Right to Buy (subject to eligibility).
- Right to mutual exchange.
- Succession rights.
- Permission-based home improvements.

## 6. Retired Living Schemes

6.1. ESC provides Retired Living Schemes designed to support older residents in maintaining independence while benefiting from a safe and supportive living environment. These schemes typically consist of self-contained accommodation with access to communal facilities and housing-related support.

6.2. Retired Living Schemes aim to:

- Promote independent living for older people
- Provide a safe and secure environment
- Offer access to support and social opportunities
- Reduce isolation and improve wellbeing

6.3. Applicants must usually:

- Be aged 55 or over (or meet other scheme-specific age criteria)

- Have a housing need that would be met by this type of accommodation
- Be able to live independently with or without support

6.4. **Tenancies within Retired Living Schemes are generally:**

- Secure tenancies, depending on individual circumstances
- Subject to the same rights and responsibilities as general needs tenancies except that properties within Retired Living Schemes are not eligible for purchase under the Right to Buy scheme
- Supported by housing officers or scheme managers who provide housing-related support

6.5. Residents have access to:

- Emergency alarm systems
- On-site or visiting scheme managers
- Communal lounges and facilities
- Signposting to care and support services

## 7. Joint Tenancies

7.1. ESC may offer joint tenancies where two individuals wish to share legal responsibility for a tenancy. Joint tenancies are typically granted to couples, family members, or individuals with a long-standing shared housing arrangement, subject to eligibility and suitability.

7.2. **Eligibility**

Joint tenancies may be considered where:

- Both applicants intend to live in the property as their only or principal home
- Both meet the criteria under the council's Allocation Policy
- There is a demonstrable and stable relationship between the applicants (this is subject to verification).

7.3. **Rights and Responsibilities**

Joint tenants:

- Share equal legal responsibility for the tenancy, including rent payments and adherence to tenancy conditions
- Either tenant can end the tenancy by serving a valid notice to quit, which will terminate the tenancy for both parties.
- Are jointly liable for any breaches of the tenancy agreement

7.4. **Changes to Joint Tenancies**

- **Conversion to sole tenancy:** Unless conversion is automatic by operation of law, this may be considered in cases of relationship breakdown, bereavement, or safeguarding concerns. Unless there is a Court Order requiring the Transfer of Tenancy normally both tenants will need to consent to the conversion, and any conversion may count as a succession for the purposes of the Housing Act 1985.
- **Adding a joint tenant:** Subject to eligibility and approval, a sole tenant may apply to add another person to the tenancy. This is a significant legal decision with long-term implications. By adding a joint tenant:
  - Both parties will share equal legal responsibility for the tenancy, including rent payments and compliance with all tenancy conditions.
  - Either joint tenant can end the tenancy by serving a valid notice to quit, which will terminate the tenancy for both parties.
  - Joint liability means that if one tenant fails to meet obligations, the other remains fully responsible.

## 7.5. **Safeguarding and Domestic Abuse**

In cases involving domestic abuse or safeguarding concerns, the council will take a sensitive, trauma-informed and supportive approach to tenancy changes. The safety, wellbeing, and autonomy of effected individuals will be prioritised at all times. When appropriate, ESC will work in partnership with specialist services, including domestic abuse support providers, safeguarding teams, and housing advocates, to ensure that tenancy decisions are made in the best interests of the individual.

Tenancy changes may include offering alternative accommodation, facilitating joint-to-sole tenancy transfers, or other appropriate interventions, in line with legal frameworks and safeguarding protocols.

## 8. **Demoted Tenancies**

- 8.1. Demoted tenancies may be used by ESC in rare cases where a tenant has engaged in serious anti-social behaviour or breached tenancy conditions. A demotion order, granted by the court, temporarily reduces the tenant's rights and makes it easier for the council to take possession if further issues arise.
- 8.2. During the demotion period (usually 12 months), tenants lose certain rights such as the Right to Buy and mutual exchange. If the tenant complies with the tenancy conditions, the tenancy may revert to a secure tenancy at the end of the period.
- 8.3. Due to their limited use, demoted tenancies will only be pursued where other interventions have failed, and legal action is deemed necessary.

## 9. Licence Agreements

9.1. In certain circumstances, ESC may offer a licence agreement instead of a tenancy. Licence agreements are typically used where occupation is intended to be temporary or where the resident does not have exclusive possession of the property.

9.2. Licence agreements may be issued for:

- Temporary accommodation (e.g. homelessness placements)
- Supported housing schemes
- Emergency housing provision

9.3. Key Features of Licence Agreements:  
Licence holders do not have the same legal rights as tenants

- The agreement outlines the terms of occupation, including notice periods and conduct expectations
- The council retains greater control over the property and can end the licence more easily than a tenancy.

## 10. Use and Occupation

10.1. Use and Occupation (U&O) may be offered on a temporary basis in specific circumstances, such as when a tenant dies and a remaining occupier has no succession rights.

- U&O provides short-term accommodation while the occupier works with Housing Needs to secure suitable alternative housing.
- If the occupier does not engage with Housing Needs or refuses to move, ESC can serve a Notice to Quit to end the arrangement.
- Whilst under U&O you do not have a tenancy, however you will pay the equivalent of rent, this is known as 'Mesne Profits,'

## 11. Length & Renewal of Tenancies

11.1. ESC currently offers secure (lifetime) tenancies to eligible tenants following successful completion of an introductory tenancy. These tenancies do not have a fixed term and continue for as long as the tenant occupies the property as their principal home and complies with the terms of the tenancy agreement.

11.2. As the council does not currently offer flexible fixed-term tenancies, there is no formal renewal process at set intervals. However, tenancies may be reviewed or ended in specific circumstances, including:

- Breach of tenancy conditions (e.g. anti-social behaviour, rent arrears)
- Changes in household composition that affect eligibility
- Legal action resulting in possession proceedings

11.3. ESC remains committed to supporting tenants to sustain their tenancies and will provide advice and assistance where tenancy issues arise.

## **12. Change of Landlord or Management Arrangements**

12.1. ESC will ensure transparency and tenant involvement in the event of any proposed change in landlord or management arrangements.

12.2. What Tenants Can Expect:

- Early consultation and clear communication about the nature and reasons for the proposed change.
- Information on how the change may affect tenancy rights, rent, and services.
- Assurance that existing tenancy agreements and rights will be protected in accordance with legislation.

## **13. Right to Manage and Right to Transfer:**

13.1. Tenants have statutory rights under the Housing (Right to Manage) Regulations 1994 and the Housing Act 1985 to:

- Form a Tenant Management Organisation (TMO) to take over housing management functions.
- Request a transfer of landlord under the Right to Transfer provisions.

13.2. ESC will provide guidance and support to tenants wishing to explore these rights, including signposting to relevant statutory processes and advice services.

## **14. Tenancy Management**

14.1. ESC is committed to effective tenancy management to ensure that tenants are supported to maintain successful tenancies, that housing stock is used efficiently, and that communities remain safe and sustainable.

## **15. Supporting Tenancy Sustainment**

15.1. ESC is committed to helping tenants maintain successful and long-term tenancies. Tenancy sustainment is essential to preventing homelessness, promoting community stability, and ensuring that council housing is used effectively and fairly.

15.2. ESC will identify tenants at risk of tenancy failure through:

- Routine tenancy visits and property inspections
- Reports of rent arrears, anti-social behaviour, or safeguarding concerns
- Referrals from internal teams including the in-house Fraud Team, or partner agencies

15.3. Where risks are identified, the council will offer early intervention and tailored support to help tenants address issues before they escalate.

15.4. Tenants may be referred to or be supported by:

- Welfare and debt advice services
- Mental health and wellbeing support
- Domestic abuse services
- Social care and safeguarding teams
- Employment and training programmes

15.5. ESC will work collaboratively with statutory and voluntary sector partners to ensure tenants receive holistic support tailored to their needs, subject to UK GDPR/ Data Protection Act 2018 and sharing of information legally.

15.6. Support arrangements will be reviewed regularly to ensure they remain effective and responsive to changing circumstances.

## **16. Support and Advice**

16.1. ESC is committed to ensuring that tenants are supported throughout their tenancy journey, from the point of allocation through to tenancy sustainment and, where necessary, tenancy termination. ESC recognises that access to timely and appropriate support can help prevent tenancy failure, promote wellbeing, and contribute to stable communities.

**16.2. Pre-Tenancy Support**

Prior to the commencement of any tenancy, the ESC will undertake a comprehensive pre-tenancy process to ensure that incoming tenants are fully informed and appropriately supported. This process will include:

- Providing clear and accessible information regarding tenancy types, rights, and responsibilities.
- Completing a structured pre-tenancy checklist with the tenant to identify any additional needs or support requirements.
- Obtaining consent for a nominated person who may act or communicate on the tenant's behalf where necessary.
- Identifying and recording any disabilities, mental health conditions, or other vulnerabilities disclosed during sign-up, to ensure appropriate support is in place.
- Referring relevant information to the Financial Inclusion Officer for targeted financial support and advice.
- Conducting an affordability assessment where there is any indication that the tenant may struggle to sustain the tenancy financially.
- Signposting tenants to appropriate services, including financial advice, welfare benefits, and budgeting support.

16.3. This approach ensures that tenants are equipped to manage their tenancy successfully and that any risks to sustainability are addressed at the earliest opportunity.

**16.4. At the tenancy sign-up appointment, ESC will**

- Provide clear information about tenancy types, rights, and responsibilities
- Offer pre-tenancy assessments to identify support needs
- Signpost to financial advice, welfare benefits, and budgeting support

**16.5. Ongoing Tenancy Support**

During the tenancy, tenants may access:

- Housing officers for advice on tenancy management
- Referrals to support services for health, wellbeing, and social care
- Help with rent arrears, anti-social behaviour, and neighbour disputes
- Assistance with adaptations for tenants with disabilities

**16.6. Support for those at risk of tenancy failure**

Where a tenant is at risk of losing their home, ESC will:

- Offer early intervention and tailored support plans
- Work with partner agencies to address underlying issues
- Explore alternatives to eviction wherever possible

**16.7. Advice at Tenancy End**

When a tenancy is due to end, either through eviction or tenant choice, ESC will:

- Provide advice on housing options and rehousing
- Support tenants to access homelessness prevention services
- Ensure vulnerable tenants are referred to appropriate services

## **16.8. Accessible Communication**

ESC will ensure that all support and advice is:

- Available in accessible formats and languages
- Delivered in a respectful and inclusive manner
- Tailored to the needs of vulnerable and marginalised groups

## **17. Anti-Social Behaviour**

17.1. ESC is committed to ensuring that its housing estates and communities are safe, inclusive, and respectful places to live. Anti-social behaviour (ASB) undermines community wellbeing and tenancy sustainment, and the council takes a firm but fair approach to preventing and addressing it. For more information please refer to ESC's Anti-Social Behaviour Policy: [Anti-social-Behaviour-Policy.pdf](#)

## **18. Property Inspections and Visits**

18.1. ESC carries out property inspections and tenancy visits as part of its commitment to effective tenancy management, safeguarding, and maintaining housing standards. These visits help ensure that properties are being occupied appropriately, identify support needs, and prevent tenancy fraud.

18.2. ESC will conduct periodic tenancy visits to:

- Confirm that the property is the tenant's principal home
- Check for any signs of disrepair, damage, or unauthorised alterations
- Ensure tenant welfare and identify any safeguarding concerns or support needs
- Offer advice on tenancy responsibilities and available services

18.3. Additional targeted inspections may be carried out:

- Where there are concerns about tenancy breaches or anti-social behaviour
- Following reports of property misuse or suspected fraud
- As part of pre-transfer or mutual exchange assessments

18.4. When a tenancy is due to end, ESC will:

- Inspect the property to assess its condition
- Identify any rechargeable repairs
- Provide guidance on vacating the property and returning keys

18.5. Tenants are expected to cooperate with reasonable requests for access and inspections. The council will provide notice of visits in accordance with the tenancy agreement and ensure that inspections are carried out respectfully and professionally.

## 19. Tenancy Breaches

19.1. ESC expects all tenants to comply with the terms of their tenancy agreement. A breach occurs when a tenant fails to meet these obligations, which may affect their right to remain in the property.

19.2. Examples of Tenancy Breaches

- Non-payment or persistent late payment of rent
- Anti-social behaviour or harassment
- Property neglect or damage
- Sub-letting without permission
- Unauthorized Tenant Alterations
- Not using the property as their only or principal home
- Breach of occupancy limits or conditions

19.3. ESC will take a proportionate and fair approach to managing breaches, which may include:

- Early intervention and informal resolution
- Written warnings and tenancy support plans
- Legal action, including possession proceedings, where necessary

19.4. Where appropriate, ESC will:

- Offer support to help tenants address underlying issues
- Refer tenants to relevant services (e.g. debt advice, mediation, safeguarding)
- Work with partner agencies to prevent eviction and promote tenancy sustainment

19.5. In cases involving vulnerable tenants, the council will take a sensitive and supportive approach, balancing enforcement with the need to protect wellbeing and prevent homelessness.

## 20. Ending a Tenancy

20.1. Tenancies may end for a variety of reasons, and ESC is committed to managing this process fairly, lawfully, and with appropriate support for tenants.

20.2. Ways a Tenancy May End

- **Voluntary termination:** The tenant gives notice to end the tenancy.
- **Eviction:** Due to serious breaches of tenancy conditions, such as rent arrears or anti-social behaviour, and following legal proceedings.
- **Death of the tenant:** Where no succession rights apply.
- **Mutual exchange or transfer:** The tenant moves to another property under an approved scheme.
- **Tenancy Fraud:** Under the Prevention of Social Housing Tenancy Fraud Act 2002 when not living in the property as main and principal home
- **False Representation:** Under the Fraud Act 2006 when using false representation on application to obtain social housing

20.3. Tenants must provide written notice in accordance with their tenancy agreement, usually four weeks. The council will also provide appropriate notice when ending a tenancy, in line with legal requirements.

20.4. ESC will offer advice and referrals to housing options services, especially where tenants are at risk of homelessness or require additional support.

## 21. Succession Rights

21.1. Succession refers to the legal right of a person to take over a tenancy following the death of the tenant. ESC recognises both statutory and discretionary succession rights, in accordance with the Housing Act 1985, the Localism Act 2011, and other relevant legislation.

### 21.2. Statutory Succession

Statutory succession applies where:

- The deceased was a secure or introductory tenant.
- The successor is the spouse, civil partner, or qualifying family member. – depending on when the tenancy started. (see 21.3 and 21.4)
- The successor occupied the property as their only or principal home at the time of the tenant's death and for the year prior to the tenant's death.
- Only one statutory succession is permitted.
- A person who was living with the tenant as if they were a married couple or civil partners is to be treated as the tenant's spouse or civil partner.

### 21.3. Tenancies Created Before 1 April 2012

Under sections 87–89 of the Housing Act 1985:

- A spouse, civil partner, or other qualifying family member may succeed.

- A qualifying family member is defined as a parent, child (including stepchildren and adopted children), sibling, grandparent, grandchild, uncle, aunt nephew or niece.
- Family members must have lived with the tenant for at least 12 months prior to death.
- Only one statutory succession is permitted.
- A person who was living with the tenant as if they were a married couple or civil partners is to be treated as the tenant's spouse or civil partner.

#### **21.4. Tenancies Created on or After 1 April 2012**

Under the Localism Act 2011:

- Statutory succession is limited to the spouse or civil partner.
- Other family members do not have an automatic right but may be considered under discretionary succession.
- A person who was living with the tenant as if they were a married couple or civil partners is to be treated as the tenant's spouse or civil partner.

#### **21.5. Limitations**

- Only one succession is permitted per tenancy.
- Joint tenants automatically retain the tenancy upon the death of the other joint tenant and this counts as the one statutory succession permitted.
- Succession does not apply if the tenancy has already been succeeded once.

#### **21.6. Process**

Upon notification of a tenant's death, ESC will automatically review the tenancy to determine if a statutory or discretionary succession applies. There is no requirement for the household to submit a formal application. As part of this process the council will:

- Assess eligibility for succession in accordance with legislation and policy.
- Request any necessary supporting documentation to confirm entitlement (e.g. Proof of residency).
- Make a decision within a reasonable timeframe and communicate the outcome clearly
- Provide advice and support to the household throughout the process, including guidance on next steps if succession does not apply.
- Refer any suspicions of fraud to the Corporate Fraud Team for investigation.

#### **21.7. Direct Let (where Succession is not applicable)**

Where statutory succession does not apply, the council may consider granting a new tenancy on a discretionary basis. This may apply if:

- The applicant has lived in the property for at least 12 months prior to the tenant's death.
- They are a close relative or have provided essential care to the tenant.
- They meet eligibility criteria under the council's housing allocations policy.

21.8. Discretionary succession decisions will consider:

- The applicant's housing need
- The suitability of the property (e.g. under-occupation)
- The impact on housing stock availability

## 22. Mutual Exchange

22.1. Mutual exchange is a legal right for most secure and assured tenants, allowing them to swap homes with another eligible tenant. ESC supports mutual exchange as a way to help tenants find more suitable accommodation and make best use of the housing stock.

22.2. Tenants may apply for a mutual exchange if:

- They hold a secure or assured tenancy
- Their tenancy is not subject to legal action or possession proceedings
- They have no ASB registered against the tenant or family member living there
- They have obtained written consent from ESC

22.3. Tenants with introductory or demoted tenancies are not eligible for mutual exchange.

22.4. Before approving an exchange, ESC will consider:

- Whether the property is suitable for the incoming household
- Whether the exchange would result in overcrowding or under-occupation
- Whether there are outstanding rent arrears or tenancy breaches
- Whether fraud checks identify any concerns. ESC will carry out fraud prevention checks as part of the process, and if any fraudulent activity or misrepresentation is uncovered, this will affect the outcome of the application and may result in refusal.

22.5. The ESC may refuse an exchange on specific legal grounds, as set out in Schedule 3 of the Housing Act 1985. These include:

- Rent arrears – where any rent lawfully due under either tenancy has not been paid.
- Breach of tenancy – where an obligation under either tenancy has been broken or not performed.
- Possession orders – where a court order for possession or a suspended possession order has been made for either property.
- Notice of seeking possession – where the landlord has served a notice of seeking possession and it remains in force, or possession proceedings have commenced.
- Property size – where the property is substantially larger than reasonably needed by the proposed assignee, or not reasonably suitable for their household's needs.

- Adapted properties – where the property has been substantially adapted for a physically disabled person and the incoming household does not require those adaptations.
- Anti-social behaviour or injunctions – where an injunction, anti-social behaviour order, demotion order, or related court proceedings are in force or pending against the tenant, proposed assignee, or someone residing with them.

## **22.6. Tenant Responsibilities**

Tenants must:

- Submit a formal mutual exchange application.
- Await written approval from the ESC before proceeding.
- Not move until all parties have signed the necessary paperwork.
- Ensure they cooperate with any inspections or checks required as part of the process.

## **22.7. Council Responsibilities and Process**

ESC will:

- Aim to process mutual exchange applications within a reasonable timeframe (within 42 days) and provide clear guidance throughout.
- Carry out all necessary compliance checks before approving the exchange, including:
  - Electrical safety testing.
  - Energy Performance Certificate (EPC) checks.
  - Gas safety checks (where applicable).
- Ensure that any outstanding landlord repair responsibilities are resolved before the mutual exchange assignment takes place. Exchanges will not proceed until these repairs have been completed.
- Confirm that both properties meet health and safety standards prior to approval.

22.8. These checks and repairs are essential to ensure that properties are safe, legally compliant, and suitable for occupation before the exchange takes place. This protects both households and helps the Council meet its statutory obligations.

## **23. Tenancy Fraud – Prevention of Social Housing Tenancy Fraud Act 2013 (POSHFA)**

23.1. ESC is committed to protecting its housing stock and ensuring that homes are occupied by those with a genuine need. Tenancy fraud undermines the integrity of social housing and reduces availability for eligible households.

23.2. Tenancy fraud occurs when a tenant deliberately misleads or breaches tenancy conditions for personal gain. Common examples include:

- Sub-letting the property without permission
- Not using the property as the principal home

- Providing false information on housing applications (obtaining Housing by deception)
- Unlawful assignment or succession
- Key selling (passing on tenancy rights for payment)
- Right to Buy/Acquire Fraud
- Mutual Exchange Fraud
- Fraudulent Applications

23.3. ESC will:

- Investigate suspected cases of tenancy fraud promptly by referring to the Corporate Fraud Team).

23.4. The Corporate Fraud Team will:

- Work with internal teams and external agencies to investigate under their POSHFA powers.
- Take statements and prepare files for court proceedings by gathering relevant evidence.
- Take enforcement action where fraud is proven, including possession proceedings and/or criminal prosecution as advised by the Corporate Fraud Team Investigator in respect of evidence obtained.
- Recover properties to reallocate them to those in genuine need in line with the Allocations Policy

23.5. Tenancy fraud can be reported confidentially by any staff member, tenants, neighbours, or members of the public by:

- Telephone: 01394 444444
- Email: [fraud@eastsuffolk.gov.uk](mailto:fraud@eastsuffolk.gov.uk)
- Online via the customer portals on ESC website
- In person at any of our offices during office hours
- By writing to the Corporate Fraud Team (marked private and confidential) at ESC, Riverside, 4 Canning Road, Lowestoft NR33 0EQ

## 24. Equality and Inclusion

24.1. ESC is committed to promoting equality, diversity, and inclusion in all aspects of tenancy management. The council recognises the importance of ensuring that all individuals—regardless of background, identity, or circumstance—have fair and equitable access to housing services and are treated with dignity and respect.

### 24.2. Legal Duties

This policy is aligned with the council's responsibilities under the:

- Equality Act 2010, which protects individuals from discrimination based on protected characteristics including age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, pregnancy and maternity, and marriage and civil partnership.
- Human Rights Act 1998, which ensures that housing decisions respect individuals' rights to family life, privacy, and protection from discrimination.

#### **24.3. Fair and Inclusive Services**

The council will:

- Ensure that tenancy decisions are made fairly and transparently
- Make reasonable adjustments for tenants with disabilities or additional needs
- Provide information in accessible formats and languages
- Train staff to recognise and respond to diverse needs sensitively and appropriately

#### **24.4. Supporting Vulnerable Groups**

Special consideration will be given to:

- Survivors of domestic abuse
- Older people and those with long-term health conditions
- Young people leaving care
- Individuals with mental health needs or learning disabilities

### **25. Roles and responsibilities**

#### **25.1.** Effective tenancy management relies on clear roles and responsibilities across the council's housing service and its partners. This section outlines who is responsible for delivering, overseeing, and supporting the implementation of this Tenancy Policy.

#### **25.2. Tenants**

Tenants are expected to:

- Comply with the terms of their tenancy agreement
- Pay rent and service/maintenance charges on time
- Maintain the property in a reasonable condition
- Report repairs and maintenance issues promptly
- Behave respectfully towards neighbours and council staff
- Engage with support services when needed
- Allow reasonable access to the property when required for inspections, repairs, safety checks, or other lawful purposes.

#### **25.3. Housing Officers / Tenancy Management Team**

Housing Officers are responsible for:

- Allocating tenancies in line with the Council's Allocation Policy.

- Conducting tenancy sign-ups and explaining rights and responsibilities.
- Supporting tenants to sustain their tenancies.
- Referring tenancy breaches to the Corporate Fraud Team for investigations under the Prevention of Social Housing Fraud Act and anti-social behaviour to the relevant team.
- Managing tenancy changes, reviews, and renewals.
- Facilitating succession, assignment, and mutual exchange processes, including due diligence verification checks.
- Supporting other ESC departments by assisting in gaining access to properties where required for lawful purposes.
- Making referrals to Social Care or other relevant agencies where safeguarding concerns or additional support needs are identified.
- Carrying out regular audit checks to ensure compliance with housing standards and tenancy conditions.
- Completing Personal Emergency Evacuation Plans (PEEPs) for residents who require assistance in the event of an emergency.
- Liaising with partner agencies, including health, social care, and emergency services, to coordinate support and maintain tenant safety.

#### **25.4. Housing Options and Support Services**

These teams provide:

- Advice and assistance to tenants at risk of homelessness
- Support for vulnerable tenants, including referrals to external agencies
- Guidance on rehousing options when tenancies end or properties are unsuitable

#### **25.5. Legal & Enforcement Teams and the Corporate Fraud Team**

These teams may be involved in:

- Preparing legal action in cases of serious tenancy breaches
- Supporting enforcement of possession orders or injunctions
- Advising on tenancy fraud investigations

#### **25.6. Housing Leadership Team**

Senior officers are responsible for:

- Ensuring the policy aligns with strategic housing objectives
- Monitoring compliance with legislation and regulatory standards
- Reviewing and updating the policy as required
- Reporting performance and outcomes to elected members and stakeholders

#### **25.7. Partner Agencies**

External partners (e.g. social care, health services, domestic abuse support organisations may:

- Provide specialist support to tenants
- Collaborate on tenancy sustainment plans
- Assist in safeguarding and crisis intervention

## 26. Appeals

26.1. Tenants can appeal decisions made under this Policy, through ESC's Customer Feedback Policy: [Customer feedback » East Suffolk Council](#)

## 27. Monitoring and Policy Review

27.1. ESC is committed to ensuring that this Tenancy Policy remains effective, legally compliant, and responsive to the needs of tenants and the wider community. Regular monitoring and review will help identify areas for improvement and ensure that the policy continues to reflect best practice and legislative changes.

27.2. The implementation of this policy will be monitored through:

- Regular performance reporting on tenancy management outcomes
- Feedback from tenants, staff, and partner agencies
- Analysis of tenancy sustainment, evictions, and appeals

27.3. This policy will be formally reviewed every three years unless there are any reasons, such as legislative changes, requiring that it be reviewed earlier.

## 28. Version Control

Version:	Date:	Author:	Rationale:
1.0	December 2025	Rebecca Ward – Housing Policy & Regulation Manager	New Policy