



City of Westminster

VULNERABLE RESIDENTS AND REASONABLE ADJUSTMENTS POLICY

Introduction

The council is committed to ensuring that vulnerable residents experience fair and equitable outcomes when delivering housing and landlord services. Fair treatment of vulnerable residents will be embedded as part of a healthy culture across all services, not just on the frontline, but also in areas such as innovation, communication and service design.

This policy explains how the council will achieve good outcomes for our vulnerable residents of housing and landlord services, including people who are homeless, applying for housing and our tenants and leaseholders to make sure they can access our services. In this policy we refer to these groups collectively as residents. This policy also explains how we will make sure our tenants get the help and support they need to sustain their tenancies, give us their views and opinions, and take part in opportunities to get engaged, influence decision-making and complain about the quality of our services or the way we deliver landlord services. This policy sets out how we intend to ensure our vulnerable residents get the support they need and that this is delivered with empathy and respect.

Aims and Objectives

To achieve fair and equitable outcomes for vulnerable residents, the housing service seeks to:

- understand the support needs of vulnerable residents by responding flexibly and ensuring our services are accessible, consistent, and transparent. Through effective communication, we will ensure that our residents are informed about support services provided by other council departments and external agencies that may assist them to live well in the community
- provide staff with the right skills and capabilities by understanding how their role contributes to ensuring fair outcomes and treatment of vulnerable residents and ensuring they have the tools to recognise, record and respond appropriately to vulnerable residents' needs
- take vulnerable residents into account during service design to ensure services meet their needs
- ensure systems and processes support and enable vulnerable residents to disclose their needs and help staff spot signs of vulnerability, ensuring that systems can effectively note and retrieve information about a residents' needs. In addition, staff will be empowered to escalate where standard processes and procedures do not provide the right outcome for vulnerable residents
- ensure all communications and information about services are understandable for vulnerable residents and where possible offer multiple channels so vulnerable customers have a choice
- monitor and assess whether we are meeting and responding to the needs of vulnerable residents (including those with protected characteristics) and make improvements where this is not happening.

Defining Vulnerability

The Housing Ombudsman defines vulnerability as:

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

Our definition of vulnerability builds on that of the Housing Ombudsman to recognise the impact that vulnerability may have on a person’s ability to access our services and ability to live independently as follows:

“Residents who due to their personal circumstances or particular characteristics are susceptible to unfair treatment and poor outcomes. Vulnerability may be exacerbated further if services do not act with appropriate levels of care to better support a vulnerable resident.”

We understand that ‘vulnerability’ can be a changeable state influenced by multiple factors and experiences such as age, disability, bereavement, mental health, domestic abuse, poverty etc. The more common characteristics and drivers we take into consideration are included at Appendix A.

Some of these factors are a constant and some can be a life event that is not permanent such as a time limited health condition, substance use or domestic abuse. It is the interaction of these factors that will determine how vulnerable a person is at any point in time and how much additional assistance or adjustments they may require to sustain their tenancy or lease and manage day to day activities.

Not all residents with characteristics of vulnerability will be vulnerable, but they may be more likely to have additional or different needs which, if not recognised, could limit their ability to sustain their tenancy or lease, make decisions or represent their own interests. For example, many older or disabled people are very independent and active and may not want or need any additional assistance to sustain their tenancy and complete daily tasks independently. It is important that each tenant’s unique circumstances are acknowledged and understood, and that services and support are tailored accordingly.

Scope

This policy covers services provided to people who apply for housing (including those in temporary accommodation) and council's tenants and anyone else who engages with the service. We refer to these different groups together as 'residents'.

Our responsibilities to housing applicants, tenants and leaseholders are different due to the different contractual relationships that we have with each. When we refer to 'tenants', we mean those people who have a secure or flexible tenancy with the council and where we refer to 'leaseholders' we mean people who have bought their flat on a long lease and the council is the freeholder.

This policy covers services delivered by our contractors and commissioned services to provide a comprehensive Housing Service. The policies, processes and procedures of partner agencies are out of scope, and we expect them to have the appropriate arrangements in place to ensure that any signs of actual or suspected vulnerability are reported and brought to the attention of the Housing Service immediately.

We want to ensure that our tenants receive the support they need to sustain their tenancies and live independently. This policy includes how we will be responsive to their individual needs.

The policy covers residents who are vulnerable but have capacity to make their own decisions, including those who would prefer us to deal with a nominated family member or carer. 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 'Residents Without Capacity' section.

We have used the term vulnerability in this policy as an overarching term to capture people with support needs. We recognise that many residents will not want to be referred to as vulnerable and we will focus on what harm or disadvantage residents may experience due to particular characteristics and circumstances and how we can respond appropriately.

This policy should be read in conjunction with the following protocols:

- Children's and Housing
- Adults and Housing
- Supporting Vulnerable Residents
- Domestic Abuse

Where there are concerns that children and/or adults are at risk of experiencing harm, abuse, neglect or exploitation we will adhere to existing relevant legislation underpinning statutory duties. This includes but is not restricted to the Care Act 2014, the Children Act 1989 and Mental Health Act 1983. Where appropriate, we will refer residents to relevant council directorates or other bodies and fulfil our safeguarding duties.

How we will achieve the objectives

We want to ensure that all residents can access housing and landlord services and receive the support and assistance they need. To achieve this, we will ensure staff have the skills and capabilities to recognise the vulnerability, record, (and access this information) and respond appropriately to residents needs so that we can provide fair and equitable outcomes to them.

Recognise:

- We will routinely ask residents when they contact us if we should do anything differently when delivering a service because of a temporary need or long-term vulnerability for them or anyone who lives with them. This will enable us to explore individual needs that may not be obvious and tailor our services to meet them.
- Use all available information and opportunities to identify if a resident is vulnerable and recognise when it is appropriate to seek additional support, such as escalating the case to the next level, seeking additional help from specialist teams or referring the resident to third party support.

Record:

- Collect information about the vulnerability of our tenants and their families and hold it on our customer database so that it is accessible to those who need to see it to provide landlord services.
- Keep the data that we hold up to date by carrying out a regular census of our tenants.
- Record any reasonable adjustments residents may require as a result of their vulnerability.
- Ensure that our customer records are factual, accurate and written with empathy.
- Record any known representatives for tenants and leaseholders who act on the resident's behalf.

Respond:

- Provide every tenant and leaseholder with a housing officer, to ensure personal contact is possible.
- Take account of known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement.
- Consider any additional needs or reasonable adjustments due to a vulnerability and where appropriate vary our service delivery to ensure vulnerable residents still receive the same level of service as residents who are not vulnerable.
- Assist vulnerable residents in accessing additional services that they may need and make appropriate referrals to the council's advice, support and tenancy sustainment services to provide enhanced support where appropriate.
- Make referrals to statutory agencies and other external partner support agencies where appropriate and make safeguarding referrals whenever needed.

Legal Duties and Regulatory Requirements

The council 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” (see Section 8 on Protected Characteristics). However, as a social landlord we recognise that many more tenants can be vulnerable for reasons other than the characteristics protected under the equalities legislation. This policy sets out how we define vulnerability and how we aim to respond to those resident’s needs.

The Regulator of Social Housing has issued new consumer standards against which landlords will be inspected. The transparency, influence and accountability standard requires landlords to be open with tenants and treat them with fairness and respect. The Tenant Involvement and Empowerment Standard requires local authority landlords to “treat all tenants with fairness and respect” and “demonstrate that they understand the different needs of tenants, including in relation to the equality strands and tenants with additional support needs”. There is a specific expectation that landlords will “demonstrate how they respond to those needs in the way they provide services and communicate with tenants”.

The Housing Ombudsman Complaints Handling Code 2024 states Landlords “must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.” and also “Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk.”

Building Safety Act 2023 and Fire Safety Act 2023, plus secondary and tertiary legislative changes to the Regulatory Reform Order (Fire Safety) 2021, requires the council to identify and risk assess existing measures to protect the resident if fire occurs. The Fire Risk Assessment must consider the capacity of the resident to respond appropriately to fire alarm signals or signs of fire. Evacuation plans must consider the ability of the resident to make their way to safety and the council must determine the level of risk to the resident from fire and emergency services response times if a “stay put” policy is in force.

Identifying Vulnerability

A tenant or a leaseholder may have difficulties with managing or sustaining their home due to poor health, physical or mental disability, frailty or other relevant issues such as safeguarding needs and financial difficulties. People also become marginalised, socially isolated and/or experience social stigma due to factors such as living in social housing, unemployment, when they leave statutory care or become homeless, some of which may be short-term difficulties. A resident’s vulnerability may be initially identified by:

- self-declaration from residents when they apply for housing, contact us or self-refer
- a family member or a carer of the resident
- any member of the Housing team who has contact with residents in person, on the phone or through any other channel of communication

- our contractors or commissioned services
- a referral from statutory services, an external agency or organisation.

Senior management through to frontline and relevant back-office teams can influence outcomes for vulnerable residents. We will ensure that all relevant staff have the appropriate skills and capabilities, as well as support from appropriate systems and processes, to understand and consider the needs of vulnerable residents in their work.

All relevant staff will understand how their role can affect vulnerable residents. For example, colleagues working in service design or transformation programmes should take vulnerable residents' needs into account as part of the design process or transformation agenda.

We expect all teams to have an awareness of the possibility that a resident may be vulnerable and to be curious about this. For example, from information they receive from their own observations during routine work such as home visits or anti-social behaviour interviews.

We expect staff to proactively encourage disclosure where they see clear signs of vulnerability, by sensitively asking residents if they have any vulnerabilities during interactions with them rather than the onus being on the resident to tell us. We will routinely ask residents when they contact us if we should do anything differently when delivering a service because of a temporary need or long-term vulnerability for them or anyone who lives with them.

We also expect those we contract with who undertake activities within homes, including repairs, to be alert to and recognise vulnerability. This is to ensure that services are adjusted accordingly and to identify and report when a resident has additional needs including any potential or actual safeguarding issues.

Vulnerability is not always easy to ascertain, Housing staff delivering services to residents will have training, so they are able to recognise potential signs of vulnerability such as:

- anti-social behaviour due to mental health needs, substance use and/or exploitation
- children with Special Educational Needs and disabilities
- children who are experiencing abuse, harm, or exploitation, including within the community
- being a victim of antisocial behaviour, harassment, exploitation, or domestic abuse
- repeatedly not responding to correspondence or answering the door when an attempt at contact is made
- 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 especially when the tenant previously had a good payment history.

Recording Vulnerability

We will record on the customer record known vulnerabilities, communication or access needs, temporary or long-term reasonable adjustments and whether there is anyone with delegated authority to speak to us on the residents' behalf, such as a care or support worker. We will ensure our records are factual and accurate. This will ensure our staff will have advance knowledge of any additional factors to consider when delivering services. We recognise that needs can change and will keep records up to date.

We will share appropriate reasonable adjustments with third parties including contractors employed to deliver services to residents.

We will aim to keep our data up to date by asking residents if they need an adjustment when making a service request and through a regular census of our tenants' data.

We will seek information from our leaseholders regarding vulnerable residents of leasehold properties who may need assistance in the event of an emergency so that we are able to meet our duties as a responsible landlord. Whilst our leaseholders have a duty to provide us with this information, we will seek it from them annually.

Safeguarding concerns will be raised with the relevant local authority in line with our Safeguarding Policy, local joint working procedures and statutory legislation which sets out how we identify and support vulnerable adults and children at potential or actual harm. We will expect those we contract to undertake activities and services to report any safeguarding concerns to us in a timely manner. We will ensure that statutory agencies are informed in a timely manner when we have a concern.

Reasonable adjustments

We will make changes to how we provide services so that vulnerable residents are not disadvantaged.

We will decide what adjustments are needed on a case-by-case basis by discussing the requirements with vulnerable residents and their representatives and seeking to reach agreement on what may be reasonable in the circumstances. We will not make assumptions about whether a reasonable adjustment is needed or about what the adjustments should be.

The following are examples of possible adjustments:

- Allow more time than we would usually for someone to provide information that we needed (it may not always be possible for us to provide additional time to customers if there are legislative deadlines to meet).
- Provide specialist equipment e.g. replacing taps or door handles.
- Offer face to face contact and a named point of contact.
- Provide additional support such as a sign language interpreter.

- Allow more time for meetings and face to face interviews, with breaks as required.
- Change where meetings take place.
- Offer information in different formats e.g. large print, braille.
- Agree with vulnerable residents how they wish us to contact them e.g. phone calls only or prefer not to receive emails.
- Offer to make appropriate referrals to agencies who may provide specialist help and support.

Our response to requests for reasonable adjustments

In most cases, we will be able to agree and deliver the required reasonable adjustment with a minimum of delay. In some cases, we may need to consider in more detail how best to overcome the difficulty a vulnerable person is experiencing. We will consider lots of factors when deciding what reasonable adjustments to make including:

Effectiveness - how effective an adjustment might be to prevent the disadvantage. Where ever possible the adjustment should fully address the disadvantage it is meant to overcome.

Practicality - whether it's possible to make the adjustment in an easy way.

Resources – whether the resources required to carry out the adjustment are proportionate to the impact. For example, employing a specialist officer to provide support may be appropriate if there are a number of people who require the specialist support but it may be more appropriate to buy in a specialist when needed if the skills are rarely required.

We will ask people if they need an adjustment in the following ways:

- by asking about special requirements when residents call us to request a service
- by including a paragraph in written communications
- by including a note on our published documents indicating that we can provide the document in an alternative format on request

We will also publish this policy on our website when it is finalised as part of a communications plan to make sure residents are aware.

We will record reasonable adjustments on our customer database so that staff delivering the service are aware. We will also periodically review the adjustments to ensure that they remain effective and make changes as needed.

Provision of Services

In line with our housing vision and values, we will create and champion a culture that prioritises the fair treatment of vulnerable residents and embed in our ways of working consideration of their individual needs, abilities and circumstances in our service delivery.

We recognise that some groups of people may have a higher chance of being vulnerable but we will not define whole groups of people as automatically vulnerable by default. A person-centred approach will ensure residents and customers receive the required service, advice or assistance needed.

As part of our service delivery the council provides and commissions services for vulnerable residents. Where a vulnerable resident has been identified, they will be assessed for further advice and support and where appropriate referred to other commissioned services e.g. for welfare benefits advice, or to other relevant council services e.g. aids and adaptations, or to other local service providers.

Each service area will consider what additional support or reasonable adjustment is appropriate for vulnerable residents. Where reasonable adjustments are needed, these will be recorded within the resident's customer record. Additional support and reasonable adjustments will vary from service to service, but some examples are:

- allowing longer for customers to answer their door when we call for an appointment
- arranging a joint visit of servicing engineers with carers, support workers or housing officers with hoarders or those known not to let people in due to mental health needs
- visits in person where we would normally provide a phone service; explain a letter over the phone in addition to sending it
- providing or referring for additional support for an ASB (Anti-Social Behaviour) perpetrator with mental health needs: ensuring that safety risk assessments consider vulnerabilities and acknowledge that any increased risk is incorporated into plans to keep people safe.

Communications

Tenants will be asked about any communication needs when they attend the tenancy sign up and at other opportunities and interactions during their tenancy. We will make documents available in other languages and formats such as large print. We will use interpreters including British Sign Language interpreters.

Residents can also ask that correspondence is sent to someone who has 'delegated authority' to act on their behalf.

Handling complaints

Where we know that tenants and leaseholders who complain about landlord or other housing services, we will ensure that they:

- know that they can complain in a way that suit them best
- deal with them about the complaint in their preferred manner as much as possible whilst recognising the consistency of approach and record-keeping
- ensure that they are supported to get an equitable outcome from complaints
- ensure that they fully understand the how we have dealt with the complaint and arrived at decisions.

Lettings

When allocating our homes, we will review any information we already hold or receive regarding 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. We will require confirmation from a medical professional or other support agency of the tenant's circumstances before giving any additional priority due to vulnerability in line with our Allocations Policy.

Any prospective tenant 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 maintain the property
- that failure to keep to the terms of the tenancy agreement may mean they could be evicted.

When we let a home, new tenants will be encouraged at the tenancy sign up to tell us about the needs of any vulnerable household member and any existing care and support services received or that may be required. We will proactively but sensitively ask about this. We recognise that needs can change and so will continue to ask about this during other key interactions with residents and especially during the first year of a social housing tenancy. Where appropriate, a referral can be made to an external support service or we can provide additional advice and support from our own services.

Rent Arrears

All tenants must pay their rent on time and we advise and support those who are struggling to make these payments. We offer a range of support to all tenants who need it to sustain their tenancies. Will refer tenants and/or their carers who approach us for help or who fall into arrears to money advice services to ensure the tenant is maximising their income, supported in managing their budget, and has a realistic plan to repay their

rent and arrears. For vulnerable tenants we will make sure that those services are accessible and consider any reasonable adjustments required. We recognise that some vulnerable tenants may have other money problems and difficulties with budgeting and can offer support as part of our tenancy sustainment service.

Repairs including Damp and Mould

We understand that vulnerable residents may find it more difficult to manage if something goes wrong in their home and they need a repair. We also recognise that some vulnerabilities place residents at greater risk when a repair is needed, for example a child with disabilities living in a home with a broken window restrictor, or a tenant with asthma reporting mould and damp. When a resident contacts the council to report a repair, the Contact Centre call handler will proactively ask if there are any disabilities, health or support needs which should be taken into account and whether any special arrangements or reasonable adjustments should be put in place whilst waiting for the repair or when we carry out the repair. This will be recorded on the customer record and shared appropriately with contractors so that the service can be delivered appropriately and aligned to the needs of the household. We will take particular care to stay in regular communication with the resident and keep them updated until the repair is completed.

Antisocial Behaviour

We have a separate Statement of Policy and Procedures covering our approach to managing reports of anti-social behaviour. We risk assess all reports and prioritise them accordingly as high, medium and low risk. High risk cases will include hate crimes, harassment and threatening behaviour. We work closely with the police and partner services to support residents who are victims of anti-social behaviour including those who are victimised or harassed because of a disability or other vulnerability.

We recognise that some residents may behave in an anti-social way due to behaviours related to their vulnerability. In line with our policy, we will always seek to engage them with relevant support services to improve the situation before taking any tenancy enforcement action. However, we do have to balance the safety and well-being of neighbouring residents with the well-being of a vulnerable resident who is behaving in an anti-social way in considering the most appropriate response.

Residents without capacity

In line with the Mental Capacity Act 2005, we will always assume capacity, but in circumstances where this is in doubt we will ensure that we liaise with appropriate services to ensure that the needs of the resident are met, We will always 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:

- 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.

Compliance and Monitoring

Compliance with this policy will be monitored through regular reviews. This will include case audits by the relevant team manager and service audits to ensure all of our residents are able to access our services and receive equitable outcomes.

Any resident in temporary accommodation will have their cases reviewed regularly.

We will handle and process personal data about vulnerability in accordance with the current Data Protection Act, General Data Protection Regulations, and our Data Protection Policy.

Appendix A – Drivers of Vulnerability and Associated Characteristics

There are many situations and circumstances that may lead to a resident becoming vulnerable. All residents are at risk of becoming vulnerable and this risk is increased by characteristics of vulnerability related to four key drivers. The table below gives examples of the types of circumstances and characteristics under these four drivers which can lead to residents having additional or different needs. This is not an exhaustive or definitive list.


Key Driver Definitions:


- **Health:** Health condition or illness that affects ability to carry out day-to-day tasks.
- **Life Events:** Circumstances that may negatively affect a person’s life.
- **Resilience:** Low ability to withstand financial or emotional shock.
- **Capability:** Low knowledge or confidence in managing day-to-day affairs.

Health	Life Event	Resilience	Capability
Physical disability	Retirement/Older people (i.e. 75 years or older and those living alone)	Severe financial hardship	Children with Special Educational Needs
Mental ill-health e.g. Hoarding, Schizophrenia	Children in care, Care leaver or 16 to 21-year-old living away from family	Multiple debts and unable to meet basic needs e.g. fuel or food poverty	Learning disability
Permanently impaired mobility or frailness or other physical/sensory impairments	Victims and survivors of domestic abuse, serious youth violence, hate crimes, harassment, or exploitation		Low level of literacy
Chronic, debilitating health conditions	Pregnant or recently given birth, still born or miscarried		Limited English language skills impacting daily life

Addiction/ serious substance or alcohol use	Refugees or asylum seekers		Neurodivergent
Age related conditions that impact on independent living	Recently released from prison after a custodial sentence		
	Young parents under 21 years old		
	Living with or caring for someone with a long-term illness (incl. young carers)		
	Temporary injury or health condition		
	Bereavement		
	Recently moved from supported accommodation to independent living, refuge or homeless persons, hostel and street homelessness		
	Ex-service personnel		
	Recently discharged from hospital		
	Families with children excluded from school		

Get in touch:

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