

Bromford.

Vulnerability and Inclusive Services Policy

Policy Statement & Purpose

This policy is designed to recognise the diverse needs of customers and communities across Bromford operating areas and take appropriate steps to ensure customers with higher or more complex needs are considered when delivering services, communicating, or supporting customers to thrive in their homes.

Scope

This policy sets out Bromford's commitment to assisting customers experiencing vulnerability to ensure they can access our services and that they receive the assistance they need to sustain their tenancy and thrive in their home.

Bromford provides customers with high levels of support through dedicated Neighbourhood Coaches and responds flexibly to customers who are facing exceptional circumstances that can make them more vulnerable and unable to cope and manage their tenancy. We know there is more we can do, particularly in ensuring we are consistent in our approach by providing our colleagues with the information, understanding and tools to respond appropriately to our vulnerable customer's needs. This policy sets out the steps we will take to achieve this.

This policy focuses on customers who are experiencing vulnerability but have capacity to make their own decisions. 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 section 11.

Reference Documents

Legislative Requirements: by following this policy, it ensures that Bromford complies with:

[Regulator of Social Housing, the Regulatory Standards](#)

[Localism Act, 2011](#)

[Equality Act, 2010](#)

[Housing Ombudsman Complaint Code](#)

[Human Rights Act 1998](#)

[Equality Act 2010](#)

[Care Act](#)

List of Referenced Documents
Customer Alert Flag Procedure
Safeguarding Policy
Reasonable Adjustments Policy
Restricting Customer Access Policy
Equality and Diversity Policy
Lettings Policy
Aids & Adaptations Policy

Principles

At Bromford we recognise that each of us can experience vulnerabilities at any time of our lives and therefore, the lives and needs of all our customers will evolve and change over time. Because of this, our overriding principles around customer experience are first and foremost when considering this policy. Customers individual circumstances will prompt how we assess and respond to individual needs, and we will challenge ourselves to be agile in adapting our services to better meet the individual needs of customers experiencing vulnerability. We aim to make reasonable adjustments to our service provision which seeks to, as far as possible, ensure that no customer suffers any disadvantage because of their vulnerability.

We care about the people who live in our homes and are committed to providing safe, secure and warm homes. We treat people how we wish to be treated, with fairness and respect. The Bromford DNA is at the heart of who we are, what we do and why we do it. That's why our purpose is simple and honest.

Responsibilities

As a responsible social landlord, our overall objective is to ensure that customers experiencing vulnerability receive the services and assistance they require to thrive in our homes.

To achieve this, we aim to:

- record any vulnerabilities on the customers contact record and keep this up to date and make this information available to front line colleagues
- use all available information to identify if a customer is experiencing vulnerability
- take account of known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement
- assist vulnerable customers in accessing additional services that they may need.
- record any known representatives who act as a 'delegated authority' or with power of attorney to act on the customers behalf
- consider any additional needs due to the vulnerability and where appropriate vary our service delivery to ensure vulnerable customers still receive the same level of service.

Legal duties and regulatory requirements

Bromford 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 10 on Protected Characteristics) but as a social landlord we recognise that many other customers can be vulnerable for reasons other than the characteristics protected under the equalities legislation, and this policy sets out how we define vulnerability and how we aim to respond to those customers' needs.

The Social Housing Regulator's Transparency Influence and Accountability Standard "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" with a specific expectation that providers will "demonstrate how they respond to those needs in the way they provide services and communicate with tenants".

The Housing Ombudsman Complaints Handling Code 2020 states that landlords should "comply with the Equality Act 2010 and may need to adapt normal policies, procedures or processes to accommodate an individual's needs. Landlords shall have a reasonable adjustments policy in place to address this".

The Care Act 2014 defines vulnerability in the context of safeguarding: "... an adult [aged 18 or over] ...who has: (a) needs for care and support... (b) is experiencing, or is at risk of, abuse or neglect, and

c) as a result of those needs, is unable to protect himself or herself against the abuse or neglect or the risk of it.”

Contents

1. Defining vulnerability
 2. Identifying vulnerability
 3. Recording vulnerability
 4. Provision of services
 5. Communications
 6. Lettings
 7. Rent arrears
 8. Repairs
 9. Anti-Social Behaviour (ASB)
 10. Protected characteristics
 11. Capacity
 12. Implementation
 13. Compliance and Monitoring
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1. Defining vulnerability

Bromford defines ‘vulnerable’ in relation to the provision of its services as: customers who have a particular characteristic and/or experience an exceptional life event and are currently unable to act independently and/or are unable to cope with managing their tenancy without additional support.

Our definition reflects our understanding that ‘vulnerability’ can be a changeable state influenced by multiple factors and experiences such as age, disability, bereavement, mental health, domestic violence, poverty etc. The more common characteristics, events and factors we take into consideration when considering a customer's state of vulnerability are included at Appendix 1.

Some of these factors are a constant and some can be a life event such as bereavement or domestic violence that does not necessarily remain a permanent state. It is the interaction of these factors that will determine how vulnerable a person is at any point in time and how much additional assistance they may require to sustain their tenancy.

An individual’s ability to act, engage or cope with everyday activities varies and so is an important factor in considering vulnerability. For example many older or disabled people are very independent and active and often do not need any additional assistance to sustain their tenancy and remain independent.

2. Identifying vulnerability

A customer who is experiencing vulnerability may be identified by:

- customers when they apply for housing or contact us, or self-refer
- any Bromford colleague who has contact with customers in person, on the phone or through any other channel of communication
- our contractors
- a referral from an external agency or organisation.

We expect all of our colleagues to be aware of the possibility that a customer may be experiencing vulnerability e.g. from information they receive or from their own observations during routine work such as home visits or during a conversation over the telephone.

Bromford colleagues delivering services to customers will have training, so they are able to recognise potential signs of vulnerability such as:

- antisocial behaviour as a result of mental health issues
- being a victim or perpetrator of antisocial behaviour, harassment or domestic violence
- 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 and/or garden becoming damaged, neglected or otherwise unfit for occupation
- erratic rent payments and falling into arrears when the customer previously had a good payment history.

3. Recording vulnerability

We will record on the customer record through our D365 case management system, including any known vulnerability, any particular communication or access needs and whether there is anyone with delegated authority to speak to us on the customers' behalf such as a care or support worker. This will ensure our colleagues will have advance knowledge of any additional factors to consider when delivering services.

Safeguarding concerns will be raised with the relevant local authority or support services (Multi Agency Approach) in line with our Safeguarding Policy which sets out how we identify and support vulnerable adults and children at risk, and ensure statutory agencies are involved immediately when we have a concern.

4. Provision of services

While we do not define whole groups of people as vulnerable by default e.g. 'the young', 'the old' or 'single parents', we will embed in our way of working consideration of vulnerable customers' needs, abilities and circumstances in the delivery of our services and ensure they receive the required service, advice or assistance to sustain their tenancy and live well.

As part of our Neighbourhood Coaching approach we already provide a significant level of support for customers experiencing vulnerability as well as signposting to dedicated support services and a robust safeguarding referral process.

Each service area will consider what additional support, consideration or variation in usual service provision is appropriate for customer experiencing vulnerability. This may vary from service to service but some examples are:

- allowing longer for customers to answer their door when we call for an appointment
- giving priority for customers with heating breakdowns if they are undergoing medical treatment
- visits in person where we would normally provide a phone service
- explain a letter over the phone in addition to sending it
- provide or refer for additional support for an anti-social behaviour perpetrator with mental health issues instead of enforcement action
- applying for an injunction instead of possession action when the customers' vulnerability would make it extremely difficult for them to secure suitable alternative accommodation should we take possession.

5. Communications

Customer are asked about any communication needs when they attend the tenancy sign up and at other opportunities during their tenancy. In line with our Reasonable Adjustments Policy we will normally expect the customer to have made arrangements to communicate effectively, but in some exceptional circumstances where not to do so would severely disadvantage the customer, we will

consider making documents available in other languages and formats such as large print and audio or engage a British Sign Language interpreter.

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

Customers can also inform Bromford colleagues of vulnerabilities during any point of contact with us as well as online.

6. Lettings

When allocating our homes, we will review any information we receive on 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 customers' circumstances before giving any additional priority due to vulnerability in line with our Allocations Policy.

Any prospective customer, in deciding to enter a tenancy agreement must be able to understand:

- Their obligation to pay rent as a customer and to occupy and maintain the interior of the property
- The landlord's obligations, e.g. 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 Bromford home, new customers will be given the opportunity at the tenancy sign up to tell us about the needs of any vulnerable household member and any existing care and support services received.

7. Rent arrears

All customers must pay their rent on time and we will advise and support those who are struggling to make these payments. We recognise that many vulnerable customers may well have other money problems and difficulties with budgeting; we will refer customers and/or their carers who approach us for help or who fall into arrears to our Income Management Advisors to ensure the customer is maximising their income, supported in managing their budget, and has a realistic plan to repay their rent and arrears.

8. Repairs

We recognise that customers experiencing vulnerability may find it more difficult to cope if something goes wrong in their home and they need a repair. When a customer contacts Bromford to request a repair, the contact centre will confirm if there are any disabilities or support needs which should be considered. This should be recorded on the customer record so that the service can be delivered appropriately, aligned to the needs of the household.

9. Anti-Social Behaviour (ASB)

We will always investigate reports of ASB which involve domestic abuse, hate crimes and harassment. These are criminal behaviours so we will work closely with Police to support customers who experience these as well as those who are victimised or taken advantage of because of a disability or other vulnerability. We will also consider any vulnerabilities which an alleged perpetrator may experience.

We recognise that some customers may act in an anti-social way due to behaviours related to their vulnerability, and we will try to engage with them and any relevant support services and carers 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 the vulnerable ASB perpetrator in considering the most appropriate response.

10. Protected characteristics

Under the Equality Act 2010, Bromford may be considered as exercising a public function in the provision of its services and so has to “in the exercise of its functions, have due regard to the need to: “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;”

The protected characteristics are age, disability, gender re-assignment, marriage & civil partnership, race, religion or belief, sex and sexual orientation. Whilst we do not necessarily define all people with a protected characteristic as ‘vulnerable’ for the purposes of this policy, we will give due consideration to any protected characteristics in deciding any enforcement action under the terms of a tenancy or lease to avoid any inadvertent discrimination.

In managing tenancies and leases and delivering services, we will consider whether our decision would have an unfair or disproportionate impact on the customer compared with another customer who does not have a protected characteristic. In particular, where possession action is being considered, we will ensure that pre-action consideration is given to:

- whether the customers’ behaviour, actions or lack of action is related to their protected characteristic
- 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. Capacity

In line with the Mental Capacity Act 2005, we will liaise with those who have legal authority to act on behalf of our customers 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
- 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.

12. Implementation

To achieve the objectives of this policy, over the next 12 months we will:

- adopt a Reasonable Adjustments Policy to set out how we will adjust services for disabled customers
 - review how we capture details of a customer experiencing vulnerability in our systems and ensure that the data is available to colleagues who need access to it
 - instigate measures to increase the level of data we hold about a disability on our customer records
 - ensure we have the necessary data fields to record specific requirements as a result of a vulnerability or a protected characteristic
 - embed our approach into our service delivery by training our colleagues involved in delivering services so they know how to respond positively to customers experiencing vulnerability - this will be mandatory training and refreshed annually
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- assess our services and operational procedures to identify where we can apply further flexibility, variances or prioritisation for customers experiencing vulnerability
 - support our colleagues by creating a dedicated information and resources hub on our intranet.
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13. Compliance and Monitoring

Compliance with this policy will be monitored by periodic reviews of case records by the relevant team manager.

Assurance Framework

We will monitor compliance with this policy through regular self-assessment, internal audit, and performance measures.

Document Details

Owner: Kevin Bennett
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Approved By: Customer Forum
Date of Approval: 23 April 2024
Next Review Due: 23 April 2025
Policy Version: 1
Share to website: Yes

Version Control

Renewal Date	Version	Approved By	Comments
Apr 2024	1.0	Customer Forum	

APPENDIX 1 – FACTORS IN DEFINING VULNERABILITY

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

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

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

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

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

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

- Recent history of street homelessness
- Recently moved from supported accommodation to independent living
- Bereavement following the death of a partner, child or other close relationship
- Having recently left care as a young person
- Sexual or racist abuse or serious harassment or other hate crime
- Recent experience of domestic violence
 - Living in or recently left a refuge or homeless persons hostel
- Recently discharged from hospital or other institutional care
- Periods of sustained physical or mental illness at home
- Multiple debts and unable to meet basic needs e.g. fuel or food poverty
- Recently given birth, still born or miscarried
- Recently released from prison after a custodial sentence
- Families with children excluded from school
- Ex-service personnel returning from area of conflict