



Places to live. Space to grow.

Vulnerability Policy

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1 Introduction and policy purpose

- 1.1 This policy aims to provide a definition of vulnerability and our approach to helping vulnerable West Kent residents. The policy sets out our commitment to assisting vulnerable customers and residents to help access our services, and to address our commitment to ensuring our tenants receive the assistance they need to sustain their tenancy.
- 1.2 We provide additional support and respond flexibly to residents who are facing circumstances that can make them more vulnerable, and unable to cope and manage their tenancy. We know there is more we can do, particularly in ensuring we are consistent in our approach by providing our staff with the information, understanding and tools to respond appropriately to our vulnerable residents' needs. This policy sets out the steps we will take to achieve this.
- 1.3 It focuses on residents who are vulnerable but have capacity to make their own decisions. Where a resident has been assessed as lacking, or believed to lack, capacity to make decisions, we will work with their appointed representative as set out in the safeguarding policy.

2 Policy Statement

- 2.1 As a responsible social landlord, our overall objective is to ensure that our vulnerable residents receive the services and assistance they require to sustain their tenancy. To achieve this, we aim to:
 - Ensure there is an accurate record of any vulnerabilities on the resident's contact record and work to ensure we proactively consider whether vulnerabilities exist.
 - Regularly review and update vulnerability records in line with our customer alert policy.
 - Carry out tenancy audits to residents who we have not had contact from in a year.
 - Consider known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement – including following pre-action protocols and equality impact assessments.
 - Ensure we provide assistance such as signposting or information to enable vulnerable residents to access additional services.
 - Vary our service where appropriate to ensure vulnerable residents still receive the same quality of service as those with fewer or no vulnerabilities.
 - Make appropriate referrals to our Tenancy Sustainment team to provide enhanced support where a need is identified.
 - Refer to statutory agencies and other external partner support agencies where appropriate.
 - Make safeguarding referrals whenever needed.

3.0 Defining Vulnerability

3.1 We define 'vulnerable' as: "a person is vulnerable if, as a result of their situation or circumstances, they are especially susceptible to physical or emotional harm or distress". Our definition reflects our understanding that 'vulnerability' can be a changeable state, influenced by multiple factors and experiences such as age, disability, bereavement, mental health, domestic violence, poverty etc.

3.2 Some of these factors are permanent. Some can be a temporary life event such as bereavement or domestic violence. The interaction of these factors will determine how vulnerable a person is at any point in time, and how much additional assistance they may require to sustain their tenancy.

3.3 An individual's ability to act, engage or cope with everyday activities varies, and so is an important factor in considering vulnerability. For example, many older or disabled people are very independent and active and often do not need any additional assistance to sustain their tenancy and remain independent.

4.0 Identifying Vulnerability:

4.1 A resident's vulnerability may be identified by:

- Residents themselves, when they apply for housing, contact us, or self-refer.
- Family members of resident
- any member of West Kent staff who has contact with residents in person, on the phone or through any other channel of communication
- our contractors
- a referral from an external agency or organisation.

4.2 We expect our staff to be aware of the possibility that a resident may be vulnerable, for example from information they receive, or from their own observations during routine work such as home visits or anti-social behaviour interviews.

4.3 West Kent staff delivering services to residents will have training, so they are able to recognise potential signs of vulnerability such as:

- antisocial behaviour as a result of mental health issues
- being a victim of antisocial behaviour, cuckooing, harassment or domestic violence
- a repeated failure to respond to correspondence or to answer the door when visited
- hoarding, self-neglect or other behaviour which results in the person's home/ and or garden becoming damaged, neglected or otherwise unfit for occupation
- erratic rent payments and falling into arrears when the tenant previously had a good payment history.

4.4 We will always at every point of engagement or intervention, check our records to ensure we understand where a resident has a recorded vulnerability and tailor our response, reflecting that

vulnerability. If we believe a resident to be vulnerable even where there is no record, we will also tailor our response.

5.0 Recording vulnerability

5.1 We will record any known vulnerability on the customer's record, along with any communication needs and anyone with delegated authority to speak to us on the residents' behalf, such as a care or support worker. This will ensure our staff will have advance knowledge of any additional factors to consider when delivering services.

5.2 Safeguarding concerns will be raised with the relevant local authority in line with our safeguarding policies, which set out how we identify and support vulnerable adults and children at risk, and ensure statutory agencies are involved immediately we have a concern.

6.0 Service Offer

The below sections describe the way we will apply the Vulnerability policy across West Kent housing, and within some of our key services.

6.1 We do not define whole groups of people as vulnerable by default, for example, young people, elderly people or single parents. Instead, we consider vulnerability on a case-by-case basis. Where a resident is considered vulnerable we will consider their needs, abilities and circumstances in the delivery of our services, and ensure they receive the required services, advice and assistance to sustain their tenancy and live well. We will ensure we communicate clearly and tailor our communication style based on the needs of the individual.

6.2 We already routinely provide a significant level of support for vulnerable tenants, as well offering dedicated support services and having a robust safeguarding referral process. Where a vulnerable tenant has been identified, they can be assessed by front line teams for further advice and support and where appropriate, referred to one of our tenancy sustainment team.

6.3 Each service area will consider what additional support, consideration or variation in usual service provision is appropriate for vulnerable residents. This may vary from service to service.

6.4 Communication needs

6.4.1 Residents are asked if they have any communication needs when they attend their tenancy sign up, and at other opportunities during their tenancy. In exceptional circumstances where residents would not be able to manage their communication needs effectively, we will consider making documents available in other languages, formats such as large print, or engage a British Sign Language interpreter. Please see our communications formats guide for what we can offer.

6.4.2 Residents can also ask that correspondence is sent to someone who has 'delegated authority' to act on their behalf. This must be submitted in writing.

6.4.3 We will record any known issues with communications in the resident's customer record.

6.5 Lettings

6.5.1 When allocating our homes, we will review any information we receive on vulnerability to help us ensure any offer of housing is right for the individual and their family, as a commitment to longer-term tenancy sustainment.

6.5.2 Any prospective tenant, in deciding to enter a tenancy agreement must be able to understand:

- Their obligation to pay rent as a tenant, and to occupy and maintain the interior of the home.
- The landlord's obligations, for example. to complete repairs at the property in line with our policies.
- That failure to keep to the terms of the tenancy agreement may mean they could be evicted.

6.5.3 Before letting one of our homes, new tenants will be given the opportunity at the tenancy sign up to tell us about the needs of any vulnerable household member and any existing care and support services received. Where appropriate a referral can be made to an external support agency or further advice and support from our own support and tenancy sustainment services.

6.6 Settling in

6.6.1 As part of our ongoing commitment to providing support to all residents, new and existing, we operate a settling in service after letting our homes.

6.6.2 As part of the settling in offer, our allocations team will ensure residents are encouraged to access appropriate support and help.

6.6.3 This is recorded on the customer's housing management records.

6.7 Rent arrears

6.7.1 All tenants must pay their rent on time. We advise and support those who are struggling to make their rent or other household bills. We recognise that many vulnerable tenants may well have other money problems and difficulties with budgeting. We will refer tenants and/or their carers who approach us for help or who fall into arrears to our welfare benefits advisors and other money advice services, to ensure the tenant is maximising their income, are supported in managing their budget, and has a realistic plan to repay their rent and arrears.

We can apply for alternative Payment arrangements known as an APA. The [APA fact sheet](#) – this shows the different vulnerability classifications for Universal Credit customers, which can impact how we might approach rent arrears.

[Pre action protocol](#) – this applies to legal action we might take against the customer and defines our legal responsibilities for dealing with rent arrears recovery.

[Equalities Impact Assessment](#) – this form is completed before any recovery action is taken, to identify and assess their vulnerability.

6.8 Repairs

6.8.1 We recognise that vulnerable residents may find it more difficult to cope if something goes wrong in their home and they need a repair. When a resident contacts us to request a repair, the customer services advisor will ask if there are any disabilities or support needs which should be taken into account.

6.8.2 We will prioritise residents who are:

- over 80 years old
- under one year old
- have a disability which is impacted by the repair.

6.9 Anti-Social Behaviour (ASB)

6.9.1 We will investigate every report of ASB. We work closely with police to support residents who experience this, as well as those who are victimised or taken advantage of because of a disability or other vulnerability.

6.9.2 We recognise that some residents may act in an anti-social way due to their vulnerability. We will seek to engage them and relevant support services and carers to improve the situation before taking any tenancy enforcement action. However, we do have to balance the safety and wellbeing of neighbouring residents, with the wellbeing of the vulnerable ASB perpetrator in considering the most appropriate response.

7.0 Protected Characteristics:

7.1 There are nine protected characteristics in the Equality Act 2010: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, pregnancy and maternity, sex and sexual orientation.

We will take into consideration any protected characteristics in deciding any enforcement action under the terms of a tenancy or lease to avoid any inadvertent discrimination.

7.2 Under the Equality Act 2010, we may be considered as exercising a public function in the provision of our services and so *in the exercise of its functions, have due regard to the need to: (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.*

7.3 When we are delivering our services, we will consider whether our decision would have an unfair or disproportionate impact on the resident, compared with another resident who does not have a protected characteristic.

8.0 Reasonable adjustments:

8.1 Under the Equality Act 2010, reasonable adjustments are changes or adaptations we make to services to remove barriers and make sure that if the resident has a disability, they can access our services as easily as anyone else.

8.2 There are a wide range of reasonable adjustments that a resident can ask for and we will consider every request. Some examples include:

- providing furniture or equipment that helps the resident to more easily use their home
- a change to fixtures or fittings, like taps or door handles
- a change in how we communicate with the resident, for example by providing information in different formats.

8.3 The Equality Act does not define what is 'reasonable' but we would always consider these factors:

- the nature of the resident's disability and whether it is easy for the resident to access our services
- how effective the adjustment(s) will be in helping the resident
- how easy it is for us to make the relevant adjustment(s)
- whether the adjustment would have a disproportionate impact on us or others involved

- the availability of our resources including external assistance and finance to make the adjustment(s).

We will always consult with the resident to understand their needs and preferences and involve them in the decision-making process around the adjustment.

In most cases, we will be able to agree and make minor reasonable adjustments quickly. However, we will sometimes need to carefully consider the case if there is significant impact on the organisation or our services, which may take a bit longer.

9.0 Residents Lacking Capacity:

9.1 In line with the Mental Capacity Act 2005, we will liaise with those who have legal authority to act on behalf of our residents who lack capacity. That may be a representative who has or is, a/an:

- Lasting Power of Attorney (LPA)
- Deputyship Order from the Court of Protection
- litigation friend appointed in Court proceedings if the resident lacks capacity to litigate
- appointee appointed by the DWP to manage a person's benefits if they lack capacity
- Independent Mental Capacity Advocate (IMCA) commissioned by the local authority who are appointed where a person aged 16 or over lacks ability to act to decide for themselves where to live and has no-one, such as a friend, relative, attorney or deputy to advise or support them.

9.2 There may be no definitive line between people who have capacity, and those who are deemed to be lacking in capacity. There will be occasions when a customer loses capacity during their tenancy with us.

10.0 Appendices

Appendix 1 - Appointees, Deputies POA: (describes the different ways in which people can act on others behalf).(describes the different ways in which people can act on others behalf).

Appendix 2 - UC vulnerability: (this shows the different vulnerability classifications for Universal Credit customers, which can impact how we might approach rent arrears).

11.0 Regulation

11.1 We recognise that we have a duty under the Equality Act 2010 to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (see Section 8 on Protected Characteristics).

11.2 The Social Housing Regulator's Tenant Involvement and Empowerment Standard requires registered providers to demonstrate an understanding of the different needs of tenants, including in relation to the equality strands covered in the Equality Act 2010, and for tenants with additional support needs.

11.3 The Housing Ombudsman Complaints Handling Code 2024 states that landlords should comply with the Equality Act 2010 and may need to adapt normal policies, procedures, or processes to accommodate an individual's needs. We will also anticipate the needs of the resident and consider reasonable adjustments that may be required.

12.0 Reporting

12.1 Compliance with this policy will be monitored by periodic reviews of case records by the relevant team manager.

12.2 Any resident who receives support from our tenancy sustainment team or in temporary accommodation will have their cases reviewed regularly. [Enter details here]

13.0 Consultation

We consulted with residents in formulating this policy. We will carry out a residents' consultation exercise for any significant review and/or amendment to the vulnerability policy, where appropriate, seeking comments and views from interested parties and affected parties. All appropriate and relevant comments and views formally expressed and submitted to us as part of the consultation exercise will be considered by the appropriate teams.

14.0 Related policies and supporting documents

The following policies relate to resident vulnerability: Safeguarding Adults & Children, Domestic Abuse, Aids and Adaptations, Housing Options, Community Safety

