

1. Background and Objectives

- 1.1 The purpose of this policy is to set out how Alliance Homes seeks to address cases of suspected unlawful occupancy of our homes including:
- Obtaining or attempting to obtain a property using false statements and/or fraudulent documents
 - Not using the property as the "sole or principal home" i.e., renting a property from us and then living elsewhere
 - Subletting part or the entire property
 - Succeeding to or assigning the tenancy without the permission of Alliance Homes
 - Failing to notify Alliance Homes when a tenant moves out or passes away.
- 1.2 Having effective measures to tackle tenancy fraud is an essential component of good housing management. It ensures compliance with the Regulator of Social Housing regulatory framework and since social housing is regarded as a public asset, it also helps to safeguard the public purse.
- 1.3 We manage tenancy fraud and unlawful occupation of our homes by:
- Having robust lettings procedures in place at the start of a tenancy
 - Carrying out tenancy audits across our homes
 - Publicising tenancy fraud in our communications with customers and encouraging people to let us know when circumstances change
 - Working with partners to enhance the likelihood of detection and enforcement
 - Taking effective action where fraud or suspected fraud has been identified
 - Training our staff to identify potential tenancy fraud
 - Keeping complainants informed and their identity confidential
 - Supporting vulnerable victims of tenancy fraud
 - Analysing data provided under the Rental Exchange initiative
 - Working within appropriate data sharing protocols and in compliance with GDPR legislation.

2. Policy Detail

2.1 Combatting tenancy fraud

- 2.1.1 We verify the identity of all prospective new tenants of Alliance Homes before a tenancy is granted, by obtaining forms of identification consistent with the Right to Rent checklist. In cases of joint tenancies, proof of identity is requested for each joint applicant. (See Appendix A).
- 2.1.2 Where documentation is provided, these must be original or certified copies. Photocopies or scanned copies are not acceptable.
- 2.1.3 Where additional verification is considered necessary, we will undertake credit reference checks through authorised agencies to validate current and previous addresses.

- 2.1.4 A settling-in visit is carried out by Tenancy Services staff within 14 days of a new tenant having signed the tenancy agreement. This is undertaken:
- To confirm that occupancy has been taken up
 - To validate that the person/s living in the property is/are the one/s on the tenancy agreement
 - To provide the new customers with advice and assistance on any property or tenancy related issue.
- 2.1.5 Follow up visits are carried out at 6 months to those tenants with Assured Shorthold Tenancies and a further verification of identification is undertaken at that point.
- 2.1.6 If we have reason to carry out a home visit, we may also conduct a tenancy audit to confirm the number of occupants in the property and if needed to confirm the identity of the tenant/s as being the lawful occupier/s of the property. This may include the following actions:
- Asking for the tenant's date of birth and/or other known personal information and checking responses against details already held by Alliance Homes.
 - The sighting of photographic ID as issued by authoritative bodies. Where this is not available, other forms of suitable identification will be accepted (see Appendix A).
- 2.1.7 We may also carry out intelligence-based tenancy audits using internal data relating to tenancies where non-access issues are continuous.
- 2.1.8 All our staff who communicate with tenants are regularly reminded to be alert to the signs of potential fraud by:
- Asking non-leading person-specific questions to verify the identity of tenants during non-face-to-face contact.
 - Reporting to the Tenancy Services Manager when a named tenant is rarely available to meet face-to-face.

2.2 Reporting tenancy fraud

- 2.2.1 We understand that public reports of suspected tenancy fraud are important sources of intelligence and that local residents are well-placed to notice changes in the activities of individuals within their communities which may give rise to suspicions of tenancy fraud.
- 2.2.2 We encourage the reporting of suspected tenancy fraud by raising awareness amongst residents. Actions include:
- Having a page dedicated to tenancy fraud on our website
 - Running awareness campaigns
 - Taking all reports seriously and acting upon them promptly
 - Respecting requests for anonymity from those reporting suspected fraud.
- 2.2.3 Suspected cases of tenancy fraud can be reported by:
- Telephoning us on 03000 120 120
 - Writing to 40 Martingale Way, Portishead, BS20 7AW
 - Visiting our office in person (40 Martingale Way, Portishead, BS20 7AW)
 - E-mail: act@alliancehomes.org.uk

- Via the online form on our website <https://www.alliancehomes.org.uk/contact-us/>
- Via social media (Facebook or Twitter).

2.3 Actions available to us

- 2.3.1 We will comply with any current legislative requirements when investigating and handling cases of tenancy fraud and/or related deception.
- 2.3.2 Tenants found to be guilty of tenancy fraud will be subject to civil legal possession proceedings including a claim for damages and costs.
- 2.3.3 Charges against the tenant under criminal law will be considered in conjunction with the police and other relevant agencies.
- 2.3.4 Unlawful occupiers will normally be asked to vacate premises with immediate effect.
- 2.3.5 It is recognised that some unauthorised sub-tenants may be unaware of their unlawful status and could be vulnerable to illegal eviction by the true tenant at little or no notice when the situation has been uncovered. Unlawful sub-tenants are also vulnerable to eviction by Alliance Homes when we set about recovering the property. In either eventuality, those directly affected by unlawful subletting will be referred to the Housing Options team in their Local Authority area for advice and assistance in relation to their housing rights.

3. Monitoring, Consultation and Review

- 3.1 We monitor our performance in delivering the objectives of this policy by reporting to our leadership teams a range of measures including:
- Tenancy audits on a minimum 10% of our stock each year.
 - Recording and reporting the number and type of tenancy fraud uncovered in Alliance Homes' stock each year.
- 3.2 The Tenancy Services Manager is responsible for the implementation and review of the policy.
- 3.3 Customers, colleagues, and service users may be involved in giving feedback on this policy, leading to amendments where appropriate.
- 3.4 This policy will be reviewed with three years of its approval date.

4. Equality and Diversity

- 4.1 This policy is subject to a periodic Equality Impact Assessment (EIA).
- 4.2 The purpose of such an assessment is to consider the effect of the policy regarding the recognised protected characteristics of equality and ensure that it does not unfairly impact any individual or group. The protected characteristics are age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity or other grounds set out in our Equality and Diversity Strategy and Single Equality Scheme. Remedial action will be undertaken if a detrimental effect is identified.

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4.3 The EIA also requires the policy author to consider whether the policy is likely to negatively impact a person's Human Rights.

4.4 This policy and any other related Alliance Homes publications can be provided in other formats for those with visual, literacy or language difficulties.

5. Associated Documents

- Alliance Homes - Lettings Policy
- Alliance Homes - Debt Management Policy.

6. Version Control and Approval Dates

Approval stage	Date completed
Equality Impact Assessment completed	17 th August 2022
EIA reviewed by Equality & Diversity Manager	04 October 2022
SLT review / approval	25 October 2022
Board or Committee approval	N/A
Review date	25 October 2022

Appendix

Right to Rent – Acceptable documents for identification purposes

Group 1 – Acceptable single documents	
1.	A passport (current or expired) showing that the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2.	A passport or national identity card (current or expired) showing that the holder is a national of the European Economic Area or Switzerland.
3.	A registration certificate or document (current or expired) certifying or indicating permanent residence issued by the Home Office, to a national of a European Union, European Economic Area country or Switzerland.
4.	A permanent residence card, indefinite leave to remain, indefinite leave to enter or no time limit card issued by the Home Office (current or expired), to a non-EEA national who is a family member of an EEA or Swiss national.
5.	A biometric immigration document issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK. The document must be valid (not expired) at the time the right to rent check is made.
6.	A passport or other travel document (current or expired) endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
7.	A current immigration status document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person is permitted to stay indefinitely in the UK or has no time limit on their stay in the UK. The document must be valid (not expired) at the time the right to rent check is made.
8.	A certificate of registration or naturalisation as a British citizen.
Group 2 – Acceptable document combinations.	
1.	<p>Any two of the following documents when produced in any combination:</p> <ul style="list-style-type: none"> a) A full birth or adoption certificate issued in the UK, the Channel Islands, the Isle of Man or Ireland, which includes the name(s) of at least one of the holder's parents or adoptive parents. b) A letter issued within the last 3 months confirming the holder's name, issued by a UK government department or local authority and signed by a named official (giving their name and professional address), or signed by a British passport holder (giving their name, address and passport number), or issued by a person who employs the holder (giving their name and company address) confirming the holder's status as an employee. c) A letter from a UK police force confirming the holder is a victim of crime and personal documents have been stolen, stating the crime reference number, issued within the last 3 months. d) Evidence (identity card, document of confirmation issued by one of HM forces, confirmation letter issued by the Secretary of State) of the holder's previous or current service in any of HM's UK armed forces. e) A letter from HM Prison Service, the Scottish Prison Service or the Northern Ireland Prison Service confirming the holder's name, date of birth, and that they have been released from custody of that service in the past 6 months; or a letter from an officer of the National Offender Management Service in England and Wales, an officer of a local authority in Scotland or an officer of the Probation Board for Northern Ireland confirming that the holder is the subject of an order requiring supervision by that officer. f) Letter from a UK further or higher education institution confirming the holder's acceptance on a current course of studies. g) A current full or provisional UK driving licence (both the photocard and paper counterpart must be shown). h) A current UK firearm or shotgun certificate. i) Disclosure and Barring Service certificate issued within the last 3 months. j) Benefits paperwork issued by HMRC, Local Authority or a Job Centre Plus, on behalf of the Department for Work and Pensions or the Northern Ireland Department for Social Development, within the 3 months prior to commencement of tenancy.

Appendix B

Equality Impact Assessment

1. Name the Strategy, Policy, Procedure or Function (SPPF) being assessed and name of author

Tenancy Fraud Policy

2. Aims of the SPPF being assessed.

- *Whose need is it designed to meet?*
- *Are there any measurable elements such as time or age limits?*

The policy exists to promote lawful of our housing stock by following good practice that (a) minimises the chance of tenancy fraud being committed; (b) helps to identify tenancy fraud if it is being committed; and (c) to explain what we will do if it is discovered.

3. Who has been consulted in developing the SPPF?

- *Make reference or links to consultation/evidence documents*

Managers across the various housing management functions have been involved in the review of this policy.

The National Fraud Authority estimates the annual cost of fraud across local authorities and housing associations to be £2.2bn. Tenancy Fraud amounts to £900 million. In 2012 the Audit Commission estimated a 2% level of tenancy fraud in areas outside London and that would equate to 130 or more cases within AHG housing stock.

4. Identify potential impact on each of the diversity 'groups' by considering the following questions (the list is not exhaustive, but an indication of the sort questions assessors should think about):

- *Might some groups find it harder to access the service?*
- *Do some groups have particular needs that are not met by the current SPPF?*
- *What evidence do you have for judgement (e.g. monitoring data, information from consultation/research/feedback)?*
- *Have staff residents raised concerns/complaints?*
- *Is there local/national research to suggest there could be a problem?*

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Protected Characteristic	No Impact	Negative Impact	Positive Impact	Information source /s**	Comments/ evidence
Race	X				
Disability			X		People with disabilities may have less opportunity or need to acquire photographic ID, but the way in which we have categorised the acceptability of documents overcomes this.
Gender	X				
Transgender	X				
Sexual orientation	X				
Religion or belief	X				
Age			X		It is more likely that some of our oldest or youngest tenants may have neither driving licences or passports, but by the way in which we have categorised the acceptability of documents overcomes this.
Marriage and Civil Partnership	X				
Pregnancy and Maternity	X				
Rural issues			X		There may be a perception that we have less visible presence in more outlying parts of the district which may make tenancy fraud more likely in these areas
Socioeconomic	X				

**Possible information sources for assessing impact or understanding issues related to target group, such as:

- demographic data, studies of deprivation, statistics on health etc
- results of consultations, results of equality monitoring data, complaints, customer feedback
- information collected from partner agencies and groups, support groups, professional expertise, 'peer review', project leads/teams, inspection reports etc

5. Does this proposal have any human rights implications?

If yes, please describe (if necessary, refer to the Alliance Homes Group Human Rights Policy)

There are no potential impacts on Human rights as a result of this policy. It supports Article 8 (Right to respect for private life, family life and the home) because any action we may take to repossess someone’s home would be lawful and in pursuit of a legitimate aim in terms of preventing tenancy fraud. In addition, because we apply this policy consistently across all stock, neither are there any issues in relation to Article 14 (Prohibition of discrimination).

6. Does the SPPF promote equality of opportunity?

Yes, it does. Publicity around the importance of tenancy fraud helps to prevent unlawful occupation of our homes. Where it does happen and is uncovered, we will be making more effective use of and lawful access to the social housing asset.

Was there a negative impact identified in question 4? If not go to question 8.

There have been no negative impacts identified

7. If ‘negative impact’ identified in table (4) above, is it?

Legal		
What is the level of impact?		

If it is not legal and/or high impact – (i.e.: **if you have highlighted NO to Legal and HIGH to impact then the document should be referred to our Risk and Assurance Business Partner**)

8. If positive impact has been identified in table 4 above, how can it be improved upon or maximised, either in this SPPF or others?

Where customer insight data is not available or missing, contact with our tenant enables us to acquire it for our records. The act of carrying out any kind of audit with our tenants allows the identification and understanding of the needs of individuals and/or particular groups.

9. Full EIA (or if you decide full EIA is not necessary but some changes should be considered) detail the actions planned and the outcomes expected for Alliance Homes customers and/or stakeholders.

- *Are there changes you could introduce which would make this SPPF work better for this group of people?*
- *Is further research or consultation required?*
- *Consider target dates, resources, implications, regular monitoring and reviewing of working/progress sheet.*
- *If you are assigning actions to other people, please consult with them first.*

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Action(s)	Positive outcomes	Start date	End date	Owner
Report on and publicise our successes in combatting tenancy fraud	Increases awareness that we take it seriously and action will be taken	On-going		MH
Ensure all staff use a standardised method of security questioning when dealing with tenants on a non-face to face basis – both during inbound and outbound communication	Establishes a new business norm that ensures we are dealing with the legitimate tenant. Where concerns are raised, this may help to uncover instances of tenancy fraud	On-going		MH

Review/new EIA (date or timeframe)	17 th February 2022
Name of person completing form	Andrew Cartwright
Date assessment completed	17 th February 2022
Name (and signature) of manager approving	Michelle Harper

Corporate Compliance Manager approval	EIA Approved by Andy Perry 4.10.22
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