

# Vulnerability Policy

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<b>1.0</b>	<b>SCOPE</b>
	<b>Purpose</b>
1.1	This Policy sets out whg’s commitment to assisting its vulnerable customers, ensuring that they can access its services and, where applicable, that they receive the assistance they need to sustain their tenancy. This Policy is tenure neutral and applies to all whg customers, whether this is an applicant for whg housing, a current whg tenant or shared owner or someone affected by whg’s services, such as a leaseholder.
1.2	whg provides a significant amount of additional support and responds flexibly to customers who are facing exceptional circumstances that can make them more vulnerable and unable to cope and manage their tenancy. However, whg knows there is more it can do, particularly in ensuring it is consistent in its approach by providing its colleagues with the information, understanding and tools to respond appropriately to its vulnerable customers’ needs. This Policy sets out the steps whg will take to achieve this.
1.3	This Policy focuses on customers who are vulnerable but have capacity to make their own decisions. Where a customer has been assessed as lacking, or believed to lack, capacity to make decisions whg will work with their appointed representative as set out in Section 4.
	<b>Legal and regulatory framework</b>
1.4	whg has 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”. Please see Section 4 on Protected Characteristics.
1.5	However, as a social landlord whg recognises that many customers can be vulnerable for reasons other than the characteristics protected under equalities legislation, and therefore this Policy sets out how whg defines vulnerability and how it aims to respond to those customers’ needs.
	<b>Consumer Standards</b>
1.6	The Regulator of Social Housing’s Transparency, Influence and Accountability Standard requires registered providers to “treat tenants and prospective tenants with fairness and respect” and “understand the diverse needs of tenants,

	including those arising from protected characteristics, language barriers and additional support needs”, with a specific expectation that providers will “demonstrate how they respond to tenants’ needs in the way they provide services and communicate with tenants”.
1.7	The Housing Ombudsman Complaints Handling Code 2024 states that landlords “...must consider its duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process”.
<b>2.0</b>	<b>POLICY STATEMENT</b>
2.1	whg defines ‘vulnerable’ in relation to the provision of its services as:  <i>customers who have a <b>particular characteristic</b> and/or experience an <b>exceptional life event</b> and are currently <b>unable to act independently and/or are unable to cope with managing their tenancy without additional support</b>.</i>
2.2	This definition reflects whg’s understanding that ‘vulnerability’ can be a changeable state influenced by multiple factors and experiences such as age, disability, bereavement, mental health, domestic violence, or financial difficulty. The more common characteristics, events and factors whg take into consideration when considering a customer’s state of vulnerability are included at Appendix 1.
2.3	Some of these factors are a constant and some can be a life event, such as bereavement or domestic violence, that does not necessarily remain a permanent state. It is the interaction of these factors that will determine how vulnerable a person is at any point in time and how much <i>additional</i> assistance they may require to sustain their tenancy.
2.4	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.
	<b>Identifying Vulnerability</b>
2.5	A customers’ vulnerability may be identified by: <ul style="list-style-type: none"> <li>• Customers telling whg they are vulnerable when they apply for a home or at any time by making a self-referral.</li> <li>• Any colleague who has contact with a customer in-person, on the phone or through any other channel of communication.</li> <li>• Contractors working on behalf of whg.</li> <li>• Via a referral from an external agency or organisation.</li> <li>• From a family member or carer.</li> </ul>

2.6	whg expects all of its colleagues to be aware of the possibility that a customer may be vulnerable e.g. from information it receives or from its own observations during routine work such as tenancy sign-ups, repair visits or other home visits.
2.7	<p>whg colleagues delivering services to customers will have training so they are able to recognise potential signs of vulnerability such as:</p> <ul style="list-style-type: none"> <li>• Antisocial behaviour as a result of mental health issues.</li> <li>• Being a victim of antisocial behaviour, harassment or domestic violence.</li> <li>• A repeated failure to respond to correspondence or to answer the door when visited.</li> <li>• Hoarding, self-neglect or other behaviour which results in the person's home and or garden becoming damaged, neglected or otherwise unfit for occupation.</li> <li>• Erratic rent payments and falling into arrears when the tenant previously had a good payment history.</li> <li>• Not allowing access for essential and routine maintenance, e.g. gas and electric safety checks.</li> </ul>
	<b>Referrals</b>
2.8	whg have a wide range of colleagues and contractors working in customer's homes and out in its communities. There will be occasions during these visits that colleagues and contractors may become concerned about a customer or suspect that they may be vulnerable in some way. When this happens, whg colleagues and contractors are to refer their concerns to whg's Community Housing Team. For whg's Trades colleagues this can be done by simply pressing the safeguarding button on their devices.
2.9	whg's Safeguarding Lead reviews all referrals received via the safeguarding button. Any referrals which are not safeguarding, but which concern a vulnerability, will be forwarded to whg's Community Housing Team.
2.10	<p>whg's Community Housing Team, who are responsible for the provision of whg's housing management service, will review all vulnerability referrals and will determine the most appropriate course of action to take. Each situation will be unique to the individual concerned and whg's response will therefore be tailored accordingly. By way of example, this may include (but is not limited to);</p> <ul style="list-style-type: none"> <li>• A review of existing whg records to determine what is already known about the customer and/or their household.</li> <li>• Making contact with the customer to discuss the situation with them.</li> <li>• Conducting a home visit to see and speak to the customer in person and/or any household members.</li> <li>• Identifying possible reasonable adjustments that may be required.</li> <li>• Making contact with partner agencies as necessary and appropriate (e.g. Police / Adult or Children's Social Services / Mental Health Services etc).</li> <li>• Placing a Warning Marker against the customer's Active H account.</li> </ul>

	<ul style="list-style-type: none"> <li>Updating whg's records.</li> </ul>
2.11	Safeguarding concerns will be raised with the relevant local authority in line with whg's Safeguarding Policy, which sets out how whg identifies and supports vulnerable adults and children at risk and ensures statutory agencies are involved immediately whg has a concern.
2.12	Where whg has a concern that its customer is not receiving the support that they require from a partner agency and this is impacting on their ability to manage their tenancy and/or access whg's services, whg's Community Housing Team will escalate its concerns to the relevant organisation. Where necessary, this may include engaging at a more senior level within the organisation.
2.13	All whg's colleagues are responsible for complying with its data protection policy and implement appropriate practices, measures, controls and training to ensure compliance.
	<b>Recording Vulnerability</b>
2.14	whg's Community Housing and/or Strong Communities Teams will record on the customer's CRM account any known vulnerability, any particular communication or access needs and whether there is anyone with delegated authority to speak to whg on the customer's behalf, such as a carer or support worker. This will ensure whg's colleagues will have advance knowledge of any additional factors to consider when delivering services.
	<b>Provision of Services</b>
2.15	While whg does not define whole groups of people as vulnerable by default e.g. 'the young', 'the old' or 'single parents'. whg will embed in its way of working consideration of vulnerable customers' needs, abilities and circumstances in the delivery of its services and ensure they receive the required service, advice or assistance to sustain their tenancy and live well.
2.16	As part of whg's routine service delivery it already provides a significant level of support for vulnerable customers through their dedicated support services, as well as through its Community Housing Team and its robust safeguarding referral process. Where a vulnerable customer has been identified they can be assessed for further advice and support and where appropriate referred to whg's Money Advice Service, Employment and Skills Team, Aids and Adaptations, Young Persons Support Service, Wellbeing or Social Prescribing Service.
2.17	Each service area will consider what additional support, consideration or variation in usual service provision is appropriate for vulnerable customers. This may vary from service to service but some examples are: allowing longer for customers to

	answer their door when whg calls for an appointment; arranging a joint visit of repairs colleagues with carers/advocates or Community Housing Officers for hoarders or those known not to let people in due to mental health issues; visits in-person where whg would normally provide a phone service; explain a letter over the phone in addition to sending it; provide or refer for additional support for an ASB perpetrator with mental health issues instead of enforcement action; applying for an injunction instead of possession action when the resident's vulnerability would make it extremely difficult for them to secure suitable alternative accommodation should whg take possession.
	<b>Communications</b>
2.18	whg will ask customers about any communication needs when they attend the tenancy sign-up and at other opportunities during their tenancy and will record this. whg will, where necessary, offer alternative arrangements such as Language Line or making documents available in other languages and formats (e.g. large print and audio or Braille).
2.19	Customers can also ask that correspondence is sent to someone who has 'delegated authority' to act on their behalf.
	<b>Allocations</b>
2.20	When allocating homes, whg will review any information it receives in respect of vulnerability to help colleagues ensure any offer of housing is right for the individual and their family, as a commitment to longer-term tenancy sustainment. For transfers or special rehousing requests where vulnerability is a determining factor, whg may require confirmation from a medical professional or other appropriate support agency of the customer's circumstances before a decision is made in line with whg's Allocations Policy.
2.21	Any prospective customer, in deciding to enter a tenancy agreement, must be able to understand: <ul style="list-style-type: none"> <li>• Their obligations as a tenant including to pay rent and to occupy and maintain the interior of the flat.</li> <li>• The landlord's obligations, e.g. to maintain the property.</li> <li>• That failure to keep to the terms of the tenancy agreement may mean they could be evicted.</li> </ul>
2.22	When whg lets a home, new customers will be given the opportunity at the tenancy sign-up to tell colleagues 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 provided from whg's own services.
	<b>Rent Arrears</b>

2.22	All customers must pay their rent on time and whg will advise and support those who are struggling to make these payments. whg recognises that many vulnerable customers may have other money problems and difficulties with budgeting; whg will refer customers and/or their carers/advocates, who approach whg for help or who fall into arrears, to its Money Advice Team to ensure the customer is maximising their income, supported in managing their budget and has a realistic plan to pay their rent and arrears.
2.23	For customers who are of working age and unemployed, or are in low paid part-time employment, whg will offer them support from its in-house Employment and Training Team as a pathway to improved employment and increased income.
	<b>Repairs and Servicing</b>
2.24	whg recognises that vulnerable customers may find it more difficult to cope if something goes wrong in their home and they need a repair. When a customer contacts whg to request a repair, its Customer Services Team will confirm if there are any disabilities or support needs which should be taken into account. This should be recorded on the customer's CRM record so that the service can be delivered appropriately and aligned to the needs of the household.
	<b>Anti-Social Behaviour</b>
2.25	whg will always prioritise the investigation into reports of domestic abuse, hate crimes and harassment. These are criminal behaviours so whg will also work closely with the Police to support customers who experience these as well as those who are victimised or taken advantage of because of a disability or other vulnerability.
2.26	whg recognises that some customers may act in an anti-social way due to behaviours related to their vulnerability and whg will try to engage them and relevant support services to improve the situation before taking any tenancy enforcement action. However, whg have to balance the safety and wellbeing of neighbouring customers and customers with the wellbeing of the vulnerable ASB perpetrator in considering the most appropriate response.
<b>3.0</b>	<b>COMPLIANCE AND MONITORING</b>
3.1	Compliance with this Policy will be monitored by periodic reviews of case records by relevant service leads, whg's Compliance Team and whg's customer scrutiny group. Complaints and customer feedback will also be used to assess whg's approach and response to customers' vulnerabilities and reasonable adjustments.
<b>4.0</b>	<b>EQUALITY AND DIVERSITY</b>
	<b>Protected Characteristics</b>

4.1	<p>Under the Equality Act 2010, whg may be considered as exercising a public function in the provision of its services and so has to “in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>(a) Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under this Act</li> <li>(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it”</li> </ul>
4.2	<p>The protected characteristics are: age, disability, gender re-assignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. While whg does not necessarily define all people with a protected characteristic as ‘vulnerable’ for the purposes of this Policy, whg will give due consideration to any protected characteristics in deciding any enforcement action under the terms of a tenancy or lease to avoid any inadvertent discrimination.</p>
4.3	<p>In managing tenancies and leases and delivering services, whg will consider whether its decision would have an unfair or disproportionate impact on the customer compared with another customer who does not have a protected characteristic. In particular where possession action is being considered, whg will ensure that pre-action consideration is given to:</p> <ul style="list-style-type: none"> <li>• Whether the customer’s behaviour, actions or lack of action is related to their disability</li> <li>• Whether the behaviour is putting the health and safety of others at risk e.g. neighbours</li> <li>• Alternatives to possession action and why they were not suitable</li> <li>• Whether possession action is justifiable and a proportionate means of achieving a legitimate aim</li> <li>• Whether the effect on the occupier is outweighed by the advantages of whg’s action</li> </ul>
<b>Mental Capacity</b>	
4.4	<p>In line with the Mental Capacity Act 2005, whg will liaise with those who have legal authority to act on behalf of its customers who lack capacity. That may be a representative who has or is, a/an;</p> <ul style="list-style-type: none"> <li>• Lasting Power of Attorney (LPA)</li> <li>• Deputyship Order from the Court of Protection</li> <li>• Litigation friend appointed in Court proceedings if the resident lacks capacity to litigate</li> <li>• Appointee appointed by the DWP to manage a person’s benefits if they lack capacity</li> <li>• 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</li> </ul>

<b>5.0</b>	<b>TRAINING AND DISSEMINATION</b>
5.1	All whg colleagues working with customers will receive training on this Policy so they are able to recognise potential signs of vulnerability. The training will equip colleagues with the skills needed to meet the requirements of this Policy and to make informed referrals.
5.2	Contractors and others delivering services on behalf of whg will also be offered access to online training to ensure that they can recognise and respond appropriately to customers who they believe are vulnerable.
<b>6.0</b>	<b>MONITOR AND REVIEW</b>
6.1	This Policy will be monitored by the Corporate Director of Operations and IT and reviewed every twelve months by the Policy Group and the Customer Service Oversight Committee. All future Policy updates are to be approved by the Customer Service Oversight Committee.
<b>7.0</b>	<b>ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES</b>
7.1	<p>Documents, policies, and procedures associated with this Policy are:</p> <ul style="list-style-type: none"> <li>• Safeguarding Policy</li> <li>• Code of Conduct</li> <li>• Whistleblowing Policy</li> <li>• Disciplinary Policy</li> <li>• Data Protection Policy</li> <li>• Domestic Abuse Policy</li> <li>• Hoarding Policy</li> <li>• Aids and Adaptations Policy</li> <li>• Allocations Policy</li> <li>• Complaints Policy</li> <li>• Anti-social Behaviour Policy</li> <li>• Repairs Policy</li> <li>• Equality Act 2010 including Section 149, the Public Sector Equality Duty</li> <li>• Human Rights Act 1998</li> <li>• Tenancy Consumer Standards 2024</li> <li>• The Housing Ombudsman Complaints Handling Code 2024</li> <li>• Data Protection Act 2018</li> <li>• Mental Capacity Act 2005</li> </ul>

## APPENDIX 1

### **FACTORS IN DEFINING VULNERABILITY**

The categories below do not list every possible factor as the whole spectrum of who could be regarded as vulnerable at any point in time is wide, but these are the more common factors to take into consideration when considering a customer's state of vulnerability.

**Factor 1 Underlying characteristic** (people in these groups may not always require additional support just because of this characteristic)

- Older people (particularly those 75 years or older)
- 16 – 21-year-olds
- Very young children and babies (particularly those 2 years old or under)
- Disabled people
- Care leavers
- Lone parents under 21 years old
- Refugees or asylum seekers
- Carers
- Families with disabled children
- Ex service personnel
- Those living with a terminal illness

**Factor 2 Ability to act, engage and cope** – (people may lack ability because of having one or more of these factors)

- Learning disability
- Mental illness
- Autism Spectrum Disorder
- Permanently impaired mobility or frailness
- Chronic, debilitating health conditions
- Addiction/serious substance or alcohol abuse
- Low level of literacy
- Low or no English language skills
- Age related conditions that impact on independent living

**Factor 3 Exceptional life event** (people may not have factors 1 and 2 but may have recently experienced an exceptional or traumatic event and so may be vulnerable at this point in time)

- Recent history of street homelessness
- Recently moved from supported accommodation to independent living
- Bereavement following the death of a partner, child, or other close relationship
- Having recently left care as a young person
- Sexual or racist abuse or serious harassment or other hate crime
- Recent experience of domestic violence
- Living in or recently left a refuge or homeless persons' hostel

- Recently discharged from hospital or other institutional care
- Periods of sustained physical or mental illness at home
- Multiple debts and unable to meet basic needs e.g. fuel or food poverty
- Pregnant women
- Recently given birth, still born or miscarried
- Recently released from prison after a custodial sentence
- Families with children excluded from school
- Ex-service personnel returning from area of conflict

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