

Vulnerable Residents and Reasonable Adjustments Policy

Policy:	Vulnerable Residents and Reasonable Adjustments Policy
Scope:	This policy applies to all residents living in St Albans City & District Council (SADC) owned (or managed) accommodation within the borough, as tenants, licensees or leaseholders.
Effective Date:	April 2025
Review Date:	April 2027
Signed off:	Assistant Director, Housing
Author:	Tenancy Services Manager
Statute:	<ul style="list-style-type: none"> • Equality Act 2010 • Data Protection Act 2018 and UK General Data Protection Regulation (GDPR) • Care Act 2014 & Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012) • Mental Capacity Act 2005 • Social Housing (Regulation) Act 2023 • Housing Act 1985
Connected Policies/agreements:	<ul style="list-style-type: none"> • Safeguarding Policy • Domestic Abuse Policy • Tenancy Agreement Terms and Conditions • Aids and Adaptations Policy • Equality Policy • Tenancy Sustainment Policy • Housing Allocations Policy

Table of Contents

1.0 Introduction 1

2.0 Purpose 2

3.0 Policy Objectives..... 2

4.0 What we mean by ‘vulnerability’ 2

5.0 Recognising Vulnerability 3

6.0 Recording Vulnerability 3

7.0 Responding to Vulnerable Residents’ Needs 4

8.0 Residents Lacking Capacity 6

9.0 Responsibilities 6

10.0 Our Legal Duties..... 7

11.0 Regulatory Requirements..... 8

12.0 Monitoring the Effectiveness of this Policy 8

Appendix A 10

Appendix B 12

1.0 Introduction

- 1.1** This policy only applies to Housing tenants, leaseholders, and licencees in temporary accommodation. It does not include non-council residents.

The terms 'you' and 'your' refer to these groups.

The terms 'we', 'us' and 'our' refer to St Albans City and District Council (SADC).

- 1.2** This policy focuses on residents who have capacity to make their own decisions.

Where a resident has been assessed as lacking, or is believed to lack, capacity to make decisions for themselves, we will work with their appointed representative(s).

- 1.3** Tenants in sheltered housing, may receive different services but St Albans District & City Council (SADC) will consider the tenant's needs and any reasonable adjustments due to a disability, or other vulnerability in line with this policy.

- 1.4** This policy does not apply to the provision of aids and adaptations to our residential properties which is set out in our Aids & Adaptations Policy. It also does not apply to aids and adaptations to common parts of a building which are not subject to the same anticipatory duty as the provision of services under the Equality Act 2010. SADC provides a significant amount of advice and assistance to our vulnerable residents who are less able to cope in managing their tenancy. We are committed to providing high quality services to all our residents and to adjusting our services to meet their diverse needs where it is practical and reasonable to do so.

- 1.5** We recognise that some of our tenants have a degree of vulnerability that may impact how they are able to manage their tenancy or engage in the community. This policy sets out the general approach we will take in these circumstances.

- 1.6** Vulnerability can be a changing state and can occur at different points in a person's life. It can be temporary, periodic or recurring as well as ongoing and developing over time. There are several indicators that someone may be vulnerable or in need of support. In a housing context, examples of these factors are outlined in **Appendix A**.

- 1.7** The aim of this policy is to ensure that we provide equal access to services and that we identify, understand and respond to our residents' particular needs in providing services and communication. We aim to make flexible housing and support services available where we can, to help tenants sustain their tenancies and avoid giving rise to disadvantage.

- 1.8** Where there is a risk of harm or concern regarding the welfare of adults who are experiencing, or are at risk from abuse or neglect, we will follow our safeguarding policies and procedures.

- 1.9** We do not provide the following care/support: -

- Personal care e.g. cleaning, washing, feeding and bathing;

- Advocacy; or offer the type of support you would get from the Citizens Advice Bureaux;
- The administration of medication;
- Transportation of customers in personal vehicles;
- Communicate on behalf of a customer(s) where there is a lack of capacity; and
- Making decisions on behalf of a customer(s). We will signpost or refer to other services who can provide this e.g.: PoWher, Hertfordshire County Council etc.

2.0 Purpose

2.1 SADC are committed to assisting our vulnerable residents. The purpose of this policy is to outline the types of adjustments that can be made to meet resident's needs and how we comply with our legal duties and regulatory requirements.

2.2 Our residents' circumstances and needs can vary, so this policy does not try to explain how we will approach every situation. It is intended as a general statement of our commitment to ensuring fair access for our vulnerable residents, setting out the factors that we will consider when dealing with requests for reasonable adjustments or enhancing the services we offer.

3.0 Policy Objectives

3.1 The Housing Department aims to ensure that everyone can access and benefit from its services but realises that for some service users who are vulnerable, barriers may exist which may prevent participation. The objectives of this policy are to:

- Understand and recognise vulnerabilities and how to take them into account in the delivery of services.
- Record any disabilities, physical and mental health conditions and communication needs on the housing management IT system and keep it up to date.
- Record any known representatives who act as a 'delegated authority' or with 'power of attorney' to act on the resident's behalf.
- Understand the duty to use the information about disabilities, health and communication needs to make reasonable adjustments when delivering services and in decisions around tenancy management and enforcement.
- With the residents' consent, to make referrals for further assistance and support, to our own services such as tenancy sustainment, community protection or external agencies as required. On occasion, referrals may be made without the tenant's consent and in these circumstances the tenant will be offered the choice in accepting it or not.
- Make safeguarding referrals whenever needed.

4.0 What we mean by 'vulnerability'

4.1 There is no single definition of vulnerability across the social housing sector, however we define vulnerability as:

Tenants or Leaseholders, or their household members, who have an underlying characteristic and/or have experienced an exceptional life event, meaning they are currently unable to act independently or are unable to cope with managing their tenancy without additional assistance or support.

- 4.2** Our definition recognises that vulnerability can change due to many factors and experiences such as age, disability, or mental health, or because of a significant life event such as bereavement or domestic abuse.
- 4.3** Some underlying characteristics may never change, and the resident may usually be independent and able to cope in managing in their tenancy. For example, many older or disabled people are very independent and may not need any additional assistance. Therefore, we take a person-centred approach by taking account of the resident's circumstances at the time of the service request and delivery.
- 4.4** We recognise that many residents will have a wide range of health and other needs that as a landlord we are not able to address but, where we can and with the residents' consent, we will signpost residents to other organisations that may be able to provide the services they need.

5.0 Recognising Vulnerability

- 5.1** We will train our staff and main contractors who work with our residents so that they have a better understanding of, recognising potential signs of vulnerability including mental health conditions and learning difficulties, so they are able to recognise when a resident may be vulnerable.
- 5.2** The training aims to raise awareness of how vulnerability can sometimes impact how a resident engages with us, and that these behaviours can be an indicator of a vulnerability. For example, behaviours could include but are not limited to:
- antisocial behaviour that could be due to mental health conditions.
 - 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 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, due to mental health or an exceptional life event.
 - requests from a tenant to have their gas capped, as this may be to prevent access and the discovery of hoarding, self-neglect or other vulnerability.
 - neglect or mistreatment of children or adults who may be at risk and require a safeguarding referral.
 - unusual contact, for example a resident who calls multiple times in a row.

6.0 Recording Vulnerability

- 6.1** We will make reasonable efforts to establish with our residents whether they or a member of their household have a disability, a health condition, or any other needs

such as low literacy or numeracy and whether they require a reasonable adjustment in how we deliver our service.

- 6.2 Methods for collecting data could be via the initial housing application, during the signing of the tenancy, at the new tenant welcome visit, a tenancy audit visit or through any other contact between the resident and council.
- 6.3 We will confirm with the resident if we record this, and if so, how we want to use it. Any adjustments will be discussed and confirmed with the person concerned to avoid making incorrect assumptions about their needs or agreeing to adjustments that we are unable to provide.
- 6.4 Staff and key contractors who book appointments for visiting residents at home are expected to check for any agreed reasonable adjustments and vulnerability alerts prior to the visit.
- 6.5 All staff are responsible for ensuring that any health, disability or other vulnerability information that they are made aware of is recorded, with the resident's verbal consent. Staff will treat each case sensitively and with no judgement. Where residents have experienced life events, such as bereavement or relationship breakdown, this may be included in case notes where appropriate, but staff will not record them in a specific vulnerability data field.
- 6.6 We will record any known communication preferences such as large print, telephone or email contact only, so that communications can be adjusted. We do however reserve the right to send some communications in writing in addition to the preferred method where there is a legal requirement or other legitimate reason to do so; for example, where other attempts at contacting the resident have failed.
- 6.7 We will record the contact details of a nominated person if the resident has given written delegated authority to speak to us on their behalf, such as a relative, carer or support worker. If required, we will assist in the creation of this document.

7.0 Responding to Vulnerable Residents' Needs

- 7.1 We want to respond to our vulnerable residents' needs by being sensitive to and taking account of their circumstances and the impact of the situation on them. Each service area will consider and develop what additional actions, or variations from our usual service provision, are appropriate and possible by way of reasonable adjustments or enhanced service levels.
- 7.2 By *reasonable* adjustment, we mean making a change to the way that we usually do things so that our services are accessible to that individual. **Appendix B** provides further detail on what is meant by 'reasonable'.
- 7.3 By enhanced service levels, we mean having different responses to particular groups of vulnerable residents which will be stated in the relevant policies. For example, different response times to where a vulnerable tenant experiences anti-social behaviour (ASB) or for certain repairs.

7.4 Some of the types of adjustments we can offer to our customers are given below, but this is not an exhaustive list, and other requests can be considered:

- using email or telephone instead of, or in addition to, sending a letter where appropriate which may assist those with a visual impairment.
- taking more time to explain services and issues or reading and explaining written information or correspondence to explore different methods of communication such as visual aids to a person with a learning disability.
- texting the resident on arrival if they are deaf, hard of hearing or may be alarmed by sudden noises.
- offering to read information to a resident with a visual impairment or learning difficulty.
- leaving longer for the resident to answer the door or phone for those with mobility problems or knocking more loudly for those with a hearing impairment.
- booking visit appointments with a carer so they can be present for those who have very limited mobility or are confined to their bed or may have difficulty understanding or remembering.
- providing information or correspondence in large print or to use text to speech/read aloud technology for visually impaired or blind residents.
- providing a sign language interpreter for deaf residents who use British Sign Language (BSL) if it is necessary to communicate in person.
- translating correspondence into braille if alternative options such as read aloud technology or reading out a document aren't appropriate.
- communicating with people through their delegated authority or person with power of attorney, or other officially appointed representative.
- avoiding certain times of day to visit due to residents experiencing health and medical needs meaning they are likely to be asleep or undergoing treatment.
- produce a range of customer information in Easy Read formats to support those that require it

7.5 We recognise that some residents who have experienced violence or abuse, or those who may have complex mental health conditions resulting from violence or abuse may make specific requests such as having only female staff to visit or no visits at all. We will endeavour to meet these requests where we employ female staff in the area but maintain our right to access the property for repairs, maintenance and tenancy checks. We may need to facilitate alternative arrangements such as to have somebody else present.

7.6 For victims of serious crime or under severe threat we will provide additional security measures at the home such as additional locks, extra lighting etc.

7.7 The level of additional costs, time or resource required will be considered. Where any request is impractical to deliver due to resource constraints, we will work with victims to find an alternative solution.

- 7.8** We provide residents with a range of ways to access our services to suit their needs: by telephone, post, email, live chat, online web forms, or via their online account. We will provide in-person visits where this is appropriate and possible. We also provide a wide range of information about our services on our website which is accessible for residents with communication and language needs.
- 7.9** We offer a range of services to provide advice and assistance to our vulnerable tenants and a robust safeguarding referral process. Our Housing Management teams will work with tenants where they are struggling to cope with their tenancy and offer advice, and if appropriate refer the tenant to our specialist services. These include tenancy sustainment, welfare benefits advice, money guidance via Citizens Advice, and our aids & adaptations services.
- 7.10** Where a vulnerable resident is experiencing challenging and complex issues involving several services or larger planned improvements, we will convene a complex case action group. This will involve all relevant departments to ensure that we remain focused on the needs and safety of the resident and respond in a co-ordinated way.
- 7.11** This policy will be published on our customer website and periodically promoted through other resident communications.
- 7.12** Should a resident wish to appeal against any decision to not meet a request for an adjustment, this will be considered via our formal complaints process.

8.0 Residents Lacking Capacity

- 8.1** 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
 - An 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.

9.0 Responsibilities

- 9.1** All employees who are involved in delivering services to our residents are responsible for implementing and adhering to this policy. Failure to comply with an agreed and recorded reasonable adjustment, will be addressed with the staff member by their line manager, and repeated failure to comply may lead to disciplinary action.

- 9.2** The managers of service areas are responsible for ensuring their teams comply with the policy operationally and offer support and guidance to their teams where it is unclear whether we can comply with an adjustment requested by a resident.
- 9.3** The Assistant Director of Housing has overall responsibility for ensuring services are provided in adherence to the policy.

10.0 Our Legal Duties

- 10.1** Data Protection Act 2018 and UK General Data Protection Regulation (GDPR): sets out a range of obligations on us as a 'data controller' in safeguarding rights to privacy and security of personal information. In the context of this policy, the key elements relate to keeping information about the vulnerabilities of our customers and their household members appropriately secure as well as sharing information appropriately.
- 10.2** Equality Act 2010: places a statutory duty upon service providers to ensure that people with "protected characteristics" (as defined under the Act) are not unlawfully discriminated against and that they have equal access to services.
- 10.3** The protected characteristics are age, disability, gender re-assignment, marriage & civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We do not necessarily define all people with a protected characteristic as 'vulnerable'. However, we will give due consideration to any protected characteristic in deciding any enforcement action under the terms of a tenancy, lease or license to avoid any inadvertent discrimination.
- 10.4** Care Act 2014 & Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012): places a statutory duty on housing providers to act on concerns that children or adults may be at risk of abuse or neglect (see Safeguarding Policy & Procedure). We recognise that vulnerability and the risk of abuse are connected; residents who are vulnerable will therefore often meet the statutory definition of an 'adult at risk' and therefore require the application of the Safeguarding Children & Adults at Risk Policy and Procedure and the Safeguarding Vulnerable Groups Act 2006.
- 10.5** Mental Capacity Act 2005: Residents who lack the mental capacity to make some/all decisions by themselves are deemed to be vulnerable under this policy.
- 10.6** In managing tenancies, leases and delivering 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 vulnerability. Particularly where possession action is being considered, beforehand we will consider:
- whether the resident's behaviour, actions or lack of action is related to their disability or other vulnerability
 - whether the behaviour is putting the health and safety of others at risk e.g. neighbours
 - alternatives to possession action and why they were not suitable

- whether possession action is justifiable and a proportionate means of achieving a legitimate aim
- whether the effect on the occupier is outweighed by the advantages of our action

11.0 Regulatory Requirements

11.1 The Regulator of Social Housing's (RSH) Transparency, Information and Accountability standard expects registered providers (RPs) to:

- treat all tenants with fairness and respect.
- take action to deliver fair and equitable outcomes for tenants and, where relevant, prospective tenants in relation to the housing and landlord services they provide.
- use relevant information and data to a) understand the diverse needs of tenants including those arising from protected characteristics, language barriers and additional support needs, and b) assess whether their housing and landlord services deliver fair and equitable outcomes for tenants.
- ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.
- ensure that landlord services are accessible, and that the accessibility is publicised to tenants. This includes supporting tenants and prospective tenants to use online landlord services if required.
- allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

11.2 The Regulator of Social Housing associated Code of Practice expects us to consider the diverse needs of our tenants across all landlord services and housing. It should be integral to the culture of the organisation, and that in treating our tenants fairly we must consider how we can adapt our services and communications to meet individual tenants' needs.

11.3 The Housing Ombudsman's statutory Complaint Handling Code 2024 states that landlords must:

- make it easy for residents to complain by providing different channels where they can raise a [complaint](#). 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.
- make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review through our tenancy audit process or other contact in between.

12.0 Monitoring the Effectiveness of this Policy

12.1 This policy will be monitored through annual reporting of all safeguarding referrals made and numbers of active anti-social behaviour cases. The Assistant Director of Housing and the Tenancy Manager will carry out regular internal safeguarding case reviews to assess any training needs among staff and lessons learned for future case-handling.

12.2 Our success in achieving our objectives under this policy will be measured in the following ways:

- Analysis of concerns reported (including numbers, actions taken and outcomes).
- A reduction in the number of evictions, abandonments or otherwise failed or failing tenancies involving a vulnerable person or household.
- A reduction in the number of cases of anti-social behaviour or harassment involving a vulnerable person (either as victim or perpetrator).
- No complaints based on a failure to support vulnerable tenants. This will be reviewed in our quarterly complaints reporting to our Housing & Inclusion Committee.
- Improved outcomes for residents following involvement of internal or external support services.
- Vulnerability recorded at sign-ups and following any visits completed by Housing Officer.

12.3 Where appropriate, we will ensure staff working with vulnerable customers have passed DBS checks and are appropriately trained, supported and managed.

12.4 Where we do not have expertise relating to a particular customer group, we will work with suitable partner organisations to ensure that appropriate support is made available.

12.5 *This Policy has been co-created with input from Housing DMT and the Tenants & Leaseholder Forum in April 2025.*

Appendix A – Factors in Defining Vulnerability

The categories below are an example of those who could be regarded as vulnerable at any point in time. These are the more common factors to take into consideration when considering a resident'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 to 21-year-olds
- People with disabilities
- 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 have recently experienced an exceptional or traumatic event that may make them vulnerable now, although not everyone will be, or will consider themselves to be, vulnerable because of this)

- 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.
- Recently left care / looked after accommodation.
- Sexual or racist abuse or serious harassment or other hate crime.
- Recent experience of domestic abuse or violence.
- Living in, or recently left a refuge or homeless 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 or recently given birth.
- Recently experienced a miscarriage or stillborn birth.
- Recently released from prison after a custodial sentence
- Ex-service personnel returning from an area of conflict.

Appendix B – What is meant by reasonable?

Under the equalities legislation, an organisation is not required to do more than is reasonable for it to do. The measure will be whether the current arrangements, process or service puts disabled people at a *substantial* disadvantage compared with people who are not disabled *and* whether the required adjustment is *reasonable* to make.

There is no requirement to change the basic nature of the service we offer and in practice, many reasonable adjustments will involve little or no additional cost or resourcing. What is a reasonable step to take depends on all the circumstances of the case. It will vary according to:

- the type of service being provided.
- the nature of the service provider and its size and resources; and
- the effect of the disability on the individual disabled person.

The Equality and Human Rights Commission's statutory Code of Practice, Chapter 7 'Disabled Persons: reasonable adjustments' suggests that in deciding what is "reasonable", the most relevant factors are:

- How effective will the adjustment be in overcoming the difficulty that the disabled person may have? The adjustment should be designed to fully address the disadvantage it is meant to overcome; for example, providing a meeting room which is accessible by wheelchair may not properly overcome the barriers if there are no disabled toilet facilities available.
- How practical is it to provide the adjustment? For example, it would not be practicable or necessary to produce every document in large print, but to ensure the resident is aware that we can offer other alternatives such as reading it on our website that is enabled for Read Aloud technology.
- The resource implications of making the adjustment. Are the financial and other costs proportionate to the adjustment being requested? For example, if a resident who is unable to put a complaint in writing requests a home visit so that a staff member can take down the details of the case for them, it might be reasonable to refuse on grounds of cost and staff time provided that a different adjustment can be made such as taking down the details over the phone and sending them to the resident for checking.
- Would the adjustment cause disruption to others? For example, how much additional time would it require and how that would impact on services to other residents? It would not usually be reasonable for an officer to devote most of their time to one person as other residents will inevitably suffer. The amount of extra time provided must therefore be "reasonable" in all the circumstances.

- What is the extent of the service providers financial and other resources – while a larger organisation may be expected to do more, consideration can be given to what amount has already been spent on making adjustments.