

Tenancy Sustainment Policy



Sandwell
Metropolitan Borough Council

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Purpose	<i>The Tenancy Sustainment Policy outlines Sandwell Council's strategy for helping residents manage and maintain their tenancies successfully. It establishes frameworks to identify vulnerable households, offer support to those facing challenges, and connect them with advocacy services that provide guidance and assistance. The policy also aims to prevent homelessness and reduce the risk of tenancy breakdowns, such as abandonment, eviction, or early termination.</i>		

Contents

1. Purpose	3
2. Scope	3
3. What is Tenancy Sustainment to Sandwell Council?	3
4. Policy Statement	5
4.1 Tenancy Allocation	5
4.2 Supporting Tenants to Sustain Tenancies.....	7
5. Related Documents	9
6. Development of Policy	9
7. Legal Framework	10
8. Equality and Diversity	10
9. Monitoring and Review	12
10. Policy Document Version Control	12

1. Purpose

- 1.1** The purpose of this policy is to outline the council's approach to tenancy management in alignment with the Black Country Tenancy Strategy 2021, developed collaboratively by Sandwell, Walsall, Dudley, and Wolverhampton City Council.
- 1.2** The purpose of this policy is also to set out Sandwell Council's approach to changes brought about in the Localism Act 2011, and the changes to the regulatory standards that all social landlords are expected to meet.
- 1.3** The Tenancy Sustainment Policy details the council's approach for helping residents effectively manage and maintain their council tenancies. It establishes frameworks to identify vulnerable households, provide support for those facing difficulties, and connect them with a variety of advocacy services offering advice and assistance. The policy also seeks to prevent homelessness and reduce the likelihood of tenancy breakdowns, such as abandonment, eviction, or early termination.

2. Scope

- 2.1** This policy applies to all current and prospective customers who hold a tenancy with Sandwell Council.

3. What is Tenancy Sustainment to Sandwell Council?

- 3.1** Sandwell Council considers tenancy sustainment to be prevention of a tenancy from ending prematurely by providing tenants with the salient support and information to be able to maintain their tenancies.
- 3.2** Tenancy Sustainment is a generic term for the prevention of tenancy breakdown or a 'failed tenancy'. Failed tenancies are a waste of resources because each additional property becoming empty incurs significant costs. It can also have negative effects for the tenant who may become homeless or find it difficult to secure

another tenancy because of issues relating to their former, failed tenancy.

3.3 This policy will use the follow definitions:

- **Antisocial Behaviour (ASB):** ASB is defined as conduct that causes, or is likely to cause, harassment, alarm, or distress, or nuisance related to the occupation of residential premises.
- **Council Tenant:** A tenant of Sandwell Council.
- **Demoted Tenancy:** A trial tenancy for 12 months, applied when a secure tenant behaves antisocially, reducing their tenancy status from secure to demoted.
- **Fixed Term (Flexible) Tenancies:** A secure tenancy with a fixed term of at least two years.
- **Introductory Tenancies:** A 12-month trial tenancy for new council tenants, after which, if successful, they are granted a secure tenancy.
- **Joint Tenancies:** Tenancy agreements signed by two or more people, both of whom are equally responsible for the tenancy.
- **Mutual Exchanges:** A process where two tenants swap homes within the public housing sector.
- **Notice to Quit:** A legal notice served to end the tenancy of a tenant no longer occupying the property as their primary home, or to end a non-secure tenancy.
- **Partnership Working:** Collaboration between internal departments and external organisations to support tenant sustainment and reduce turnover, ensuring the best outcomes for tenants.
- **Possession Order:** A court order requiring tenants to vacate the property.
- **Secure Tenancy:** A tenancy granting tenants the right to remain in the property indefinitely, barring any legal reasons for repossession, typically granted after a successful introductory tenancy.

4. Policy Statement

4.1 Tenancy Allocation

4.1.1 Pre-tenancy

When a bid for a council property is successful, the household will be invited to an offer interview. During this interview, details such as current address and household composition will be verified. Proof of Child Benefit may be required to confirm the residency of dependent children. Photographic identification for each tenant is required at this stage. An assessment will also be carried out to ensure the tenant can afford the property and identify any necessary support to sustain the tenancy.

4.1.2 Tenancy Types

The council aims to offer the most secure tenancy suitable for the accommodation and household needs.

- **Introductory Tenancies:** All new tenants are given a 12-month introductory tenancy, except for those transferring from another council property or housing association, who retain their secure tenancy status. During this period, tenants have fewer rights, such as no right to buy, sublet, or exchange the property. If the tenancy is unsuccessful, the council may serve a notice to terminate or extend the tenancy.
- **Secure Tenancies:** After successfully completing the introductory period, tenants are granted a secure tenancy. Tenants can remain indefinitely unless there are legal grounds for repossession (e.g., rent arrears, antisocial behaviour, or fraud).
- **Demoted Tenancies:** If a secure tenant engages in antisocial behaviour, their tenancy may be demoted to a 12-month trial period with fewer rights. If no action is taken after 12 months, the tenancy is automatically promoted to a secure tenancy.
- **Non-secure Tenancies:** In exceptional cases (e.g., short-term accommodation for homelessness), a non-secure tenancy may be granted, offering even fewer rights.
- **Joint Tenancies:** A joint tenancy is granted when two or more people sign the tenancy agreement. Both are equally responsible for the tenancy. Joint tenancies can be offered when both tenants

meet legal requirements (e.g., cohabitation for 12 months, or children in the household).

- **Flexible Tenancies:** The council does not offer flexible tenancies under the Localism Act 2011. However, in exceptional cases and/or as part of a Local Lettings Plan, fixed-term tenancies of no less than five years may be offered.

4.1.3 Length of Tenancy

Tenancies are usually indefinite, except when a flexible tenancy is granted. Tenancies are weekly agreements, starting from the date of the original sign-up. They can be ended by the tenant (notice to quit), the council (court order), or mutual agreement. The tenancy may be terminated if conditions are breached or upon the tenant's death.

4.1.4 Mutual Exchanges

Secure tenants have the right to swap homes with another secure tenant, including those in housing association properties. Written permission from the council is required before any exchange. If the exchange happens without permission, the council may take legal action to evict the tenant.

4.1.5 Succession Rights

Succession rights allow a tenant's partner or family member to inherit their tenancy in certain circumstances, such as the tenant's death. However, only one statutory succession is permitted, and in some cases, a non-statutory succession may be granted.

4.1.6 Affordable Rents

Affordable Rents are set at up to 80% of the local private rental market rate. The council will assess whether an Affordable Rent is a sustainable option for tenants and will offer support where affordability is a concern.

4.1.7 Tenancy Fraud

Sandwell Council will take action against tenants committing tenancy fraud, including subletting without permission. The Council will work with external agencies to tackle fraud and may publicise cases to deter fraudulent activity. The council's aim is to ensure that housing stock is only occupied by those with a legal right to reside.

4.2 Supporting Tenants to Sustain Tenancies

4.2.1 Partnership working:

Sandwell Council recognises the importance of working in partnership to help tenants sustain their tenancies. The council collaborates with external agencies such as West Midlands Police, the Department for Work and Pensions (DWP), social care workers, GPs, mental health professionals, and charities to provide comprehensive support to vulnerable tenants. Additionally, the council works with organisations to offer specific housing advice, including:

- Age UK Sandwell Information and Advice Drop-In Centre
- Boscobel Tenant Management Organisation (TMO)
- Cotterills Farm Tenant Management Organisation (TMO)
- Citizens Advice Sandwell

4.2.2 Tenancy Management

The Tenancy Management teams support council tenants by managing tenancy-related issues, including tenancy changes, mutual exchanges, breaches of agreement, and safeguarding concerns.

4.2.3 Home Checks

The Tenancy Management teams conduct proactive Home Checks, which are comprehensive tenancy and property inspections. These checks are carried out either reactively during other visits or proactively, with the aim of completing a Home Check for all tenancies every three years. Home Checks are a key tool in helping tenants sustain their tenancies.

4.2.4 Floating Support

Sandwell's Floating Support Service assists adults in Sandwell who may be at risk of homelessness, hospitalisation, or harm. The service helps individuals develop the skills to maintain a home, stay healthy, and remain independent.

Support areas include:

- **Health:** Alcohol/drug issues, learning disabilities, physical and mental health
- **Finance:** Budgeting, benefits, and debt management

- **Safety:** Independent living, safeguarding from harm, and abuse prevention
- **Housing:** Landlord issues, homelessness, and relocation needs

Support is tailored to individual needs, confidential, and free of charge, offered for a short period.

4.2.5 Welfare Rights

The Welfare Rights Team helps improve income and quality of life for Sandwell residents by offering free, independent advice and support on all welfare benefits. Services include:

- General guidance and form completion
- Representation at appeal tribunals
- Advice on benefit overpayments and reductions
- Home visits where appropriate

4.2.6 Collecting with Care

The Income Management Team provides a customer-focused service designed to support tenants in managing their debt and keeping their tenancies. The 'Collecting with Care Pledge' takes a compassionate approach to debt collection, reducing stigma and increasing tenant engagement.



4.2.7 Anti-Social Behaviour:

Whenever anti-social behaviour is reported, a risk assessment of the complainant will be carried out. Sandwell Council will aim to identify the support needs of both complainants and perpetrators as early as possible, providing appropriate support to both parties to help resolve the issue.

4.2.8 Safeguarding:

Sandwell Council is committed to protecting children and vulnerable adults from harm and abuse. Housing Services work closely with Sandwell Children's Trust and Adult Social Care to ensure staff are trained to identify safeguarding issues and report them appropriately. All front-line staff working with vulnerable adults and children receive ongoing safeguarding training, equipping them with the skills to recognise potential risks and refer cases to the right agencies. This training is regularly updated, either in-person or online.

5. Related Documents

5.1 The following documents should be considered in conjunction with this policy:

- [Anti-Social Behaviour \(ASB\) Policy](#)
- [Black Country Tenancy Strategy 2021](#)
- [Decant Policy](#)
- [Homelessness and Rough Sleeper Strategy 2022 – 2025](#)
- [Housing Allocations Policy](#)
- [Housing Strategy 2023 – 2028](#)
- [Tenancy Conditions and Agreement](#)

6. Development of Policy

6.1 Sandwell Council believes that effective communication is key to tenant sustainability. As such, we will consult with residents on a draft version of this policy, providing opportunities for feedback both online and in person.

6.2 By encouraging residents to share their feedback, Sandwell Council aims to enhance its understanding of tenancy sustainment and improve engagement with vulnerable residents.

6.3 We are committed to clear and transparent communication, ensuring that information is readily accessible to residents through our website.

7. Legal Framework

7.1 This policy is subject to, but not restricted to, the following specific regulations, codes of practice and guidelines:

- Housing Act 2004
- Localism Act 2011
- Homelessness Act 2002
- Welfare Reform Act 2012
- Equalities Act 2010
- Mental Health Act 1983, 2007
- Anti-Social Behaviour Act 2003, 2006, 2008, 2015
- Rehabilitation of Offenders Act 1974

8. Equality and Diversity

8.1 Sandwell Council will ensure equal and fair access to our services; we will do this by taking into consideration the individual needs of our tenants, their family or other persons living with them. We will ensure that individual needs are considered throughout the Neighbourhood Management process and make reasonable adjustments where necessary.

8.2 The Council will treat people fairly and with dignity and respect.

8.3 All staff are trained in Equality, Diversity, and Inclusion to embed understanding about where we may need to adapt normal policies, procedures, and ways of working to accommodate resident's individual needs. This is mandatory training which is monitored by our Learning and Development Team. Our Equality, Diversity and Inclusion Framework also meets our duties under the Equality Act 2010.

8.4 The draft Equality Impact Assessment completed for the Good Neighbourhood Management Policy has identified no negative

impacts, with positive impacts identified for some protected characteristics as this Policy will promote understanding and good relations within neighbourhoods.

8.5 Reasonable Adjustments

Sandwell Council will support the needs of our diverse residents by making reasonable adjustments to our Tenancy Management processes, which could be a physical change or change in work practices to avoid any disadvantage to a resident in accessing this policy. Examples of reasonable adjustments include:

- We will provide information in appropriate alternative formats (e.g. large print).
- We will risk assess and re-prioritise duties through considering the vulnerabilities or individual needs of the household where identified.
- We will use plain language.
- This policy is published on our website, and residents can do the following:
 - Change colours, contrast levels and font size.
 - Zoom in up to 300% without text spilling off the screen.
 - Access the policy from a smart phone, tablet, laptop, or PC.

Customers can also request that we make any other reasonable adjustments in the following ways:

- in person
- in writing for example by email, by post, text
- by telephone
- by a family member when we have been given permission to do so; and or
- a member of staff may suggest for one to be made, when they are aware it will support the customer needs.

For more information, please refer to Sandwell's [Reasonable Adjustments Policy](#).

9 Monitoring and Review

9.1 All information used in the writing of this Policy is up to date and in accordance with current legislation.

9.2 This Policy will be reviewed periodically or sooner if there are significant changes in legislation, management, a major incident or if it is no longer suitable.

10 Policy Document Version Control

Version	Date	Description	Updated By	Approved By
0.1	November 2024	First draft of document produced	Rebecca Fisher	
0.2	March 2025	Second draft	Louis Bebb	
0.3				