



## Tenancy sustainment policy

Date Approved by Management Committee: **October 2023**

Due for Review: **October 2026**

## **1. Introduction**

1.1 Cernach Housing Association is committed to providing a quality housing service to all tenants and customers in relation to tenancy sustainment. The purpose of this policy is to promote sustainable tenancies and communities, prevent homelessness and minimise any tenancy breakdown which may result in abandonment, eviction, early termination. We consider that a tenancy has not been sustained if it ends within 12 months of the tenancy beginning.

## **2. Policy Aims and Objectives**

- 2.1 The overall aim of this policy is to ensure we have measures in place to promote tenancy sustainment, to build stable and sustainable communities through supporting our tenants and customers. This policy reflects our vision of "*supporting a vibrant community by offering affordable, good quality homes and services with people at the heart of everything we do*".
- 2.2 This policy is written in accordance with our Equality and Human Rights policy to ensure our customers do not face discrimination, victimisation, harassment or social exclusion due to any of following characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation.
- 2.3 It also aligns with our Environmental Sustainability Policy to ensure The Association works to improve the quality of life of tenants by reducing fuel poverty and helping use energy more efficiently.

## **3. Legislative and Regulatory Framework**

- 3.1 The provisions and implementing of the Tenancy Sustainment Policy aims to comply with the following legislation and statutory documents:
- Housing (Scotland) Act 2001
  - Housing (Scotland) Act 2010
  - Housing (Scotland) Act 2014
  - Homelessness etc. (Scotland) Act 2003
  - Disability Discrimination Act 1995
  - Race Relations Act 1976
  - Race Relations (amendment) Act 2000
  - Sex Discrimination Act 1975
  - Human Rights Act 1998
  - Scottish Secure and Short Scottish Secure Tenancy Agreement
  - Equalities Act 2010
  - General Data Protection Rules 2018

- 3.2 We also operate this policy in line with The Scottish Social Housing Charter and specifically the following outcomes:

### **Outcomes 7, 8 and 9: Housing Options**

Social landlords work together to ensure that:

- people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.
- tenants and people on housing lists can review their housing options.
- people at risk of losing their homes get advice about preventing homelessness.

### **Outcome 11: Tenancy Sustainment**

Social landlords ensure that:

- tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.
- This outcome covers how landlords on their own, or in partnership with others, can help tenants who may need support to maintain their tenancy. This includes tenants who may be at risk of falling into arrears with their rent, and tenants who may need their home adapted to cope with age, disability, health conditions or caring responsibilities.

### **Outcome 13: Value for Money**

- Tenants, owners, and other customers receive services that provide continually improving value for the rent and other service charges they pay.

## **4. Risk Management**

- 4.1 By having a written detailed policy for dealing with tenancy sustainment, the Association is able to ensure that we have measures in place to support our customers and to promote sustainable communities to prevent homelessness and minimise tenancy breakdown.

## **5. Equality and Human Rights**

- 5.1 The Association's Equality and Human Rights policy, which was approved by the Committee in April 2021, outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of

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persons, particularly on the basis of any of the protected characteristics<sup>1</sup>. This includes ensuring that everyone has equal access to information and services, and, to this end, the Association will make available a copy of this document in a range of alternative formats including large print, translated into another language or by data transferred to voice.

- 5.2 We are also aware of the potential for policies to inadvertently discriminate against an individual or group of individuals. To help tackle this and ensure that it does not occur, best practice suggests that organisations carry out Equality Impact Assessments to help identify any part of a policy that may be discriminatory so that this can be addressed (please see section 6 of the Equality and Human Rights policy for more information).
- 5.3 In line with section 6 of the Equality and Human Rights Policy, the Association carried out an Equality Impact Assessment on this policy and no remedial action was identified, as necessary. The full assessment is appended at the end of this policy.

## **6. Responsibility and Delegated Authority**

- 6.1 It is the responsibility of Housing Management Staff to implement this policy and for the key aspects of the day to day service delivery.
- 6.2 The Senior Housing Officer has responsibility for:
  - monitoring the performance of staff.
  - monitoring the operation and implementation of the policy , reporting to the Operations Sub Committee as required and assisting the Depute Director with the review of the policy.
- 6.3 The Depute Director retains overall control and decision making in relation to the Policy. The Depute Director will report to the Director on key performance indicators.

## **7. Key Principles**

- 7.1 We aim to provide affordable homes and have developed a clear rent structure. One of the key objectives of our Rent Policy is to keep rents affordable and our long-term projections are based on the Association keeping rent increases to inflation rate where practically possible.

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<sup>1</sup> The Equality Act 2010 identifies the “protected characteristics” as age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, gender reassignment and sexual orientation.



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- 7.2 We want to ensure our properties are as energy efficient as possible to minimise the amount our tenants spend on heating their homes. We also want to ensure that our properties are let to a standard outlined within our Void Management Policy.
  - 7.3 We will make the best use of our housing stock in line with our Allocations Policy and having a commitment to tackle homelessness.
  - 7.4 At Cernach Housing Association we aim to provide support to our customers from applying for a tenancy to maintaining a tenancy with The Association. We will do this through a range of ways detailed further within this Policy.
  - 7.5 We have measures in place to promote sustainable homes and ensuring our communities are a safe and vibrant place to live. Our Neighbour Disputes and Anti-Social Behaviour Policy references how we will deal with such situations. We will carry out regular inspections of our communities in line with our Estate Management Policy and liaise with our contractors and other agencies in our aims of a sustainable community.

## 8. Pre-tenancy

- 8.1 Having pre-tenancy measures in place is essential to the promotion of tenancy sustainment. In doing in this we will:
  - 8.1.1 Carry out a regular review of our housing list. This will ensure applicant's details are kept up to date and their housing requirements are correct, which will in turn ensure we are making appropriate allocations and getting it right for the customer with their housing need and aspirations.
  - 8.1.2 Pre-allocation visits – we will arrange an appointment with all prospective customers to confirm their details, check rent affordability and identify any support needs they may require, such as benefit advice, applying for grants for furniture etc.
  - 8.1.3 Sign-posting - where appropriate we will refer customers to other providers or agencies that can assist them with housing support.
  - 8.1.4 Referral to Welfare Benefit and Tenancy Officer - We will utilise our own in-house service through our Welfare Benefit and Tenancy Sustainment Officer who can assist with income maximisation, through benefit checks and assisting in making benefit claims.
  - 8.1.5 Other measures we have in place to support customers is our own Tenancy Sustainment budget in which we can assist with starter packs and floor

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coverings for new tenants to assist them in settling into their new home. This budget is reviewed annually in agreement with our Management Committee

- 8.1.6 Comprehensive sign up process – to make clear tenancy responsibilities and again ensure all supports are in place to maintain a tenancy.

## **9. Tackling homelessness with partnership working**

- 9.1 Cernach Housing Association supports the vision of the Scottish Government and Local Authorities in their strategy 'Ending Homeless Together'. This vision is that when everyone has a home that meets their needs, homelessness is ended. The principles of this strategy include a person-centered approach, homeless prevention, joint planning and resources to tackle homelessness, and rapid response when homelessness happens by offering settled accommodation.
- 9.2 The Association will support the Local Authority with their action plans to tackle homelessness. We will do this through our commitment to joint working ensuring we attend quarterly meetings with the Homeless Casework Team and Housing Support to discuss services and best practice.
- 9.3 We will ensure we have preventative measures in place as this is key to the success of tenancy sustainment. We will strive to achieve sustainment through our pre-tenancy work and our Welfare Benefits and Tenancy Sustainment Officer role. We recognise the importance of partnership working with other agencies including Social Work, Health partnerships and Police Scotland, to support our customers, we will continue to build upon these good relations in our tenancy sustainment work.

## **10. Promoting Tenancy Sustainment**

- 10.1 During the course of a tenancy we will support our tenants to maintain their tenancy. We will do this by:
- Carrying out a New Tenant Visit within 6 weeks of the date of entry.
  - Early intervention on non-payment of rent, to ensure supports are identified and any appropriate referrals are made. We will use a personal approach to engage with our tenants in line with our Rent Management policy.
  - Utilising the Welfare Benefit and Tenancy Sustainment Officer role to assist with income checks, making benefit applications and supporting customers with fuel support.
  - The Association will explore opportunities for funding through the Scottish Government's approach to dealing with the Cost of Living Crisis.
  - Carrying out property inspections of all our housing stock on a 5 yearly



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programme. These visits allow us to capture the property condition, identify any support needs and engage with our tenants with regards to tenant satisfaction.

- In circumstances where a tenant has medical needs in which their current tenancy no longer meets their requirements, we will where possible look to carry out any adaptations that would allow them to remain in the property.

10.2 Where there are ongoing anti-social behaviour we will always seek to resolve before resorting to legal means to avoid tenancy failure. The measures that we will consider are:

- Mediation
- Referrals to other agencies such as housing support agencies
- Working alongside Police Scotland, Social Work, Mental Health and Addictions services.
- Acceptable Behaviour Contracts
- Making a referral for noise monitoring equipment

Where all attempts at resolution have been exhausted we will look at legal remedies in line with our Tenancy Management policy and Neighbour Disputes Anti-Social Behaviour Policy.

10.1.8 Ensuring our estates are a safe and vibrant community where people want to live. We will do this by carrying out regular estate inspections and being proactive in working with residents and other agencies and taking any appropriate action.

## 11. Identifying vulnerable groups

11.1 Cernach Housing Association has a role to play in identifying tenants or households with support needs or, who may be vulnerable and make a referral to any relevant agencies for appropriate support and assistance. Our staff carry out home visits to our tenants and are trained to notice signs that suggest a tenant may be struggling to maintain their tenancy. Our staff and contractors can raise any concerns with our Housing Management Team so that appropriate tenancy support can be put in place and/or referrals can be made.

The following list shows who we would consider to be potentially vulnerable however the list is not exhaustive:

- Those who have previously been homeless
- Those suffering financial hardship
- Those with existing support needs
- Young people setting up home for the first time or care leavers
- Those with disabilities

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- Older people who may have support needs
- Those with addiction issues
- Those who have suffered previously from domestic abuse or other types of violence
- Those suffering from either racial or non-racial harassment
- Ex-offenders

## 12. Measuring tenancy sustainment

- 12.1 Given the varied reasons why a tenant may end their tenancy it is difficult to use one statistic or performance indicator to measure tenancy sustainment. Under the Scottish Housing Charter we have an obligation to report annually to the Scottish Housing Regulator on the following tenancy sustainment indicators:
- The number of tenancies sustained in the previous year by source of let
  - The turnover of lettable stock in the last year
  - Number of applicants on the waiting list for medical adaptations, the number carried out and the average waiting time
  - Number of Notice of Proceedings issued and court actions initiated
  - Number of and reason of evictions in the last year
  - Number of properties abandoned in the last year
- 12.2 We also monitor tenancy sustainment through the monthly reports we provide to the Operations Sub Committee. Within these monthly report we report each month on:
- Void turnover
  - The number of legal actions raised and any evictions
  - Quarterly updates on our Welfare Benefit service.
  - Funding updates on applications bids to deal with fuel support

## 13. Staff training

- 13.1 Cernach Housing Association recognises that it is extremely important that the resourcing and training of staff is adequate to meet all the needs of its tenants. The Association is committed to making training relating to tenancy sustainment available to staff. Training should be updated as appropriate. Staff will be encouraged to network with other RSLs in order to share best practice in dealing with tenancy management matters.

## 14. Complaints procedure

- 14.1 The Association has a published complaints policy and procedure, which can be used where there is dissatisfaction with this policy or the operation of this

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policy. Any tenant who feels aggrieved by their treatment under this policy can ask for a copy of the Association's complaints policy which is available at the Association's office and on the website [www.cernachha.co.uk](http://www.cernachha.co.uk).

- 14.2 As with all policies, the complaints policy can be made available in large print, translated or on tape. Tenants also have the right to complain to the Scottish Public Services Ombudsman.

### **15. Policy review and tenant consultation**

- 15.1 The Association has developed this policy in consultation with tenants and the Residents Panel and take account of representations made.
- 15.2 The Association will publish a summary of this policy in our newsletters and make it available on the Association website.
- 15.3 The Operations Sub Committee and the Management Committee will review the Sustainment Policy every three years. This review will be brought forward if there is a need to respond to new legislation and/or policy guidance.



## Cernach Housing Association Equality Impact Assessment Tool



Name of the <b>policy / proposal</b> to be assessed	Tenancy Sustainment Policy	Is this a <b>new policy / proposal or a revision?</b>	New Policy
Person(s) responsible for the assessment	Laura Cuthbertson		
<b>1. Briefly describe the aims, objectives and purpose of the policy / proposal</b>	The aim of this policy is to ensure Association is committed to providing a quality housing service to all tenants and customers in relation to tenancy sustainment. The purpose of this policy is to promote sustainable tenancies and communities, prevent homelessness and minimise any tenancy breakdown which may result in abandonment, eviction, early termination.		
<b>2. Who is intended to benefit from the policy / proposal? (e.g. applicants, tenants, staff, contractors)</b>	Applicants and tenants		
<b>3. What outcomes are wanted from this policy / proposal ? (e.g. the benefits to customers)</b>	To promote tenancy sustainment and support customers to prevent homelessness and minimise any tenancy breakdown.		



4. Which **protected characteristics** could be **affected** by the proposal? (*tick all that apply*)

- Age       Disability       Marriage & Civil Partnership        Pregnancy/Maternity       Race  
 Religion or Belief       Gender       Gender Reassignment       Sexual Orientation

5. If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here.

	<b>Positive impact(s)</b>	<b>Negative impact(s)</b>
6. Describe the <b>likely positive or negative impact(s)</b> the policy / proposal could have on the groups identified in part 4		<p>People of any race, but different nationalities may disproportionately be affected by any communication or language barriers which would affect the style of tenancy sustainment actions.</p> <p>Disabled people could be disproportionately affected by any visual communication needs such as visual impairment. Disabled people also may have mental health conditions which could limit their ability to manage their tenancy in the same way as abled people.</p>

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**7. What actions are required** to address the impacts arising from this assessment? (*This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts*).

All staff have been trained in equalities and communication styles required for different groups.

Signed: \_\_\_\_\_ (Job title): Senior Housing Officer

Date the Equality Impact Assessment was completed: 25/08/23

***Please attach the completed document as an appendix to your policy / proposal report***