



Meeting	Cabinet Member for Good Homes Decision Day
Date and Time	Wednesday, 17th June, 2026 at 1.00 pm.
Venue	Walton Suite, Guildhall, Winchester and streamed live on YouTube at <a href="http://www.youtube.com/winchestercc">www.youtube.com/winchestercc</a>

**Note:** This decision day is being held in person at the location specified above. Members of the public should note that the meeting will be streamed live to the council's YouTube channel ([www.youtube.com/winchestercc](http://www.youtube.com/winchestercc))

A limited number of seats will be made available at the above named location however attendance must be notified to the council at least 3 working days before the decision day. Please note that priority will be given to those wishing to attend and address the decision day over those wishing to attend and observe.

## AGENDA

### PROCEDURAL ITEMS

- 1. Disclosure of Interests**  
To receive any disclosure of interests from Councillors or Officers in matters to be discussed.

Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests (DPIs), other registerable interests (ORIs) and non-registerable interests (NRIs) in accordance with the Council's Code of Conduct.

### BUSINESS ITEMS

- 2. Public Participation**  
– to note the names of members of the public wishing to speak on items for decision  
*Note: members of the public wishing to speak about a particular agenda item are required to register three working days in advance if they wish to speak at a Cabinet Member Decision Day.*



Members of the public and visiting councillors may speak at decision days on a specific item due for decision, provided they have registered to speak three clear working days in advance. Please contact Democratic Services by **5pm on Thursday, 11 June 2026** via [democracy@winchester.gov.uk](mailto:democracy@winchester.gov.uk) or (01962) 848 264 to register to speak and for further details.

**3. Visiting Councillors Representation**

To note any request from visiting councillors to make representations on an item for decision.

*Note: Councillors wishing to speak about a particular agenda item are required to register three working days in advance if they wish to speak at a Cabinet Member Decision Day. Councillors will normally be invited by the Chairman to speak during the appropriate item (after the Cabinet Member's introduction (and any comments from the leading officer) and any public participation).*

**4. No Access Policy (DD92) (Pages 5 - 36)**

**5. Tenancy Fraud Policy (DD93) (Pages 37 - 64)**

**6. Mobility Scooter Policy (DD94) (Pages 65 - 98)**

**Laura Taylor  
Chief Executive**

All of the Council's publicly available agendas, reports and minutes are available to view and download from the Council's [Website](#) and are also open to inspection at the offices of the council. As part of our drive to minimise our use of paper we do not provide paper copies of the full agenda pack at meetings. We do however, provide a number of copies of the agenda front sheet at the meeting which contains the QR Code opposite. Scanning this code enables members of the public to easily access all of the meeting papers on their own electronic device. Please hold your device's camera or QR code App over the QR Code so that it's clearly visible within your screen and you will be redirected to the agenda pack.



9 June 2026

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer Email: [cbuchanan@winchester.gov.uk](mailto:cbuchanan@winchester.gov.uk) 01962 848 438

## **TERMS OF REFERENCE**

Cabinet Member for Good Homes Decision Day – Included within the Council's Constitution (Part 3, Section 2)

### **Public Participation**

Representations will be limited to a maximum of 3 minutes, subject to a maximum 15 minutes set aside for all questions and answers.:

To reserve your place to speak, you are asked to **register with Democratic Services three clear working days prior to the decision day** – please see public participation agenda item above for further details. People will be invited to speak in the order that they have registered, subject to the maximum time period allowed for speaking not being exceeded. Public Participation is at the Chairperson's discretion.

### **Filming and Broadcast Notification**

This decision day will be recorded and broadcast live from the Council's You Tube channel. The decision day may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#). Please note that the video recording is subtitled, but you may have to enable your device to see them (advice on how to do this is on the meeting page).

### **Disabled Access**

Disabled access is normally available, but please phone Democratic Services on 01962 848 264 or email [democracy@winchester.gov.uk](mailto:democracy@winchester.gov.uk) to ensure that the necessary arrangements are in place.

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DD92

DECISION TAKER: Councillor Mark Reach, Cabinet Member for Good Homes

REPORT TITLE: NO ACCESS POLICY

17 JUNE 2026

Contact Officer: Yvonne Anderson, Service Lead: Landlord Services, Email [yanderson@winchester.gov.uk](mailto:yanderson@winchester.gov.uk)

WARD(S): ALL

## PURPOSE

This paper supports the Council I priority Good Homes for all

The purpose of this paper is to outline the council's Landlord Services No Access Policy 2026-2029, the policy sets out a consistent and proportionate approach to managing situations where residents do not provide access for statutory compliance, repairs, building safety, tenancy management, welfare and safeguarding activities.

The policy supports the council's legal and regulatory obligations, including compliance with the Social Housing (Regulation) Act 2023, Building Safety Act 2022, Awaab's Law requirements, and the Regulator of Social Housing Consumer Standards.

## RECOMMENDATIONS:

1. To agree the Landlord Services **No Access Policy 2025–2028**.
2. That delegated authority be given to the Corporate Head of Housing to make minor operational, legislative or formatting amendments to the policy during the review period where these do not materially alter the policy intent.

## IMPLICATIONS:

### 1. COUNCIL PLAN OUTCOME

#### 1.1 **Greener Faster**

Effective access management supports planned maintenance, energy efficiency improvements, damp and mould prevention, and safe operation of building systems, contributing to sustainable housing management and healthier homes.

#### 1.2 **Thriving Places**

The policy supports safe, well-managed neighbourhoods by ensuring homes and communal areas remain compliant, maintained and safe for residents and surrounding communities.

#### 1.3 **Healthy Communities**

The policy prioritises resident safety, safeguarding and wellbeing through timely compliance checks, welfare visits, damp and mould inspections, and identification of vulnerabilities requiring support.

#### 1.4 **Good Homes for All**

The policy supports the council's landlord obligations to maintain safe, compliant and well-maintained homes through consistent management of no-access cases across housing services.

#### 1.5 **Efficient and Effective**

The policy establishes a consistent cross-service framework, clear escalation routes, improved audit trails and coordinated working between compliance, repairs and housing teams.

#### 1.6 **Listening and Learning**

Extensive staff consultation has informed the development of the policy to ensure the approach is operationally practical, consistent and aligned across Housing, Compliance, Repairs and Property Services. Effective and consistent management of no-access cases will help reduce financial exposure associated with compliance failures, disrepair claims, enforcement action, property damage, health and safety incidents, regulatory intervention and delayed statutory inspections or repairs. The policy also supports improved governance, auditability and proactive risk management across Landlord Services functions.

### 2 FINANCIAL IMPLICATIONS

2.1 Whilst there are no direct financial implications from the recommendations in this report, failure to manage no-access effectively could lead to increased

disrepair claims, regulatory enforcement, property damage, legal costs and health and safety liabilities.

- 3 LEGAL AND PROCUREMENT IMPLICATIONS The policy supports compliance with statutory landlord duties including the Landlord and Tenant Act 1985, Gas Safety Regulations 1998, Building Safety Act 2022, Equality Act 2010 and Social Housing (Regulation) Act 2023. The policy also supports compliance with the Regulator of Social Housing Consumer Standards and Housing Ombudsman Complaint Handling Code. Procurement implications are limited to existing contractual arrangements with repairs and compliance contractors, who will be required to operate in accordance with the policy and associated procedures.

#### 4 CONSULTATION AND COMMUNICATION

- 4.1 Extensive staff consultation has been undertaken across Landlord Services, including Housing Services, Compliance, Repairs, Building Safety and relevant operational teams. Feedback from staff has informed the final policy and helped ensure the approach is practical, consistent and deliverable across services. Specific staff training has also been delivered with HQN to support understanding of no-access management, legal responsibilities, vulnerability considerations, escalation and good practice. The policy will be communicated to staff, contractors and residents, and published alongside a Plain English Summary.

#### 5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 The policy has limited direct environmental impact. Indirect positive impacts include enabling access for damp and mould works, stock condition surveys, energy efficiency improvements and planned maintenance activities that support sustainable housing management and improved housing conditions.

#### 6 PUBLIC SECTOR EQUALITY DUTY (If none, state "None")

- 6.1 An Equality Impact Assessment (EqIA) has been completed. The policy includes provisions for reasonable adjustments, accessible communication methods and consideration of vulnerabilities to ensure services are delivered fairly, proportionately and in accordance with the Equality Act 2010.

#### 7 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<b>Financial Exposure</b> - Failure to manage no-access effectively could lead to increased disrepair claims,	Clear escalation procedures, compliance monitoring, audit trails and coordinated cross-service working.	Improved compliance performance and reduced reactive costs.

regulatory enforcement, property damage, legal costs and health and safety liabilities.		
<b>Exposure to challenge</b> - Inconsistent application of no-access processes could result in legal challenge, Ombudsman findings or regulatory criticism.	Policy and procedure framework aligned to legislation, Consumer Standards and Complaint Handling Code.	Improved transparency, accountability and evidencing of decision-making.
<b>Innovation</b> - The policy supports improved digital case recording, coordinated service delivery and standardised escalation processes.	Clear operational procedures and staff guidance.	Improved data monitoring and service intelligence.
<b>Reputation</b> - Poor management of no-access could result in resident dissatisfaction, safety failures or adverse media and regulatory attention.	Resident-centred approach, clear communication, safeguarding considerations and complaint oversight.	Improved resident confidence and regulatory assurance.
<b>Achievement of outcome</b> - Failure to gain access may prevent completion of statutory inspections and repairs.	Structured escalation process, vulnerability support and legal remedies where necessary.	Improved compliance and service performance outcomes.
<b>Property</b> - Delayed access may increase risk of property deterioration, damp and mould, fire or compliance failures.	Early engagement, prioritisation of high-risk cases and emergency escalation powers.	Improved asset protection and housing safety.
<b>Community Support</b> - Residents may perceive enforcement action negatively if communication is unclear.	Clear communication, reasonable adjustments and support-led engagement.	Stronger resident understanding of landlord safety obligations.
<b>Timescales</b> - Delayed access could impact statutory compliance deadlines and repair timescales.	Defined escalation stages and monitoring arrangements.	Improved appointment management and performance monitoring.
<b>Project capacity</b> - Limited additional impact	Cross-service ownership and existing operational	Improved service coordination.

as implementation will be managed within existing service structures.	management arrangements.	
<b>Local Government Reorganisation</b> - The policy supports statutory landlord obligations that will remain applicable under any future local government arrangements.	Policy establishes consistent governance and operational processes transferable to future structures and in line with national best practices	Supports standardisation and future readiness across housing services.
Other - Safeguarding concerns may remain unidentified where repeated no-access occurs.	Joint working between Housing Officers, Tenancy Sustainment, Compliance and safeguarding services.	Earlier identification of vulnerability and support needs.

8 OTHER KEY ISSUES The policy supports improved information management, auditability and regulatory assurance across Landlord Services. Staff training requirements will be managed through existing compliance, safeguarding and housing management training programmes.

9 SUPPORTING INFORMATION:

9.1 The No Access Policy provides a consistent cross-service framework for managing situations where residents do not provide access for inspections, compliance checks, repairs, welfare visits and building safety activities. The policy establishes clear principles for engagement, vulnerability considerations, escalation and legal intervention where required. The policy has been developed in response to increased regulatory expectations following the Social Housing (Regulation) Act 2023, updated Consumer Standards and emerging requirements associated with Awaab's Law and building safety legislation. It aligns operational practice across Landlord Services and supports consistent, proportionate and evidence-based decision making.

10 OTHER OPTIONS CONSIDERED AND REJECTED

10.1 No formal alternative policy options were developed for decision, as the need for a consistent cross-service No Access Policy was identified through regulatory requirements, operational learning and staff consultation. Continuing with separate or informal service-level approaches was not considered appropriate, as this would increase the risk of inconsistent practice, weaker governance, reduced regulatory assurance and poorer resident outcomes.

## BACKGROUND DOCUMENTS:-

### Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

This approach has previously been referenced within the Council's six compliance and building safety procedures. However, this document establishes a single, service-wide framework to ensure a consistent and coordinated approach is adopted and implemented across all Landlord Services functions.

### Other Background Documents:-

- Landlord Services No Access Policy 2025–2028
- No Access Procedure
- Social Housing (Regulation) Act 2023
- Regulator of Social Housing Consumer Standards (April 2024)
- Housing Ombudsman Complaint Handling Code

## APPENDICES:

Appendix 1 – Landlord Services No Access Policy 2025–2028 Draft

Appendix 2 – Equality Impact Assessment (EqIA) (Draft)

Appendix 3 – Resident consultation Summary

Appendix 4 – Plain English Summary (Draft)

Appendix 1 – Landlord Services No Access Policy 2025–2028

# Landlord Services No Access Policy 2025-2028

**Service Area:**

Landlord Services

**Policy Owner:**

Service Lead: Landlord Services

**Policy Category:**

**Regulatory** – Required to demonstrate compliance with landlord statutory duties, Regulator of Social Housing standards, and Housing Ombudsman requirements.

**Version controls:**

Version	Category	Trigger	Review Cycle	Author	Date
1.0.	Regulatory	New	3 years	Service Lead: Landlord Services	01 November 2025

If you require this policy in another format or language, please contact the Housing Service by emailing [policy@winchester.gov.uk](mailto:policy@winchester.gov.uk) or calling **01962 848 400**.

## **Purpose**

This cross-service No Access Policy sets out Winchester City Council's principles and approach where residents do not provide access for inspections, servicing, repairs, or safety-related visits. This Policy must be read in line with the No Access Procedure. The No Access Procedure sets out the mandatory operational steps, timescales and escalation routes.

Its aims are to:

- Ensure the Council meets legal and regulatory obligations to maintain safe homes under the Building Safety Act 2022.
- Ensure access for inspections and works required under Awaab's Law and associated timeframes.
- Provide a fair, consistent and transparent approach
- Minimise health, safety, and compliance risks linked to no-access
- Protect residents, staff, and contractors
- Support early identification of vulnerability or safeguarding concerns

The Council understands that this is a technical document and for transparency and accountability we will provide a 'Plain English Summary' to be published will be published on the Council's Housing webpages and made available on request.

## **Scope**

This overarching Landlord Services policy applies to all housing management, property compliance, repairs and maintenance activities requiring access. It covers:

- Homes managed under secure, introductory, non-secure tenancies
- Homes managed as Temporary Accommodation (including licence and non-secure tenancy agreements)
- Leasehold homes, where Winchester City Council retains responsibility, for communal systems or where Winchester City Council retains repairing or safety responsibility
- All Council staff, contractors and agents acting on behalf of Landlord Services

Activities include, but are not limited to:

- Gas servicing and safety checks
- Electrical safety inspections
- Fire safety inspections (communal and in-dwelling)
- Water hygiene, asbestos, damp and mould inspections
- Building safety case data collection and risk assessments.
- Stock condition surveys
- Emergency, urgent and routine repairs
- Compliance checks relating to the safety of buildings and homes
- Tenancy management inspections (including Temporary Accommodation/Housing Services)
- Any welfare or tenancy sustainment visits

## Roles and Responsibilities

<b>Role/Team</b>	<b>Responsibility</b>
<b>Housing Policy &amp; Projects</b>	Governance, review cycle, and inclusion in the Policy Register. Housing Policy does not manage cases or escalation decisions.
<b>Service Lead</b>	Policy Owner. Overarching decision-maker on decisions, scope and remit. Ensuring the policy is implemented, reviewed and complied with. Oversight, compliance, and review of this policy.
<b>Compliance Team</b>	Scheduling, monitoring and escalating statutory compliance checks; issuing no-access notices and Authority to trigger formal escalation in line with procedure.
<b>Repairs Service &amp; Contractors</b>	Attempt access, record outcomes, leave no-access cards, rebook appointments, escalate in line with procedure. Contractors must carry identification, clearly explain the purpose of the visit, and confirm the work to be undertaken. Where work is completed, contractors must explain outcomes, including when old items remain in place
<b>Housing Services – Housing Officers</b>	Engage residents where access issues relate to vulnerabilities, tenancy breaches, or safeguarding
<b>Tenancy Sustainment Officers</b>	Provide support to maintain access, address vulnerabilities, ensure residents understand their responsibilities
<b>Temporary Accommodation Officers</b>	Engage residents where access issues relate to vulnerabilities, tenancy breaches, or safeguarding applied within Temporary Accommodation settings
<b>Legal Services</b>	Advise and support legal action including injunctions and court applications
<b>Residents (Residents/leaseholders)</b>	Provide access as set out in tenancy, lease or licence conditions.

## Policy Statement

Winchester City Council is committed to ensuring that all residents live in safe, well-maintained homes and receive a consistent, fair and transparent service when access to their home is required. All actions taken under this policy will be proportionate to risk, statutory urgency and individual circumstances, including any identified vulnerabilities.

The Council has different types of landlord duties that require access to residents' homes. While timescales, urgency and legal requirements differ, the principles of engagement, support and escalation remain consistent and are set out in the No Access Procedure.

### **Emergency Access**

Emergency access is required where there is an immediate risk to life, health, safety or property, such as gas leaks, fire risk, serious flooding or structural failure.

These situations may require urgent attendance, including forced entry where legally authorised, to prevent harm and protect residents, neighbours and property.

#### **What this means for tenants**

- Emergency access may be required without prior notice
- The Council will act only where necessary and proportionate
- Every effort will be made to inform you as soon as possible and explain the action taken

### **Compliance and Building Safety Access**

Compliance and building safety duties include gas servicing, electrical safety inspections, fire safety checks, water hygiene, asbestos inspections and other safety-critical activities.

These are legal requirements, and the Council must complete them to comply with legislation and the Regulator of Social Housing's Home Standard. Failure to access a home for these checks may place residents at risk and expose the Council to regulatory or legal action.

#### **What this means for tenants**

- Receive advance notice of compliance appointments
- These visits are mandatory for safety reasons
- Repeated failure to provide access may lead to earlier escalation due to statutory risk

### **Repairs and Maintenance Access**

The Council has responsibilities under the Landlord and Tenant Act 1985 and tenancy agreements to keep homes in good repair.

Access is required to diagnose and complete both urgent and routine repairs, including those identified through inspections or stock condition surveys, to ensure homes remain safe, functional and compliant.

#### **What this means for tenants**

- Repairs appointments will be arranged in advance wherever possible
- Tenants will be told what the repair is and why access is needed
- Escalation will focus on risk to health, safety or property and will follow the same structured process as other access types

### **Housing Management and Welfare Access**

Housing Officers, Temporary Accommodation Officers and Tenancy Sustainment Officers may require access to carry out inspections, safeguarding visits, welfare checks and tenancy or neighbourhood management activities.

Access enables the Council to support residents, identify and respond to vulnerabilities, uphold tenancy conditions and protect communities.

### **Sheltered, Temporary and Scheme-based accommodation**

The Council recognises that residents living in sheltered, temporary and scheme-based accommodation may require a different approach to arranging access. Where appropriate, access arrangements may include face-to-face confirmation, coordination through scheme staff or wardens, or additional time and support to ensure residents clearly understand the purpose and timing of the visit.

These arrangements are intended to support residents, reduce missed appointments, and ensure access is managed in a safe, respectful and proportionate way.

### **What this means for tenants**

- Visits are intended to provide support as well as manage tenancies
- Vulnerabilities and individual circumstances will be considered
- Engagement and support will be prioritised before escalation

### **Consistent Approach and Escalation**

Despite differences in duty type, the Council applies a consistent, resident-centred approach to managing no-access across all services. All departments follow the same escalation stages as set out in the No Access Procedure, while recognising that urgency and timescales may differ depending on risk and statutory requirements.

Our approach is based on:

- Early engagement with residents as soon as access is needed
- Providing clear appointment information, including what work will be carried out and why access is needed
- Informing residents promptly if an appointment is cancelled and offering a new date within a reasonable timeframe.
- Clear, accessible and timely communication

- Support and reasonable adjustments for residents who may need additional help
- Close collaboration between compliance, repairs and housing teams, particularly where vulnerability or safeguarding concerns are identified
- Providing reassurance and safeguarding information so residents feel safe allowing access
- A consistent escalation framework applied fairly across services
- Legal action only as a last resort, with full consideration of individual circumstances

### **Vulnerability and Additional Support**

The Council recognises that some residents may experience circumstances that make it more difficult to provide access to their home. The Council is committed to identifying vulnerability early and providing appropriate support to ensure access arrangements are fair, reasonable and proportionate.

For the purposes of this policy, vulnerability is defined broadly and non-exhaustively and may include, but is not limited to:

- Disability or long-term health conditions
- Mental health conditions
- Age-related needs, including older residents
- Learning disabilities or cognitive impairment
- Sensory impairment
- Language or communication barriers
- Caring responsibilities
- Temporary crisis or personal circumstances affecting a resident's ability to engage

Vulnerabilities may be identified in a number of ways, including:

- Self-disclosure by the resident or their representative
- Information already held by the Council within the Housing Management System
- Observation or professional judgement by staff or contractors
- Information shared by partner agencies, support services or carers, where lawful and appropriate

Where a vulnerability is identified, the Council will consider and offer reasonable adjustments to support access, which may include:

- Providing longer or more flexible notice periods where legally possible
- Using different communication methods or formats, including plain English, large print or translation
- Allowing a carer advocate or support worker to be present
- Offering face-to-face engagement where appropriate
- Coordinating access through housing officers, scheme staff or support services

The Council will work collaboratively across services to ensure vulnerabilities are recorded appropriately, support is offered consistently, and residents are treated with dignity and respect throughout the access and escalation process.

### **Formal Action Where Access Is Repeatedly Refused**

Where repeated attempts to gain access are unsuccessful and access continues to be denied without reasonable cause:

- Compliance and building safety duties will be prioritised for urgent escalation due to statutory risk
- Repairs and housing-related access will follow the same structured escalation route, with prioritisation where there is risk to health, safety or property

If all reasonable efforts to engage and support the resident have been exhausted, the Council may take formal action, including injunctions, warrants or forced entry where legally authorised, to meet its legal obligations and protect residents, staff, neighbours and the wider community.

### **No Access Legal Powers**

Where access to a resident's home is required and has not been provided despite repeated attempts to engage, the Council may consider using legal powers to meet its statutory and safety obligations.

Before taking legal action, the Council will:

- Make reasonable attempts to contact the resident and agree access
- Provide clear information about why access is required and the risks of continued refusal
- Consider any vulnerabilities, support needs or reasonable adjustments
- Offer support and alternative arrangements where appropriate
- Follow the escalation stages set out in the No Access Procedure

Legal action is always a last resort and will only be pursued where it is necessary, proportionate and reasonable in the circumstances.

The Council may seek legal powers including injunctions under the Anti-social Behaviour, Crime and Policing Act 2014, warrants of entry under the Environmental Protection Act 1990, or powers under the County Court's general jurisdiction to enforce tenancy obligations.

Forced entry will only be used where legally authorised, typically through a court order or statutory warrant, and where necessary to prevent an immediate danger to life or property. Immediate danger includes gas leaks, fire risk, structural collapse or serious flooding.

Where vulnerabilities are identified, escalation and enforcement decisions will be reviewed and adjusted accordingly to ensure actions remain fair, proportionate and reasonable in the individual circumstances.

### **Cost Recovery and Charges**

Any consideration of recharging costs linked to missed appointments, legal action or forced entry will be case-specific and not automatic. The Council will take account of:

- The reason access was not provided
- Any identified vulnerabilities or support needs
- Whether reasonable adjustments or support were offered
- The resident's individual circumstances

Where charges are considered, residents will be informed in advance wherever possible and given information about how charges have been calculated and how they can raise concerns.

### **Recording and Monitoring**

All no-access attempts must be recorded in the relevant Landlord Services system (compliance module, repairs management system, or housing case system), creating a full audit trail. Records must be sufficient to evidence reasonableness, proportionality and learning and include:

- Appointment history
- Contact attempts (stating 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> Attempt)
- Letters and notices
- Photographs
- Notes from staff or contractors

Compliance performance will be monitored through:

- Quarterly Service Area performance reviews
- Housing Leadership Board reporting
- Resident Scrutiny reviews
- Learning from complaints and resident feedback

No-access trends inform TSM performance and improvement plans. Case audits will be used to identify learning and improve practice.

### **Resident Involvement**

This policy has been reviewed and will continue to be reviewed in consultation with Residents, in line with Winchester City Council's Resident Partnership and Influence Plan.

Feedback gathered through surveys contributed to this final version. A summary of consultation feedback and responses is available on request. Residents will be involved in future reviews and service improvements.

For further information on how to be involved please visit our webpage.

## **Complaints, Challenges and Review**

Residents have the right to raise concerns, challenge decisions or make a complaint at any stage of the no-access process. The Council encourages residents to do so before legal action is taken wherever possible, so concerns can be reviewed and resolved early.

Complaints will be handled in line with the Council's Housing Complaints Policy and the Housing Ombudsman Complaint Handling Code.

## **Winchester City Council Complaints Policy**

This section summarises. Complaints will be handled in line with Winchester City Council's Housing Complaints Policy and the Housing Ombudsman Complaint Handling Code, which set out a clear, fair, and accessible process for resolving complaints.

You can make a complaint in any of the following ways:

- By completing the online complaints form
- By email to: [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)
- By telephone: 01962 848 400
- In writing to: Winchester City Council, Colebrook Street, Winchester, SO23 9LJ
- By speaking directly to any council officer

**If you remain** dissatisfied after our response, you can escalate your complaint to the **Housing Ombudsman**, an independent service that reviews housing complaints across England. We aim to make the complaints process straightforward, fair, and transparent.

## **Information Management and Data Protection**

When you report a problem, we record it on our secure housing case system. We only collect and share information that is relevant, necessary, and proportionate. We follow the Data Protection Act 2018, UK GDPR, and the Council's Data Protection and Privacy Policy.

Sometimes we work with other agencies (for example, our contractors). We will only share your information with them if it is safe, legal and will help protect people or resolve the issue.

### **Equality, Diversity and Inclusion**

Everyone has the right to be treated fairly and feel safe in their home. The Council will consider individual circumstances and provide additional support where vulnerabilities or accessibility needs are identified.

The Council will make reasonable adjustments under the Equality Act 2010 and staff will apply trauma-informed principles when managing repeated no-access, particularly where repeated missed access may relate to disability, mental health, or other vulnerabilities.

An Equality Impact Assessment (EqIA) has been completed for this policy.

### **Legal and Regulatory Basis**

This policy is underpinned by the following:

#### **Legislation**

- Landlord and Tenant Act 1985.
- Housing Act 1996.
- Gas Safety (Installation and Use) Regulations 1998.
- Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.
- Defective Premises Act 1972.
- Protection from Eviction Act 1977
- Social Housing (Regulation) Act 2023 – Awaab’s Law provisions.
- Equality Act 2010
- Data Protection Act 2018 / UK GDPR
- Social Housing (Regulation) Act 2023.
- Regulatory Standards (Regulator of Social Housing, April 2024)

#### **Regulation**

- Home Standard (April 2024)
- Neighbourhood and Community Standard (April 2024)
- Transparency, Influence and Accountability Standard (April 2024)
- Tenancy Standard (April 2024)
- Safety and Quality Standard (April 2024)
- Complaint Handling Code

#### **Resident Satisfaction Measures (TSMs)**

- TSM Q03: Repairs completed right first time.
- TSM Q04: Timeliness of repairs.
- TSM Q05: Safety of home.
- TSM Q11: Landlord keeps residents informed.
- TSM CH03: ASB handling – no access affects welfare visits, safeguarding and neighbourhood management.

#### **Related Documents**

- All 6 Compliance Policies and Procedures.
- Tenancy Agreement.
- Repairs & Maintenance Policy.
- Damp and Mould Policy.
- Complaints Policy.
- Safeguarding Policy (Adults & Children)

#### **Policy Review Date**

We review this policy and our approach every three years, or sooner if the law or best practice changes. The Service Lead: Landlord Services has operational oversight. Monitoring is supported by the Building Safety Manager and Housing Services Manager. It is formally monitored through quarterly service performance reviews, including case audits, learning from complaints, and resident feedback.

All housing staff are trained on safeguarding, equality and legal powers, and they regularly update their training to keep residents safe.

## Winchester City Council

### Equality Impact Assessment (EqIA)

#### Section 1 - Data Checklist

When undertaking an EqIA for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?		
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	Consultation was undertaken with all of housing Service - Compliance Teams, Repairs, Housing Officers, Tenancy Sustainment Officers, Temporary Accommodation Officers, Building Safety Manager, Legal Services, Corporate, Senior Management, Tenants.
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	Yes	Resident groups highlighted risks for disabled residents, older people, residents with anxiety or trauma, language barriers, and those requiring carers or advocates. These concerns directly shaped the policy's vulnerability, reasonable adjustment, and escalation safeguards.
4	Do you have any concerns regarding the implementation of this policy or project?	Yes	Managing access for vulnerable or disengaged residents presents challenges, particularly where statutory deadlines apply. There is a need for consistent staff training, high-quality record keeping, and clear cross-team working to prevent disproportionate impacts.

		Yes/No	Please provide details
	<i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>		
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project?	Yes	National data shows higher no-access rates in households with known vulnerabilities, hoarding behaviours, mental health conditions, mobility impairments, or language barriers. Temporary Accommodation settings also show increased access challenges.
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	The Council past experience operational regarding access (gas safety, electrical safety, damp and mould, safeguarding). Lessons learned include the importance of early engagement, Housing Officer involvement, and avoiding enforcement without welfare checks.
7	Are there any other issues that you think will be relevant?	No	No additional issues identified at this stage.

## Section 2 - Your EqIA form

<b>Directorate:</b> Housing	<b>Your Service Area:</b> Landlord Services	<b>Team:</b> Landlord Services	<b>Officer responsible for this assessment:</b> Yvonne Anderson	<b>Date of assessment:</b> 01/01/2026
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	<b>Question</b>	<b>Please provide details</b>
1	What is the name of the policy or project that is being assessed?	Landlord Services No Access Policy (2025–2028)
2	Is this a new or existing policy?	New
3	Briefly describe the aim and purpose of this work.	To ensure Winchester City Council can lawfully, safely, and proportionately gain access to homes where required to meet statutory landlord, building safety, repairs, safeguarding, and welfare duties, while protecting residents' rights and promoting equality.
4	What are the associated objectives of this work?	<ul style="list-style-type: none"> <li>- Meet statutory safety and landlord obligations (including Awaab's Law).</li> <li>- Ensure consistent, fair, and transparent access management.</li> <li>- Protect residents, staff, and contractors.</li> <li>- Identify and support vulnerable residents early.</li> <li>- Prevent discrimination and disproportionate enforcement.</li> <li>- Improve communication, trust, and resident satisfaction.</li> </ul>
5	Who is intended to benefit from this work and in what way?	<ul style="list-style-type: none"> <li>- Council tenants and residents</li> <li>- Leaseholders (where landlord duties apply)</li> <li>- Vulnerable residents requiring additional support</li> <li>- Council staff and contractors</li> <li>- Wider community through safer homes</li> </ul>
6	What are the outcomes sought from this work?	<ul style="list-style-type: none"> <li>- Safe, compliant homes</li> <li>- Reduced risk of harm from missed safety checks</li> <li>- Fair and proportionate escalation</li> </ul>

		<ul style="list-style-type: none"> <li>- Improved equality outcomes and auditability</li> <li>- Compliance with RSH and Ombudsman standards</li> </ul>
7	What factors/forces could contribute or detract from the outcomes?	<ul style="list-style-type: none"> <li>- Resident engagement and willingness to allow access</li> <li>- Early identification of vulnerability or support needs</li> <li>- Clarity, tone, and accessibility of communication</li> <li>- Staff understanding and consistent application of the policy</li> <li>- Availability and flexibility of appointments and contractors</li> <li>- Statutory and regulatory deadlines limiting flexibility</li> <li>- Quality and accuracy of data and record-keeping</li> <li>- Safeguarding concerns requiring deviation from standard processes</li> <li>- Organisational capacity, workload, and staff turnover</li> </ul>
8	Who are the key individuals and organisations responsible for the implementation of this work?	<ul style="list-style-type: none"> <li>- Strategic Director (Housing) overall accountability</li> <li>- Service Lead: Landlord Services policy ownership and compliance</li> <li>- Building Safety Manager – statutory access and escalation oversight</li> <li>- Compliance teams (gas, electrical, fire, water hygiene, asbestos)</li> <li>- Repairs and Maintenance service</li> <li>- Housing Officers and Tenancy Sustainment Officers</li> <li>- Temporary Accommodation Officers</li> <li>- Legal Services</li> <li>- Corporate</li> <li>- Approved contractors</li> <li>- Tenant and Leaseholder Panels (consultation and scrutiny)</li> </ul>
9	Who implements the policy or project and who or what is responsible for it?	<p><b>Policy owner:</b> Service Lead: Landlord Services</p> <p><b>Operational implementation:</b></p> <ul style="list-style-type: none"> <li>- Compliance team</li> <li>- Repairs service</li> </ul>

		<ul style="list-style-type: none"> <li>- Housing Service</li> <li>- Tenancy Sustainment Officers</li> <li>- Temporary Accommodation Officers</li> </ul> <p><b>Day-to-day delivery:</b></p> <ul style="list-style-type: none"> <li>- Housing Officers</li> <li>- Compliance Officers</li> <li>- Repairs operatives</li> <li>- Contractors</li> </ul> <p><b>Enforcement decisions:</b></p> <ul style="list-style-type: none"> <li>- Compliance Managers</li> <li>- Area Housing Managers</li> <li>- Delegated senior officers</li> </ul> <p><b>Legal action:</b> Legal Services</p> <p>Oversight and assurance:</p> <ul style="list-style-type: none"> <li>- Building Safety Manager</li> <li>- DMT</li> </ul>
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		Please select your answer in <b>bold</b> . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	<b>Y</b>	<b>N</b>	
10b	What existing evidence (either presumed or otherwise) do you have for this?	Residents with limited English proficiency may not understand appointment notices, legal language, or escalation risks, increasing no-access risk.		

11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	
11b	What existing evidence (either presumed or otherwise) do you have for this?	Some residents (particularly women living alone) may feel unsafe allowing access.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>you may wish to consider:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical access</i></li> <li>• <i>Format of information</i></li> <li>• <i>Time of interview or consultation event</i></li> <li>• <i>Personal assistance</i></li> <li>• <i>Interpreter</i></li> <li>• <i>Induction loop system</i></li> <li>• <i>Independent living equipment</i></li> <li>• <i>Content of interview</i></li> </ul>	Y	N	
12b	What existing evidence (either presumed or otherwise) do you have for this?	Physical, sensory, cognitive, and mental health impairments can affect communication, appointment management, and ability to provide access.		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	
13b	What existing evidence (either presumed or otherwise) do you have for this?	No differential impact identified.		
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N	

14b	What existing evidence (either presumed or otherwise) do you have for this?	Older residents, particularly in sheltered or scheme-based accommodation, may experience confusion, anxiety, or physical barriers to access.		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N	
15b	What existing evidence (either presumed or otherwise) do you have for this?	Religious practices may affect availability or comfort with access arrangements.		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	
16b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence of differential impact.		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	
17b	What existing evidence (either presumed or otherwise) do you have for this?	No differential impact identified.		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	
18b	What existing evidence (either presumed or otherwise) do you have for this?	Pregnant residents and households with newborns may face heightened health risks or stress during access or works.		
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	Yes, if unmanaged

20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	<b>No</b> – all impacts must be mitigated.
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	<p><b>Accessible communication</b></p> <ul style="list-style-type: none"> <li>- Translate key documents into the most commonly used resident languages.</li> <li>- Provide access to interpreters and telephone translation services.</li> <li>- Ensure all digital and printed materials meet accessibility standards (e.g. plain English, large print, screen-reader compatible).</li> </ul> <p><b>Vulnerable resident protocol</b></p> <ul style="list-style-type: none"> <li>- Record vulnerability indicators and communication preferences (with consent).</li> <li>- Work jointly with Housing services, property services Neighbourhoods, Tenancy Sustainment, and Social Care to support access and resident welfare.</li> </ul> <p><b>Reasonable adjustments</b></p> <ul style="list-style-type: none"> <li>- Offer flexible appointment times and alternative access arrangements.</li> <li>- Provide temporary relocation or decant options where required for safety.</li> <li>- Deploy Tenancy Sustainment Officers to support residents with additional needs.</li> </ul> <p><b>Contractor and staff training</b></p>		

		<ul style="list-style-type: none"> <li>- Require Equality, Diversity and Inclusion (EDI), safeguarding, and vulnerable-resident awareness training for all staff and contractors.</li> <li>- Ensure contractors hold appropriate competency and accreditation.</li> </ul> <p><b>Resident engagement and feedback</b></p> <ul style="list-style-type: none"> <li>- Maintain an inclusive resident engagement strategy.</li> <li>- Use TACT and tenant panels to inform and co-design accessible communications where practicable.</li> </ul> <p><b>Monitoring and reporting</b></p> <ul style="list-style-type: none"> <li>- Monitor equality-related performance indicators.</li> <li>- Review equality data and mitigation actions on a quarterly basis.</li> </ul>		
22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	<ul style="list-style-type: none"> <li>- Equality mitigation actions (accessible communication, vulnerable resident engagement, reasonable adjustments, and data integration) will be embedded within the Housing Service Plan.</li> <li>- Actions will align with compliance, building safety, and resident engagement priorities.</li> <li>- Progress will be monitored through existing performance, internal audits and governance arrangements.</li> </ul>

Signed by completing officer	Paul Salter
Signed by Service Lead	Yvonne Anderson
Corporate Head of Service	Karen Thorburn

## Appendix 3 – Resident consultation Summary

### **Landlord Services No Access Policy 2025-2028 Armchair Reviewer – Feedback Summary**

#### **Overall Feedback on Responses**

##### **What's Working Well**

- Core intent of the policy is understood by most respondents.
- Tenants broadly accept the need for access for safety and compliance.
- No respondents objected to the principle of enforcement only to how it's explained and applied.
- Positive feedback from older sheltered tenants suggests trust in the council, but also higher reliance on clear communication.

##### **What Isn't Working**

- The policy tries to do too much in one document.
- Key operational differences (compliance vs repairs) are not intuitive.
- The tone and structure are too internal and legalistic for a tenant-facing policy.
- Vulnerability is referenced but not operationalised

##### **Risk Signals**

Equality & accessibility risk (learning disabilities, mental health, older tenants).

Complaint escalation risk due to poor communication and missed/cancelled appointments.

Enforcement risk if tenants feel surprised, unsupported, or unclear on their rights.

Reputational risk if contractor behaviour is not clearly governed by the policy.

#### **Qualitative & Quantitative Analysis Table**

Quantitative Scores (Perceived Clarity, Understanding, Confidence)

Response ID	Policy Referenced	Clarity Score	Understanding Score	Confidence / Usefulness Score	Overall Sentiment
10	No Access Policy	5	5	5	Very positive
11	No Access Policy	4	4	4	Positive
13	Property Services No Access Policy 2025–2028	2	2	1	Poor
14	No Access Policy	4	3	3	Mixed / moderate

Key quantitative insight:

Average scores drop sharply where policy scope, language complexity, and process clarity are questioned.

Higher scores correlate with simpler expectations and familiarity, not necessarily policy robustness.

#### **Qualitative Feedback Themes**

Theme	Evidence from Responses	Impact
Access timing & practicality	Need for confirmation of access times; face-to-face engagement for sheltered tenants (ID 10)	Risk of missed appointments, frustration
Language & accessibility	Not user-friendly for tenants with limited education or learning disabilities (ID 13)	Accessibility & equality risk

Theme	Evidence from Responses	Impact
Policy scope confusion	Emergency vs compliance vs routine repairs unclear (IDs 13 & 14)	Misunderstanding of rights & obligations
Communication failures	Vague repair texts, lack of repair descriptions, cancelled visits not explained (ID 13)	Trust erosion, increased contact demand
Contractor conduct & ID	No clarity on identification, purpose of visit, or post-repair explanation (ID 13)	Safeguarding & reassurance risk
Enforcement transparency	Insufficient clarity on notice, costs, vulnerabilities, legal escalation (ID 14)	Anxiety, reputational and Ombudsman risk
Internal vs tenant-facing content	Legal lists and version control feel unnecessary (ID 14)	Information overload
Vulnerability handling	How vulnerabilities are identified, recorded, and supported unclear (IDs 13 & 14)	High regulatory risk under consumer standards

Suggested Actions (Clear, Achievable, Defensible)

### Structural Improvements

- Split or visually separate access types
- Emergency H&S access
- Compliance checks (gas, electric, fire, asbestos)
- Routine repairs & surveys
- Add a 1-page plain English summary
- Introduce a simple flowchart

Missed appointment → reminders → escalation → enforcement

### Communication Improvements

- Improve repair notification
- Include short description of repair in texts/emails
- Explain why access is needed
- Set expectations for cancellations
- Timeframe for notification
- Commitment to rebook within X days
- Remove or relocate internal content
- Move legal references to appendix or link
- Remove version control from tenant-facing version

### Contractor & Staff Standards

- Explicit contractor expectations
- Mandatory ID
- Clear explanation of purpose
- Post-repair explanation (especially when old items remain)
- Safeguarding reassurance
- What tenants should expect at the door
- What to do if unsure or uncomfortable

### Vulnerability & Enforcement Safeguards

- Define vulnerability clearly
- How it's identified
- How tenants can self-report

- Examples of support offered
- Clarify enforcement protections
- Minimum notice
- Cost recharge safeguards
- How vulnerabilities are considered before legal action
- Appeals and complaints routes

## Appendix 4 – Plain English Summary (Draft)

### **Tenant Summary – No Access Policy**

#### **Plain English Guide**

#### **Keeping Homes Safe – Why We Sometimes Need Access**

Winchester City Council sometimes needs access to your home to carry out important inspections, safety checks, repairs and support visits.

This may include:

- Gas servicing and safety checks
- Electrical inspections
- Fire safety inspections
- Damp and mould inspections
- Emergency or routine repairs
- Building safety inspections
- Welfare or tenancy support visits

These visits help us:

- Keep your home safe and well maintained
- Meet legal safety responsibilities
- Prevent risks to you, your household and neighbours
- Identify problems early before they become more serious
- Support residents who may need extra help

Some visits are required by law and cannot be missed, especially where health or safety could be affected.

#### **What You Can Expect From Us**

We will always aim to provide a fair, respectful and supportive service. We will:

- Give notice of appointments wherever possible
- Clearly explain why access is needed
- Tell you what work or inspection will take place
- Carry identification when visiting your home
- Treat you and your home with respect
- Consider your personal circumstances and any vulnerabilities
- Offer support if you are finding it difficult to arrange access
- Keep you informed if appointments need to change
- Work with you to rearrange missed appointments
- Try to resolve issues informally before taking further action

We understand that allowing access to your home can sometimes feel worrying or inconvenient, and we will always try to work with you in a reasonable and supportive way.

#### **If You Miss an Appointment or Do Not Provide Access**

If we cannot get access to your home:

- We will try to contact you again

- We may leave a calling card, letter, text message or voicemail
- We will normally offer another appointment
- Housing staff or support services may contact you if we think you need additional help
- We will keep a record of attempts to contact you and arrange access

For important safety inspections, such as gas, fire or electrical checks, we may need to escalate the case more quickly because of the legal and safety risks involved.

Repeated failure to provide access may lead to formal action, but this will only happen after reasonable attempts have been made to contact and support you.

### **Extra Support and Reasonable Adjustments**

We understand that some residents may find it difficult to arrange or keep appointments for many different reasons.

Please tell us if you:

- Need translation or interpretation support
- Have a disability or long-term health condition
- Have mental health or wellbeing needs
- Need information in large print or another format
- Need appointments at certain times
- Would like a carer, advocate or support worker present
- Are experiencing difficult personal circumstances

We will consider reasonable adjustments and work with you to make access arrangements as safe, fair and manageable as possible.

### **Emergency Situations**

In some situations, we may need urgent access to protect people, homes or buildings. This could include:

- Gas leaks
- Serious water leaks or flooding
- Fire risks
- Dangerous electrical faults
- Structural safety concerns
- Situations where there is an immediate risk to health or safety

In emergencies, access may sometimes be needed urgently and without advance notice where legally permitted.

Where necessary, the Council may use legal powers to gain access, but this is always treated as a last resort and only where reasonable and proportionate.

### **Your Rights**

You have the right to:

- Be treated fairly, respectfully and professionally

- Receive clear and accessible information
- Ask questions about visits or inspections
- Tell us about your circumstances or support needs
- Request reasonable adjustments
- Raise concerns or make a complaint
- Be informed before formal action is considered wherever possible

The Council will consider individual circumstances carefully before making decisions about escalation or legal action.

DD93

DECISION TAKER: Councillor Mark Reach, Cabinet Member for Good Homes

REPORT TITLE: TENANCY FRAUD POLICY

17 JUNE 2026

Contact Officer: Yvonne Anderson, Service Lead: Landlord Services, Email [yanderson@winchester.gov.uk](mailto:yanderson@winchester.gov.uk)

WARD(S): ALL

## PURPOSE

This paper supports the council's priority 'Good Homes for All'.

The purpose of this paper is to outline the Housing Services Tenancy Fraud Policy 2026–2029, which establishes the council's consistent and proportionate approach to the prevention, detection, investigation and enforcement of tenancy and Right to Buy fraud.

The policy supports the council's statutory responsibilities, protects public housing assets, promotes fair access to social housing and aligns with the Council's Corporate Anti-Fraud and Corruption Framework.

## RECOMMENDATIONS:

1. To agree the Housing Services Tenancy Fraud Policy 2026–2029.
2. That delegated authority be given to the Corporates Head of Housing to make minor operational, legislative or formatting amendments to the policy during the review period where these do not materially alter the policy intent.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME1.1 **Greener Faster**

1.2 Effective tenancy management and lawful occupation of homes support sustainable use of housing stock, reduces wasted housing resources and helps ensure properties are appropriately occupied and maintained.

1.3 **Thriving Places**

1.4 The policy supports safe and stable communities by addressing unlawful occupation, subletting and fraudulent housing activity that can negatively impact neighbourhoods and community confidence.

1.5 **Healthy Communities**

1.6 Preventing tenancy fraud supports vulnerable households in genuine housing need by ensuring homes remain available to eligible residents and communities remain safe and well managed.

1.7 **Good Homes for All**

1.8 The policy protects social housing resources, supports fair allocations and safeguards the integrity of tenancy and Right to Buy processes.

1.9 **Efficient and Effective**

1.10 The policy establishes a clear, consistent and prevention-led framework across Housing Services, strengthening governance, fraud controls, auditability and cross-service working.

1.11 **Listening and Learning**

2 The policy has been developed through operational learning, staff engagement and review of best practice guidance. Tenant scrutiny engagement will continue as part of the policy's ongoing development and review process.

3 FINANCIAL IMPLICATIONS

3.1 Effective fraud prevention and enforcement protect the Housing Revenue Account resources and reduces financial losses associated with unlawful occupation, fraudulent Right to Buy activity and misuse of social housing stock. The policy supports value for money through early prevention, improved verification controls and recovery of properties where fraud is identified. Existing service resources will support implementation. Having a designated officer for this role could substantively recover rent income loss from fraud, however no decision has been made to make this commitment.

#### 4 LEGAL AND PROCUREMENT IMPLICATIONS

- 4.1 The policy supports compliance with the Prevention of Social Housing Fraud Act 2013, Fraud Act 2006, Housing Acts 1985 and 1996, Proceeds of Crime Act 2002, Data Protection Act 2018 and UK GDPR. The policy also supports compliance with the Regulator of Social Housing Consumer Standards and the Council's Corporate Anti-Fraud and Corruption Framework. There are no direct procurement implications beyond existing contractual and partnership arrangements supporting fraud prevention and investigation activities.

#### 5 CONSULTATION AND COMMUNICATION

- 5.1 Extensive consultation has been undertaken across Housing Services, including Income Services, Housing Services, Allocations, Homeownership, Housing Officers and relevant operational teams. Staff feedback has informed the development of the policy and associated operational approach. Specific fraud awareness and tenancy fraud training has also been undertaken to strengthen staff understanding of tenancy fraud risks, prevention measures, legal powers and investigation responsibilities.

- 5.2 The policy has been subject to armchair review by our customers who fed back that they were that they were generally supportive of the policy's purpose and structure, with reviewers scoring readability and clarity positively overall. However, several common themes emerged in that:

- The policy needs clearer plain English explanations
- Some terminology, scope, and legal references require clarification or updating.
- Reviewers wanted greater balance and reassurance around investigations and false accusations
- More practical examples and clearer investigation processes would improve resident understanding.

- 5.3 The policy will be communicated to staff and published on the Council's website.

#### 6 ENVIRONMENTAL CONSIDERATIONS

- 6.1 The policy has limited direct environmental impact. Indirectly, ensuring homes are lawfully occupied and effectively managed supports sustainable use of existing housing stock and reduces avoidable void and property management pressures.

#### 7 PUBLIC SECTOR EQUALITY DUTY

- 7.1 An Equality Impact Assessment (EqIA) has been completed. The policy includes safeguards to ensure investigations and enforcement action are fair, proportionate and evidence based. Reasonable adjustments will be considered where vulnerabilities or accessibility needs are identified in accordance with the Equality Act 2010.

## 8 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<b>Financial Exposure</b> - Failure to prevent or investigate tenancy fraud effectively could result in financial loss to the Housing Revenue Account, unlawful profit, loss of housing assets and reputational damage.	Robust verification controls, data matching, fraud investigations and lawful enforcement powers.	Improved value for money, recovery of housing assets and prevention of financial loss.
<b>Exposure to challenge</b> - Fraud investigations and enforcement action may be subject to legal challenge or complaints if not handled lawfully and proportionately.	Clear policy framework, staff training, lawful use of powers and oversight from Legal Services.	Improved governance, consistency and evidencing of decision making.
<b>Innovation</b> - Limited risk. The policy supports improved intelligence-led working, data matching and integrated fraud prevention practices across Housing Services.	Ongoing training, clear operational guidance and corporate fraud oversight.	Improved service intelligence and preventative controls.
<b>Reputation</b> - Failure to address tenancy fraud effectively could undermine public confidence in the Council's housing services and allocations processes.	Zero-tolerance approach, transparent enforcement and consistent operational practice.	Increased public confidence and trust in housing services.
<b>Achievement of outcome</b> - Fraudulent occupation may reduce housing availability for eligible households and	Prevention-led approach, tenancy audits, verification and enforcement action where appropriate.	Improved housing availability and service integrity.

undermine housing management objectives.		
<b>Property</b> - Unlawful occupation or abandonment may increase risks relating to property condition, anti-social behaviour and community safety.	Tenancy audits, inspections, occupancy checks and coordinated housing management activity.	Better asset protection and neighbourhood management.
<b>Community Support</b> - Residents may be concerned about fraud investigations or reporting processes.	Clear communication, confidentiality safeguards and fair investigation processes.	Increased resident confidence in reporting concerns and protecting housing stock.
<b>Timescales</b> - Delays in investigations or verification processes may impact housing allocations, enforcement or Right to Buy decisions.	Defined referral routes, investigation processes and performance monitoring.	Improved efficiency and case management oversight.
<b>Project capacity</b> - Implementation will be managed	Cross-service ownership and role-specific staff responsibilities.	Improved coordination and shared accountability.
<b>Local Government Reorganisation</b> - Fraud prevention and protection of public housing assets will remain statutory and operational requirements under any future local government arrangements.	Consistent governance and operational controls aligned with corporate fraud standards.	Supports future service standardisation and governance readiness.
<b>Other</b> - Failure to identify vulnerabilities or support needs during investigations could negatively impact residents.	Proportionate, evidence-based investigations with consideration of vulnerabilities and reasonable adjustments.	Improved safeguarding and resident support.

## 9 OTHER KEY ISSUES

- 9.1 The policy strengthens Housing Services' contribution to the council's wider corporate fraud framework and reinforces a prevention-led culture across housing operations. Staff training and awareness activity will support consistent implementation.

## 10 SUPPORTING INFORMATION:

- 10.1 The Tenancy Fraud Policy establishes a single, service-wide framework for the prevention, detection, investigation and enforcement of tenancy and Right to Buy fraud across Housing Services. The policy has been developed to strengthen operational consistency, governance, fraud prevention controls and lawful investigation practices.

The policy supports a prevention-first approach, embedding fraud awareness and verification throughout the housing lifecycle, including allocations, tenancy management, income collection, Right to Buy and tenancy reviews. Extensive staff consultation and operational learning have informed the final policy and associated processes.

This policy will take effect when the council's new Income Service Manager is in situ

## 11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 No formal alternative policy options were developed for decision, as the need for a consistent Housing Services Tenancy Fraud Policy was identified through legislative requirements, corporate anti-fraud standards, operational learning and staff consultation. Continuing with separate or informal service-level approaches was not considered appropriate, as this would increase the risk of inconsistent practice, weaker governance, reduced fraud assurance and poorer protection of public housing assets.

### BACKGROUND DOCUMENTS:- None

### Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

Corporate Anti-Fraud and Corruption Policy

### Other Background Documents:-

- Housing Services Tenancy Fraud Policy 2026–2029
- Corporate Anti-Fraud and Corruption Policy
- Prevention of Social Housing Fraud Act 2013 Guidance
- Right to Buy Guidance for Local Authorities

### APPENDICES:

- Appendix 1 – Housing Services Tenancy Fraud Policy 2026–2029
- Appendix 2 – Equality Impact Assessment (EqIA)
- Appendix 3 – Tenant Summary Policy on a Page
- Appendix 4- Armchair review of Tenancy Fraud Policy

## Appendix 1 – Housing Services Tenancy Fraud Policy 2026–2029



**Housing Services  
Tenancy Fraud Policy  
2026-2029**

**Service Area**

Income Services

**Policy Owner**

Income Services Manager

**Policy Category**

**Regulatory** – This Policy supports the lawful, proportionate, and consistent prevention, detection, investigation, and enforcement of Tenancy and Right To Buy fraud of Winchester City Council’s housing stock, ensuring compliance with relevant legislation, statutory guidance, and data protection requirements.

**Version controls:**

Version	Category	Trigger	Next review	Policy Owner	Date
1.0	Regulatory	New	3 years	Income Services – Service Manager	01 March 2026

If you require this policy in another format or language, please contact the Housing Service by emailing [policy@winchester.gov.uk](mailto:policy@winchester.gov.uk) or calling **01962 848 400**.

**Purpose**

Winchester City Council’s Housing Services is committed to ensuring that every home within its housing stock is occupied legally, safely, and by those who have a genuine right to live there. Fraud undermines fair access to social housing; places pressure on households in need and diverts essential public resources.

This includes fraud relating to housing occupation, tenancy rights, Right to Buy eligibility, and housing-related welfare benefits where these impact the lawful use or allocation of Council housing.

Fraud prevention is a shared responsibility across the whole of Housing Services. All teams and officers have a duty to actively prevent, identify, and report potential tenancy and RTB fraud through everyday service delivery, including tenancy management, allocations, repairs, income collection, and resident engagement

This policy provides a clear and robust framework for the prevention, detection, investigation, and enforcement of Tenancy and Right to Buy (RTB) fraud. It enables decisive yet fair action to safeguard homes, support lawful tenants, and maintain trust in the Council’s housing services.

This policy operates under and aligns with the Council’s Corporate Anti-Fraud and Corruption Policy and corporate fraud governance standards.

Specifically, this policy aims to:

- Protect public housing assets and ensure homes are available for residents who genuinely need them.
- Uphold the integrity of the housing register so allocations remain fair, transparent and based on accurate information.
- Safeguard tenants and communities, reducing risks associated with unlawful occupation and fraudulent activity.
- Ensure investigative powers are used lawfully, ethically and transparently.
- Meet statutory obligations and corporate anti-fraud principles, including zero tolerance of fraud, protection of public funds, and value for money.

Winchester City Council is committed to ensuring that all our homes are occupied by those who signed the tenancy agreement and have a legal right to be there.

### Scope

This policy should be read alongside the Council's corporate fraud framework, Whistleblowing Policy, and related corporate governance controls as set out in the Council's Anti-Fraud and Corruption Policy.

All Housing Services functions, including but not limited to tenancy management, allocations, income recovery, repairs, asset management, Building Safety, customer services, Tenant Partnership and commissioning.

This policy applies to:

- All Winchester City Council tenants, including those in temporary, introductory and secure Tenancies.
- Housing-related welfare benefit fraud where it directly affects tenancy eligibility, occupation, or rent liability (including Housing Benefit or Universal Credit housing costs).
- All applicants for social housing or RTB, whether new or existing residents.
- All relevant council staff, including Housing Officers, Authorised Officers, the Homeownership Team, and the Legal Team.
- Partner agencies who support or contribute to fraud prevention and investigation activities.

### Important Note – Leaseholders

This policy does not apply to existing leaseholders. Leaseholders generally have the legal right to sub-let or live elsewhere unless restricted by specific lease conditions. This distinction ensures that enforcement is proportionate, legally sound, and targeted at genuine tenancy and RTB fraud.

### Roles and Responsibilities

Whole-Service Responsibility for Fraud Prevention

The prevention of tenancy and Right to Buy fraud is a collective responsibility across Housing Services. Fraud prevention is embedded into day-to-day service delivery, decision-making, and resident contact. All staff are expected to remain vigilant, apply preventative controls, and escalate concerns promptly.

Role / Team	Responsibility
<b>Income Services Manager (Owner)</b>	<ul style="list-style-type: none"> <li>• Owns the policy, oversees implementation, ensures compliance, and coordinates with Legal and Data Protection.</li> <li>• Holds strategic accountability for delivery, ensuring that services operate lawfully and effectively.</li> <li>• Ensures fraud prevention is embedded into service processes, training, and performance frameworks.</li> <li>• Promotes a zero-tolerance, prevention-led culture across Housing Services.</li> </ul>

<b>Authorised Officers (AOs)</b>	<ul style="list-style-type: none"> <li>• Lead fraud investigations and prosecutions, exercise statutory powers, gathering evidence lawfully, prepare case file documents for legal action and maintaining accurate and secure records.</li> <li>• Reviews all right to buy applications.</li> <li>• Liaise with the Corporate Fraud Team and the Department for Work and Pensions (DWP) where suspected welfare benefit fraud is identified.</li> </ul>
<b>Housing Officers</b>	<ul style="list-style-type: none"> <li>• Act as a key front-line fraud prevention control through regular tenancy management activity.</li> <li>• Carry out tenancy visits, estate inspections and occupancy checks.</li> <li>• Proactively identify and challenge inconsistencies relating to occupancy, household composition or use of the property.</li> <li>• Ensure changes of circumstance are reported, recorded and verified.</li> <li>• Refer suspected fraud promptly to Authorised Officers for investigation.</li> </ul>
<b>Housing Assistants (lettings)</b>	<ul style="list-style-type: none"> <li>• Act as a first line of fraud prevention at the point of access to housing.</li> <li>• Carry out identity checks, document verification and declaration of truth processes for housing applications and offers.</li> <li>• Ensure evidence is accurately recorded and retained in line with data protection requirements.</li> <li>• Identify and escalate inconsistencies, omissions or suspected misrepresentation to Housing Officers or Authorised Officers.</li> <li>• Support annual reviews and audits of applications where required.</li> </ul>
<b>Allocations</b>	<ul style="list-style-type: none"> <li>• Conduct identity verification and document authentication for new applications to Hampshire Homechoice</li> <li>• Ensure declarations of truth are completed, and evidence is stored in accordance with data protection requirements</li> <li>• Acts as a first line of fraud prevention by robust verification, audit trails and early challenge of inconsistencies.</li> <li>• Embeds fraud risk awareness into annual reviews.</li> </ul>
<b>Homeownership Team</b>	<ul style="list-style-type: none"> <li>• Verify RTB applications, review financial information, confirm household details, and escalate concerns.</li> <li>• Applies preventative controls throughout the RTB process, not solely at application stage.</li> <li>• Maintains ongoing fraud risk awareness until completion.</li> </ul>
<b>Legal Team</b>	<ul style="list-style-type: none"> <li>• Provide legal advice on enforcement, civil or criminal action, Notices to Quit and Right to Buy cases.</li> </ul>
<b>Property Services/Contractors</b>	<ul style="list-style-type: none"> <li>• Report concerns identified during visits (e.g. signs of non-occupation, sub-letting, misuse).</li> <li>• Cooperate with verification and investigations.</li> </ul>
<b>Tenants</b>	<ul style="list-style-type: none"> <li>• To provide honest and accurate information.</li> <li>• Occupy the tenancy as main and/or principal home.</li> <li>• Update the council of any change of circumstance.</li> <li>• To report any suspected fraud in other properties.</li> </ul>

**Policy Statement**

Winchester City Council's Housing Department is committed to:

- **Protecting public housing stock** from any form of misuse or fraudulent behaviour.
- Applying a zero-tolerance approach consistent with corporate anti-fraud principles.
- **Responding promptly and proportionately** to all allegations of tenancy or RTB fraud.
- **Using statutory powers responsibly and transparently**, including powers granted by the Prevention of Social Housing Fraud Act 2013 (POSHFA).
- **Complying with core legislation**, including the Fraud Act 2006, Proceeds of Crime Act 2002, Housing Acts 1985 and 1996, Right to Buy provisions under the Housing Act 1985 and associated regulations and guidance, and all data protection laws.
- **Embedding fraud prevention into everyday service delivery**, systems, controls, and staff behaviours across Housing Services.
- **Taking appropriate enforcement action**, ensuring consequences are fair, proportionate, and in the public interest.
- **Maintaining fairness**, accuracy and accountability, ensuring every investigation is handled professionally and consistently.
- **Supporting corporate fraud awareness** campaigns and encouraging secure reporting.

Enforcement options may include:

- Termination of tenancy
- Recovery of unlawful profit
- Civil injunctions or possession
- Criminal prosecution (through Corporate Fraud Team and Legal Services)
- Recovery of criminal benefit under Proceeds of Crime Act 2002

The Council will always consider the full circumstances and the public interest when deciding on the appropriate course of action.

### **What is Housing and Tenancy Fraud?**

Tenancy fraud occurs when a Winchester City Council property is occupied, used, or obtained in contravention of statutory requirements or the terms of the tenancy agreement. It includes any act or omission carried out knowingly or recklessly that results in unlawful occupation, misrepresentation, or improper financial gain.

Failure to prevent, detect, or investigate tenancy fraud exposes the Council to significant legal, financial, regulatory, and operational risks, including:

- Misuse of public housing stock and failure to comply with statutory housing duties under the Housing Acts 1985 and 1996.
- Breach of regulatory expectations under the Regulator of Social Housing's consumer standards.
- Exposure to criminal activity and community safety risks.
- Loss of public funds and potential breach of fiduciary duties in relation to the Housing Revenue Account.

### **Statutory Categories of Tenancy Fraud**

The following activities constitute tenancy fraud under relevant UK legislation:

- **Housing-Related Welfare Benefit Fraud** – Knowingly or recklessly providing false information or failing to report relevant changes affecting entitlement to Housing Benefit or housing-related Universal Credit, where this impacts tenancy status, rent liability or allocation decisions.
- **Unlawful Subletting** – Renting out a secure tenancy or part of the premises without the written consent of the Council, contrary to the Housing Act 1985 (s.93) and constituting an offence under the Prevention of Social Housing Fraud Act 2013.

- **Parting with Possession** – Allowing another individual to occupy the whole property while the tenant resides elsewhere, contrary to the requirement to occupy as the only or principal home under the Housing Act 1985.
- **Non-Occupation** – Failing to occupy the dwelling as the principal or only home as required for the continuation of a secure tenancy.
- **Fraudulent Succession or Assignment** – Knowingly or recklessly making false statements or withholding material facts to obtain a succession or assignment of tenancy, contrary to s.171 Housing Act 1996.
- **Unauthorised Mutual Exchange or Assignment** – Proceeding with an exchange or assignment without statutory consent or by providing false information, contrary to the Housing Act 1985 (ss.92–94).
- **Fraudulently Obtaining Social Housing** – Knowingly or recklessly providing false, misleading, or incomplete information on a housing application, or failing to disclose a material change of circumstances, contrary to ss.171 and 214 Housing Act 1996.
- **Right to Buy (RTB) Fraud** – Knowingly or recklessly providing false information, failing to disclose relevant financial or household information, or misrepresenting eligibility under the Housing Act 1985 and Right to Buy provisions under the Housing Act 1985 and associated regulations and guidance.
- **Key Selling** – Assigning unauthorised possession of a council property in exchange for payment or reward, which may constitute offences under the Fraud Act 2006.

### **Criminal Offences**

Tenancy and RTB fraud may constitute one or more criminal offences under the following legislation:

- Fraud Act 2006: Including Fraud by False Representation (s.2) and Fraud by Failing to Disclose Information (s.3).
- Prevention of Social Housing Fraud Act 2013 (POSHFA): Criminalises unlawful subletting and enables recovery of unlawful profit orders.
- Housing Act 1996: s.171 (knowingly or recklessly providing false information) and s.214 (failure to disclose changes of circumstances).
- Proceeds of Crime Act 2002 (POCA): Enables confiscation of criminal benefit arising from unlawful subletting or tenancy-related fraud.
- Social Security Administration Act 1992 – offences relating to false statements and failure to disclose information in connection with benefit claims

Where proven, the following actions may be taken:

- Prosecution
- Recovery of unlawful profit
- Possession proceedings
- Confiscation of criminal benefit under the Proceeds of Crime Act 2002

### **Fraud Risk Assessment (FRA)**

Winchester City Council's Housing participates annually in the Council's corporate Fraud Risk Assessment, contributing tenancy fraud risks, controls, audit findings and service intelligence to the corporate risk framework.

### **Intelligence, Data Matching and Verification**

Housing will utilise:

- Tenancy audits, home visits and verification checks.
- Corporate data-matching capabilities (e.g., National Fraud Initiative, Experian, DWP, HMRC).
- Document authentication and identity verification.
- Joint working with Police, Home Office, neighbouring authorities and other agencies.
- Front-line staff intelligence and observations are a key source of fraud prevention and early detection

All data sharing follows DPA 2018, UK GDPR and statutory information-sharing gateways.

### **Fraud Prevention Framework**

Fraud prevention is a core, whole-service responsibility embedded into the design and delivery of Housing Services. The Council adopts a prevention-first approach, seeking to reduce opportunities for tenancy and Right to Buy fraud before enforcement action becomes necessary.

Fraud prevention is achieved through clear accountability, robust controls, and consistent staff behaviours across the housing lifecycle, from application and sign-up through to ongoing tenancy management and tenancy termination.

Preventative measures include:

- **Clear tenancy conditions and transparent communication** - Ensuring tenants and applicants understand their legal obligations, including occupation requirements, restrictions on sub-letting, and the consequences of providing false or misleading information.
- **Robust verification and assurance controls** - Proportionate identity, eligibility and document verification at application, allocation, sign-up, Right to Buy and review stages, supported by audit trails and declarations of truth.
- **Routine tenancy management activity as a fraud control** - Regular tenancy audits, home visits, estate inspections and service interactions used proactively to confirm occupancy, household composition and lawful use of the property.
- **Cross-service intelligence sharing and early escalation** - Information sharing within Housing Services and with relevant corporate teams to identify emerging risks, patterns or inconsistencies at the earliest opportunity, supported by clear internal referral routes.
- **Data matching and intelligence-led prevention** - Use of lawful data-matching tools and external intelligence (including corporate and national datasets) to identify potential fraud risks and target preventative activity proportionately.
- **Workforce capability and accountability** - Mandatory fraud awareness training for Housing staff, aligned to role-specific responsibilities, reinforcing individual accountability for prevention, early challenge and reporting.
- **Accessible reporting routes and community involvement** - Clear, secure and accessible mechanisms for tenants, residents, staff, contractors and partners to report concerns, supported by whistleblowing protections and confidentiality safeguards.

The effectiveness of fraud prevention activity is monitored through service performance reviews, case audits, learning from investigations, and corporate fraud assurance processes, ensuring continuous improvement and compliance with regulatory expectations.

### **Resident Involvement**

This policy has been reviewed and will continue to be reviewed in consultation with Residents, in line with Winchester City Council's Tenant Partnership and Influence Plan. Feedback gathered through surveys contributed to this final version. A summary of consultation feedback and responses is available on request. For further information on how to be involved please visit our webpage.

### **Winchester City Council Complaints Policy**

Complaints will be handled in line with Winchester City Council's Housing Complaints Policy and the Housing Ombudsman Complaint Handling Code, which set out a clear, fair, and accessible process for resolving complaints.

You can make a complaint in any of the following ways:

- By completing the online complaints form
- By email to: [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)

- By telephone: 01962 848 400
- In writing to: Winchester City Council, Colebrook Street, Winchester, SO23 9LJ
- By speaking directly to any council officer

If you remain dissatisfied after our response, you can escalate your complaint to the **Housing Ombudsman**, an independent service that reviews housing complaints across England. We aim to make the complaints process straightforward, fair, and transparent. Where a complaint relates to an active fraud investigation, some information may be restricted to protect legal proceedings.

### **Information Management and Data Protection**

When you report a problem, we record it on our secure housing case system. We only collect and share information that is relevant, necessary, and proportionate. We follow the Data Protection Act 2018, UK GDPR, and the Council's Data Protection and Privacy Policy. Sometimes we work with other agencies (for example, our contractors). We will only share your information with them if it is safe, legal and will help protect people or resolve the issue.

### **Equality, Diversity and Inclusion**

Everyone has the right to be treated fairly and feel safe in their home. The Council will consider individual circumstances and provide additional support where vulnerabilities or accessibility needs are identified.

The Council will make reasonable adjustments under the Equality Act 2010 and take a trauma-informed approach, particularly where repeated missed access may relate to disability, mental health, or other vulnerabilities. Decisions will not be influenced by protected characteristics and will be based on evidence and risk.

An Equality Impact Assessment (EqIA) has been completed for this policy.

### **Related Legislation**

- Prevention of Social Housing Fraud Act 2013 (POSHFA)
- Fraud Act 2006
- Proceeds of Crime Act 2002
- Housing Act 1985 (Tenancy & RTB provisions)
- Housing Act 1996 (Allocations)
- Data Protection Act 2018 & UK GDPR
- Right to Buy: Guidance for Local Authorities
- Regulator of Social Housing Consumer Standards
- Social Housing (Regulation) Act 2023 / Tenant Satisfaction Measures
- Police and Criminal Evidence Act 1984 Code C & E
- Housing Ombudsman Complaint Handling Code

### **Related Policies and Procedures**

- Allocations Policy
- Right to Buy Policy
- Corporate Anti-Fraud and Corruption Policy
- Rent Arrears and Income Recovery Policy
- Data Protection & Privacy Policies
- Tenant Participation and Influence Plan
- Safeguarding Policy
- Tenancy Agreement
- Right to Succession Policy
- Left in occupation Policy
- Assignment Policy
- Mutual exchange Policy

### Policy Review Date

We review this policy and our approach every three years, or sooner if the law or best practice changes. The Income Services Manager has operational oversight. Monitoring is supported by the Homeownership Services Manager, the Strategic Housing Manager and the Housing Services Manager. It is monitored through quarterly service performance reviews, including case audits, learning from complaints, and resident feedback.

All Housing Services staff will receive proportionate fraud awareness training relevant to their role. Training will reinforce individual responsibilities, reporting routes, and the importance of early prevention.

### Glossary of terms

Term	Definition
<b>Anti-Fraud and Corruption Policy</b>	The Council's corporate framework setting out its zero-tolerance approach to fraud and corruption, including governance, reporting and enforcement arrangements.
<b>Authorised Officer (AO)</b>	A Council officer authorised under the Prevention of Social Housing Fraud Act 2013 (POSHFA) to exercise statutory powers, including requesting information from third parties during fraud investigations.
<b>Corporate Fraud Risk Assessment (FRA)</b>	An annual Council-wide assessment identifying fraud risks, controls and mitigation actions, to which Housing Services contribute.
<b>Data Matching</b>	The lawful comparison of datasets (e.g. National Fraud Initiative, DWP, HMRC) to identify anomalies or potential fraud.
<b>Declaration of Truth</b>	A signed statement confirming that information provided by an applicant or tenant is complete, accurate and truthful.
<b>Enforcement Action</b>	Legal or administrative action taken in response to proven fraud, including possession proceedings, prosecution or recovery of unlawful profit.
<b>Fraud Prevention</b>	Measures designed to reduce the risk of fraud occurring, including verification, training, controls and early intervention.
<b>Housing Revenue Account (HRA)</b>	The ring-fenced account used to manage income and expenditure relating to council housing stock.
<b>Identity Verification</b>	The process of confirming an individual's identity using approved documentation and checks.
<b>Information-Sharing Gateway</b>	A lawful basis for sharing information between organisations for specific purposes, such as fraud prevention.
<b>Key Selling</b>	The unauthorised sale or transfer of possession of a council property in exchange for payment or reward.
<b>Misrepresentation</b>	Providing false or misleading information, or omitting relevant facts, knowingly or recklessly.

<b>Mutual Exchange</b>	A process allowing tenants to swap homes with another tenant, subject to statutory consent and conditions.
<b>National Fraud Initiative (NFI)</b>	A Cabinet Office data-matching exercise used to identify potential fraud and error in the public sector.
<b>Notice to Quit (NTQ)</b>	A legal notice served by a landlord to end a tenancy.
<b>Parting with Possession</b>	Allowing another person to occupy the whole property while the tenant lives elsewhere.
<b>Prevention of Social Housing Fraud Act 2013 (POSHFA)</b>	Legislation creating offences relating to unlawful sub-letting and granting investigation powers to local authorities.
<b>Principal Home</b>	The main residence where a person normally lives.
<b>Proceeds of Crime Act 2002 (POCA)</b>	Legislation allowing recovery of financial benefit obtained through criminal activity.

## Appendix 2 – Equality Impact Assessment (EqIA)



**Winchester**  
City Council

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## Equality Impact Assessment (EqIA)

### Section 1 - Data Checklist

When undertaking an EqIA for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	Yes	A complaint has been received regarding our fraud investigation into a Right to Buy application. Documentation provided indicated that the applicant had access to capital that was not disclosed at the point of re-housing. The basis of the complaint is that our interpretation of the evidence has been misconstrued. The matter is ongoing and currently with legal services. Once the outcome has been determined we can review and adapt policy as required.
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	Consultation was undertaken across Housing Services including Income Services, Housing Officers, Allocations Team, Homeownership Team, Legal Services, Corporate, Senior Management and relevant operational teams.

3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	Yes	Resident feedback highlighted potential risks for vulnerable residents including disabled residents, older people, residents with mental health conditions, language barriers, and residents requiring advocates or support workers. These concerns informed the policy's safeguards around reasonable adjustments, communication and vulnerability awareness.
4	Do you have any concerns regarding the implementation of this policy or project?  <i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>	Yes	Fraud investigations can create anxiety or confusion for some residents. There is a need for consistent staff training, clear communication and careful consideration of vulnerabilities to ensure investigations are conducted fairly and proportionately.
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project?	Yes	National and sector data indicates that some households experiencing vulnerabilities such as mental health conditions, learning disabilities, language barriers or social isolation may require additional support during investigation or verification processes.
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	Housing Services has operational experience investigating tenancy fraud and conducting tenancy verification processes. Lessons learned highlight the importance of clear evidence-based investigations, early engagement with tenants, and safeguarding awareness.
7	Are there any other issues that you think will be relevant?	No	No additional issues identified at this stage.

## Section 2 - Your EqIA form

<b>Directorate:</b> Housing	<b>Your Service Area:</b> Housing Services	<b>Team:</b> Income Services	<b>Officer responsible for this assessment:</b> Rachel Waite	<b>Date of assessment:</b> 01/02/2026
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	<b>Question</b>	<b>Please provide details</b>
1	What is the name of the policy or project that is being assessed?	Tenancy Fraud Policy (2026–2029)
2	Is this a new or existing policy?	New
3	Briefly describe the aim and purpose of this work.	To establish a clear framework for preventing, detecting, investigating and enforcing tenancy, benefit and Right to Buy (RTB) fraud within Winchester City Council housing stock, ensuring homes are occupied lawfully and that social housing is allocated fairly.
4	What are the associated objectives of this work?	<ul style="list-style-type: none"> <li>• Protect public housing assets from misuse or unlawful occupation</li> <li>• Ensure homes are occupied by those legally entitled to them</li> <li>• Maintain fairness and integrity of the housing allocation system</li> <li>• Detect and investigate tenancy and RTB fraud</li> <li>• Ensure lawful and proportionate use of enforcement powers</li> <li>• Protect public funds and the Housing Revenue Account</li> </ul>
5	Who is intended to benefit from this work and in what way?	<ul style="list-style-type: none"> <li>• Council tenants who rely on fair housing allocation</li> <li>• Residents waiting for social housing</li> <li>• Vulnerable households requiring housing support</li> </ul>

		<ul style="list-style-type: none"> <li>• Winchester City Council through protection of housing assets</li> <li>• The wider community through improved fairness and transparency</li> </ul>
6	What are the outcomes sought from this work?	<ul style="list-style-type: none"> <li>• Reduced tenancy fraud</li> <li>• Improved fairness in housing allocations</li> <li>• Increased availability of housing for those in genuine need</li> <li>• Protection of public housing assets</li> <li>• Compliance with regulatory standards and legislation</li> </ul>
7	What factors/forces could contribute or detract from the outcomes?	<ul style="list-style-type: none"> <li>• Resident engagement and willingness to cooperate with investigations</li> <li>• Quality of information and evidence available</li> <li>• Staff training and consistency in applying the policy</li> <li>• Legal and regulatory requirements governing investigations</li> <li>• Safeguarding or vulnerability considerations affecting engagement</li> <li>• Accuracy of housing and tenancy data</li> </ul>
8	Who are the key individuals and organisations responsible for the implementation of this work?	<ul style="list-style-type: none"> <li>• Strategic Director (Housing) – overall accountability</li> <li>• Income Services Manager – policy owner</li> <li>• Authorised Officers – fraud investigation and enforcement</li> <li>• Housing Officers – tenancy verification and intelligence</li> <li>• Allocations Team – application verification</li> <li>• Homeownership Team – RTB verification</li> </ul>

		<ul style="list-style-type: none"> <li>• Legal Services – enforcement and legal proceedings</li> <li>• Corporate Fraud Team – fraud investigation support</li> </ul>
9	Who implements the policy or project and who or what is responsible for it?	<ul style="list-style-type: none"> <li>• Policy owner: Income Services Manager</li> </ul> <p>Operational implementation:</p> <ul style="list-style-type: none"> <li>• Authorised Officers</li> <li>• Housing Officers</li> <li>• Allocations Team</li> <li>• Homeownership Team</li> </ul> <p>Day-to-day delivery:</p> <ul style="list-style-type: none"> <li>- Housing Services staff</li> <li>Corporate Fraud Team</li> </ul> <p>Legal enforcement: Legal Services Oversight and assurance:</p> <ul style="list-style-type: none"> <li>- Housing Service Management Team</li> <li>- Corporate fraud governance arrangements</li> </ul>

		Please select your answer in <b>bold</b> . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	<b>Y</b>	<b>N</b>	
10b	What existing evidence (either presumed or otherwise) do you have for this?	Residents with limited English proficiency may have difficulty understanding tenancy documentation, fraud investigation correspondence, or evidence requests, which could affect engagement with investigations.		

11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	N	
11b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence of differential impact. However some residents (particularly those living alone) may feel anxious about engaging with investigation processes.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>you may wish to consider:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical access</i></li> <li>• <i>Format of information</i></li> <li>• <i>Time of interview or consultation event</i></li> <li>• <i>Personal assistance</i></li> <li>• <i>Interpreter</i></li> <li>• <i>Induction loop system</i></li> <li>• <i>Independent living equipment</i></li> <li>• <i>Content of interview)</i></li> </ul>	Y	N	
12b	What existing evidence (either presumed or otherwise) do you have for this?	Residents with disabilities, including mental health conditions, cognitive impairments, or learning disabilities, may experience difficulties responding to investigation requests, understanding legal correspondence, or providing documentation.		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	N	
13b	What existing evidence (either presumed or otherwise) do you have for this?	No differential impact identified.		
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N	

14b	What existing evidence (either presumed or otherwise) do you have for this?	Older residents may experience anxiety or confusion when engaging with investigation processes. Younger residents may also have limited understanding of tenancy obligations.		
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N	
15b	What existing evidence (either presumed or otherwise) do you have for this?	No direct evidence of differential impact.		
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N	
16b	What existing evidence (either presumed or otherwise) do you have for this?	No direct evidence of differential impact.		
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N	
17b	What existing evidence (either presumed or otherwise) do you have for this?	No differential impact identified.		
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N	
18b	What existing evidence (either presumed or otherwise) do you have for this?	Pregnant residents or households with newborn children may face additional stress or practical challenges when responding to investigation requests or documentation requirements.		
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	N	Yes, if unmanaged Investigations that do not consider vulnerabilities, communication needs, or reasonable adjustments could disproportionately affect some residents.

20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	<b>No</b> – Any potential impacts must be mitigated to ensure investigations remain fair, proportionate and non-discriminatory.
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	<p><b>Accessible communication</b></p> <ul style="list-style-type: none"> <li>• Provide clear, plain English communication.</li> <li>• Offer translation and interpretation services where required.</li> <li>• Provide accessible formats including large print where necessary.</li> </ul> <p><b>Reasonable adjustments</b></p> <ul style="list-style-type: none"> <li>• Make reasonable adjustments for residents with disabilities.</li> <li>• Allow support from advocates, carers or representatives during investigations.</li> </ul> <p><b>Vulnerability awareness</b></p> <ul style="list-style-type: none"> <li>• Ensure staff consider vulnerability indicators when conducting investigations.</li> <li>• Work collaboratively with Housing Officers and support services where safeguarding concerns arise.</li> </ul> <p><b>Staff training</b></p> <ul style="list-style-type: none"> <li>• Provide fraud awareness training alongside equality, diversity and safeguarding training.</li> <li>• Ensure staff understand the importance of fair and proportionate investigation practices.</li> </ul> <p><b>Evidence-based investigations</b></p> <ul style="list-style-type: none"> <li>• Ensure decisions are based on objective evidence.</li> <li>• Avoid assumptions about household arrangements or personal circumstances.</li> </ul>		

		<b>Monitoring</b> <ul style="list-style-type: none"> <li>• Monitor investigation outcomes and complaints for equality-related issues.</li> <li>• Review equality considerations during policy reviews.</li> </ul>		
22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	Equality mitigation measures will be incorporated into the Housing Service operational practices including: <ul style="list-style-type: none"> <li>• staff training</li> <li>• fraud investigation procedures</li> <li>• resident engagement approaches</li> <li>• service monitoring and performance reporting.</li> </ul>

Signed by completing officer	Paul Salter Rachel Waite
Signed by Service Lead	Yvonne Anderson
Corporate Head of Service	Karen Thorburn

Appendix 3 – Tenant Summary Policy on a Page  
**Tenant Summary – Tenancy Fraud Policy 2026-2029**

## **Plain English Guide**

### **Protecting Council Homes**

Winchester City Council is committed to making sure council homes are occupied fairly, legally and by the people who genuinely need them.

Tenancy fraud reduces the number of homes available for people on the housing register and can have a serious impact on local communities and public services.

### **What Is Tenancy Fraud?**

Tenancy fraud happens when someone provides false information or unlawfully uses a council home or housing service.

Examples can include:

- Subletting a council home without permission
- Living somewhere else while someone else occupies the property
- Providing false information on a housing application
- Giving incorrect information to obtain housing or housing-related benefits
- Right to Buy fraud
- Failing to report changes in circumstances that affect housing eligibility
- Unauthorised tenancy exchanges or assignments
- Key selling or unlawfully profiting from a council tenancy

Fraud can take homes away from people who genuinely need them and may result in legal action.

### **Our Approach**

We are committed to:

- Protecting public housing and public funds
- Preventing fraud before it happens
- Investigating concerns fairly and professionally
- Using legal powers responsibly and proportionately
- Treating residents respectfully throughout the process
- Working with other agencies where appropriate
- Taking enforcement action where fraud is proven

The Council operates a zero-tolerance approach to tenancy and Right to Buy fraud, while ensuring decisions remain fair, evidence-based and proportionate.

### **How We Prevent Fraud**

Fraud prevention is part of everyday Housing Services work. This includes:

- Identity and document checks
- Tenancy audits and home visits
- Verification checks during applications and Right to Buy processes

- Reviewing changes in circumstances
- Working with other agencies and national fraud initiatives
- Training staff to identify warning signs of fraud
- Encouraging residents and staff to report concerns safely and confidentially

Housing Officers, Income Services, Lettings Teams, Property Services and other staff all play an important role in preventing fraud.

### **Your Responsibilities as a Tenant**

As a tenant, you must:

- Provide honest and accurate information
- Live in the property as your main home
- Tell the Council about changes in your circumstances
- Not sublet or transfer your tenancy unlawfully
- Cooperate with tenancy checks or investigations where required

Providing false information or withholding important information may be considered fraud.

### **What You Can Expect From Us**

We will:

- Investigate concerns professionally and fairly
- Use information lawfully and responsibly
- Keep records secure and confidential
- Explain processes clearly wherever possible
- Consider all available evidence before making decisions
- Respect residents' rights and personal circumstances
- Work in line with data protection and equality laws
- Ensure enforcement action is proportionate and in the public interest

### **Possible Outcomes**

Where fraud is identified, the Council may take action including:

- Ending a tenancy
- Recovering possession of a property
- Recovering unlawful profit
- Civil or criminal legal action
- Injunctions or possession proceedings
- Refusing or cancelling a Right to Buy application
- Working with the courts or other agencies to recover criminal benefit

Any action taken will depend on:

- The seriousness of the case
- Available evidence
- Legal requirements
- The public interest
- Individual circumstances

## Appendix 4 Housing Services – Tenancy Fraud Policy

### Armchair Reviewers feedback summary 01/06/2026 – 08/06/2026

#### Overall Themes

Feedback was generally supportive of the policy's purpose and structure, with reviewers scoring readability and clarity positively overall. However, several common themes emerged:

- The policy needs clearer plain English explanations.
- Some terminology, scope, and legal references require clarification or updating.
- Reviewers wanted greater balance and reassurance around investigations and false accusations.
- More practical examples and clearer investigation processes would improve resident understanding.

#### Key Feedback Themes

##### 1. Clarity and Scope

One reviewer felt the scope of the policy was unclear, particularly regarding who the policy applies to.

Key points raised:

- The wording suggests the policy may apply to everyday service delivery staff or contractors, rather than primarily tenants.
- Clarification is needed on whether fraud by contractors/service providers is covered under this policy or elsewhere within the Council's wider fraud framework.

References should clearly signpost related documents such as:

- Corporate Fraud Framework
- Anti-Fraud & Corruption Policy

The same reviewer also questioned the inclusion of leaseholders, suggesting either:

- clearer explanation of why leaseholders are included, or
- a separate approach/policy for leaseholders to avoid confusion.

##### 2. Plain English and Accessibility

A reviewer noted that:

- much of the policy is understandable,
- but some sections rely heavily on legal terminology and legislative references.

Suggested improvements included:

more plain English explanations,

- clearer descriptions of legal terms,
- practical examples of tenancy fraud and Right to Buy fraud,
- clearer explanation of investigation processes.

This aligns with broader accessibility and resident-focused communication principles.

##### 3. False Allegations and Resident Support

The emailed feedback raised an important concern about balance within the policy.

The reviewer felt the draft appears to:

- focus heavily on detecting fraud,
- but contains little or no reference to situations where allegations are unfounded.

Suggested additions:

- guidance on how the Council supports residents who are wrongly accused,
- how reputational harm or distress will be addressed,
- confirmation that inaccurate or unfounded profiling/investigation records will be removed from Council and external systems where appropriate.

This was a strong resident assurance and fairness theme.

#### 4. Document Quality and Structure

Several drafting and formatting issues were identified:

- Abbreviations should be explained the first time they appear.

The glossary should:

- only contain relevant terms,
- be clearly signposted.

One reviewer believed sections of the Complaints Policy may have been copied into this document:

- references written in the first person appeared inconsistent,
- wording should either be rewritten in third person or moved to an appendix.

Legislative references should be reviewed and updated, including avoiding outdated references such as the Housing Act 1985 where newer legislation is more appropriate.

#### Suggested Actions Emerging from Feedback

The feedback suggests the following improvements would strengthen the policy:

- Clarify policy scope and intended audience.
- Simplify legal language and improve accessibility.
- Add practical fraud examples and investigation process explanations.

Include a section covering:

- false allegations,
- resident support,
- data removal/correction processes.
- Review and update legislative references.
- Improve proofreading, glossary structure, and consistency of tone/style.
- Clarify the position of leaseholders within the policy.

#### Overall Sentiment

Overall sentiment was constructive and broadly supportive. Reviewers did not object to the purpose of the policy itself, but wanted:

- clearer resident-focused language,
- greater transparency,
- and more balanced treatment of investigation outcomes and resident protections.

DD94

DECISION TAKER: Councillor Mark Reach, Cabinet Member for Good Homes

REPORT Title: Mobility Scooter Policy

17 JUNE 2026

Contact Officer: Yvonne Anderson, Service Lead: Landlord Services Email: [yanderson@winchester.gov.uk](mailto:yanderson@winchester.gov.uk)

WARD(S): All

## PURPOSE

This policy supports the Council's priority 'Good Homes For all'  
The purpose of this paper is to present the revised Mobility Scooter Policy 2026–2029 for approval. The policy establishes a consistent, risk-based and person-centred framework for the assessment, approval, storage, charging and management of mobility scooters within Winchester City Council-owned and managed housing. The policy supports the council's statutory duties relating to fire safety, building safety, health and safety and equality, including compliance with the Building Safety Act 2022, Fire Safety Act 2021, Regulatory Reform (Fire Safety) Order 2005 and Equality Act 2010.

## RECOMMENDATIONS:

1. To agree Mobility Scooter Policy 2026–2029
2. That delegated authority be given to the Corporate Head of Housing to make minor operational, legislative or formatting amendments during the lifetime of this policy.

IMPLICATIONS:1 COUNCIL PLAN OUTCOME1.1 **Greener Faster**

1.2 The policy supports safe and sustainable use of existing housing stock by ensuring scooter storage and charging arrangements do not create avoidable fire, electrical or building safety risks.

1.3 **Thriving Places**

1.4 The policy supports safer shared spaces, particularly in blocks, sheltered schemes and communal areas, by keeping escape routes clear and reducing risks to residents, visitors, staff and contractors.

1.5 **Healthy Communities**

1.6 The policy recognises the importance of mobility scooters in supporting independence, dignity and wellbeing, while ensuring arrangements are safe for all residents.

1.7 **Good Homes for All**

1.8 The policy supports safe, accessible and well-managed homes by balancing individual mobility needs with landlord duties for fire, building and communal safety.

1.9 **Efficient and Effective**

1.10 The policy provides a clear assessment process, written decision outcomes, review routes and consistent operational standards across Property, Housing and Neighbourhood teams.

1.11 **Listening and Learning**

1.12 The policy has been updated to reflect operational experience, complaints learning, Ombudsman learning and current fire and building safety expectations. Tenant feedback will inform future annual reviews and communication improvements.

2 FINANCIAL IMPLICATIONS

2.1 Implementation will be managed through existing Property Services and Housing Services resources and funding outlined in the Adaptations Policy 2025-2028. There may be costs associated with assessments, communication materials, storage reviews or safety works. Where damage or non-compliance results in costs to the Council, recharges may be considered in line with the Repairs Recharges Policy 2025–2028.

3 LEGAL AND PROCUREMENT IMPLICATIONS

3.1 The policy supports compliance with landlord health and safety, fire safety, building safety and equality duties, including the Building Safety Act 2022, Fire Safety Act 2021, Regulatory Reform (Fire Safety) Order 2005 and Equality Act 2010. There are no direct procurement implications unless future approved scooter storage facilities or associated works are required.

#### 4 CONSULTATION AND COMMUNICATION

4.1 The policy has been informed by operational learning, complaints, safety guidance and cross-service input from Property Services, Housing, Building Safety and relevant operational teams. Resident-facing materials will include a policy-on-a-page summary, resident guidance, application form, agreement and standard letters. Tenant feedback will inform future review activity as part of the annual test-and-learn approach.

#### 5 ENVIRONMENTAL CONSIDERATIONS

5.1 The policy has limited direct environmental impact. Safe charging requirements may help reduce electrical and fire risks. Future storage solutions should consider energy efficiency, safe electrical infrastructure and sustainable design where practicable.

#### 6 PUBLIC SECTOR EQUALITY DUTY

6.1 An Equality Impact Assessment should be completed or updated for this policy. The policy directly relates to residents with mobility impairments and includes consideration of reasonable adjustments under the Equality Act 2010. Adjustments must be lawful, proportionate and compatible with fire, building and health and safety duties.

#### 7 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<b>Financial Exposure</b> - Unsafe storage, charging or damage caused by scooters could create repair costs, insurance issues or liability exposure.	Written approval process, risk assessments, recharge provisions and clear resident conditions.	Reduced avoidable damage, clearer cost recovery and improved asset protection.
<b>Exposure to challenge</b> - Decisions may be challenged if residents feel mobility needs have not been properly considered.	Evidence-based assessments, written decisions, review rights, complaints route and EqIA.	More transparent, consistent and defensible decisions.

<p><b>Innovation</b> - Limited risk. The policy supports a test-and-learn approach and may inform future storage solutions or improved resident guidance.</p>	<p>Annual review and monitoring of complaints, incidents and feedback.</p>	<p>Improved resident information, safer storage models and better cross-service learning.</p>
<p><b>Reputation</b> - Poor handling could create reputational risk, either through perceived unfairness to disabled residents or failure to manage fire safety risks.</p>	<p>Person-centred, risk-based approach with clear communication and reasonable adjustment consideration.</p>	<p>Demonstrates balanced decision-making and resident safety leadership</p>
<p><b>Achievement of outcome</b> - The policy may not achieve intended outcomes if inconsistently applied across teams or schemes.</p>	<p>Clear process, staff guidance, standard documents and annual review.</p>	<p>Consistent service-wide practice and improved resident understanding.</p>
<p><b>Property</b> - Scooters stored or charged unsafely may obstruct escape routes, damage communal areas or increase fire risk.</p>	<p>Prohibition on communal storage/charging unless formally approved; assessment of property type and storage location.</p>	<p>Safer buildings and clearer control of communal areas.</p>
<p><b>Community Support</b> - Residents may be concerned about restrictions or removal of informal arrangements.</p>	<p>Clear resident guidance, written decisions, review route and support to provide evidence.</p>	<p>Improved understanding of shared safety responsibilities.</p>
<p><b>Timescales</b> - Delays in assessment may affect residents' independence or create unauthorised storage issues.</p>	<p>Structured assessment stages, clear application requirements and written outcomes.</p>	<p>Faster, clearer and more consistent decisions.</p>
<p><b>Project capacity</b> - implementation may require officer time for assessments, communications and monitoring.</p>	<p>Use standard forms, templates, resident guidance and existing service structures.</p>	<p>Reduced ad hoc casework and clearer operational ownership.</p>
<p><b>Local Government Reorganisation</b> - Fire safety, building safety and equality duties will remain relevant under any future</p>	<p>Clear governance, transferable policy framework and annual review.</p>	<p>Supports future-ready, standardised housing safety practice.</p>

local government arrangements.		
<b>Other</b> - Unauthorised scooter storage may create immediate fire or evacuation risks.	Clear prohibition, urgent action provisions and escalation where safety risks arise.	Stronger prevention and safer communal environments.

## 8 OTHER KEY ISSUES

- 8.1 The policy replaces the 2023 Mobility Scooter Policy and introduces a clearer service-wide approach, including written permission, structured assessment stages, resident information and annual review.

## 9 SUPPORTING INFORMATION:

- 9.1 The council's current mobility scooter has expired in 2023 and needs reviewing.

The Mobility Scooter Policy provides a consistent framework for managing requests to store and charge mobility scooters in council housing. It balances residents' mobility needs with the council's legal duties to maintain safe homes, clear escape routes and compliant communal areas.

The policy reflects updated building safety, fire safety, consumer standards and Ombudsman expectations.

The main changes include:

- a stronger focus on fire, building and electrical safety.
- clearer rules on storage and charging.
- a structured assessment and written approval process.
- greater consideration of equality duties and reasonable adjustments; and
- improved decision, review, complaint and cost recovery arrangements.

The policy also reflects updated legislation, regulatory expectations, National Fire Chiefs Council guidance, operational learning, complaints learning and Housing Ombudsman good practice.

## 10 OTHER OPTIONS CONSIDERED AND REJECTED

- 10.1 No formal alternative policy options were developed for decision. Continuing with the 2023 policy without revision was rejected because it would not sufficiently reflect updated building safety, fire safety and regulatory expectations. Allowing informal or unmanaged scooter storage was also rejected due to unacceptable fire, obstruction, evacuation and liability risks.

### BACKGROUND DOCUMENTS:-

Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

Other Background Documents:-

- Mobility Scooter Policy 2026–2029
- Mobility Scooter Policy 2023
- Fire Safety Policy 2025–2028
- Repairs and Recharge Policy 2025–2028
- Adaptations Policy 2025–2028
- National Fire Chiefs Council Fire Safety Guidance for Mobility Scooters and Similar Device

APPENDICES:

Appendix 1 – Equality Impact Assessment

Appendix 2 - Resident Consultation Feedback Summary

Appendix 3 – Tenant Summary Policy on a Page

Appendix 4- Mobility Scooter Policy

Appendix 5- Mobility Scooter Policy Guidance for Residents

## Appendix 1 – Equality Impact Assessment

### Winchester City Council

### Equality Impact Assessment (EqIA)

#### Section 1 - Data Checklist

When undertaking an EqIA for your policy or project, it is important that you take into consideration everything which is associated with the policy or project that is being assessed.

The checklist below is to help you sense check your policy or project before you move to Section 2.

		Yes/No	Please provide details
1	Have there been any complaints data related to the policy or project you are looking to implement?	No	No Specific complaints.
2	Have all officers who will be responsible for implementing the policy or project been consulted, and given the opportunity to raise concerns about the way the policy or function has or will be implemented?	Yes	Consultation undertaken with Property Services, Housing Services, Neighbourhood Services, Fire Safety and Residents. Feedback informed clarity of decision-making and operational feasibility.
3	Have previous consultations highlighted any concerns about the policy or project from an equality impact perspective?	Yes	Concerns identified regarding potential disproportionate impact on disabled residents, particularly where storage is restricted. Residents raised concerns about independence, dignity, and access.
4	Do you have any concerns regarding the implementation of this policy or project?  <i>(i.e. Have you completed a self-assessment and action plan for the implementation of your policy or project?)</i>	Yes	Risk of perceived discrimination if decisions are not clearly justified. Mitigated through structured assessment process, documented decisions, and appeal routes.
5	Does any accessible data regarding the area which your work will address identify any areas of concern or potential problems which may impact on your policy or project?	Yes	There is an increasing use of mobility scooters, ageing tenant population, and higher disability prevalence in social housing. Fire incident data highlights risks associated with lithium-ion batteries.

		Yes/No	Please provide details
6	Do you have any past experience delivering similar policies or projects which may inform the implementation of your scheme from an equality impact point of view?	Yes	Previous 2023 policy implementation identified inconsistency in decision-making and lack of clarity. Learning incorporated into structured, evidence-based approach.
7	Are there any other issues that you think will be relevant?	Yes	Balancing legal duties: Equality Act vs Fire Safety and Building Safety legislation. Reputational and legal risk if policy not proportionate or clearly justified.

## Section 2 - Your EqIA form

<b>Directorate:</b> Housing	<b>Your Service Area:</b> Property Services Asset & Planned	<b>Team:</b> Asset & Planned (impacts wider Teams)	<b>Officer responsible for this assessment:</b> Chris Irons	<b>Date of assessment:</b> January 2026 (finalised April 2026)
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	<b>Question</b>	<b>Please provide details</b>
1	What is the name of the policy or project that is being assessed?	Mobility Scooter Policy 2026–2029
2	Is this a new or existing policy?	Existing (revised policy)
3	Briefly describe the aim and purpose of this work.	To provide a safe, consistent and lawful framework for assessing, approving, storing and charging mobility scooters in Council housing, balancing resident independence with fire and building safety obligations.
4	What are the associated objectives of this work?	<ul style="list-style-type: none"> <li>- Ensure compliance with fire, building and housing safety legislation</li> <li>- Promote consistent and evidence-based decision-making</li> <li>- Support independence of residents with mobility needs</li> <li>- Minimise risk to residents, staff and buildings</li> </ul>
5	Who is intended to benefit from this work and in what way?	Primarily disabled residents requiring mobility scooters; also, wider resident population benefiting from improved safety and reduced fire risk.
6	What are the outcomes sought from this work?	<ul style="list-style-type: none"> <li>- Safer buildings and reduced fire risk</li> <li>- Transparent and fair decision-making</li> <li>- Improved resident understanding</li> <li>- Reduced complaints and Ombudsman findings</li> </ul>
7	What factors/forces could contribute or detract from the outcomes?	<p><b>Contributors:</b> legislation, staff training, clear processes, resident communication</p> <p><b>Detractors:</b> limited building infrastructure, lack of storage facilities, perception of restriction, cost barriers</p>
8	Who are the key individuals and organisations responsible for the implementation of this work?	Property Services, Housing Management, Fire Safety Teams, Contractors, Hampshire Fire & Rescue (where applicable)
9	Who implements the policy or project and who or what is responsible for it?	Implemented by Housing and Property teams; accountable to Service Manager and Head of Service

		Please select your answer in <b>bold</b> . Please provide detail here.		
10a	Could the policy or project have the potential to affect individuals or communities on the basis of race differently in a negative way?	Y	<b>N</b>	
10b	What existing evidence (either presumed or otherwise) do you have for this?	No direct evidence of disproportionate impact. However, language barriers may affect understanding of requirements.		
11a	Could the policy or project have the potential to affect individuals or communities on the basis of sex differently in a negative way?	Y	<b>N</b>	
11b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence that policy affects individuals differently based on sex.		
12a	<p>Could the policy or project have the potential to affect individuals or communities on the basis of disability differently in a negative way?</p> <p><i>you may wish to consider:</i></p> <ul style="list-style-type: none"> <li>• <i>Physical access</i></li> <li>• <i>Format of information</i></li> <li>• <i>Time of interview or consultation event</i></li> <li>• <i>Personal assistance</i></li> <li>• <i>Interpreter</i></li> <li>• <i>Induction loop system</i></li> <li>• <i>Independent living equipment</i></li> <li>• <i>Content of interview</i></li> </ul>	Y	N	
12b	What existing evidence (either presumed or otherwise) do you have for this?	Policy directly affects disabled residents who rely on mobility scooters. Restrictions on storage/charging may impact independence, access, and daily living. Evidence from sector guidance confirms this is a high-impact group.		
13a	Could the policy or project have the potential to affect individuals or communities on the basis of sexual orientation differently in a negative way?	Y	<b>N</b>	

13b	What existing evidence (either presumed or otherwise) do you have for this?	No identified differential impact.	
14a	Could the policy or project have the potential to affect individuals on the basis of age differently in a negative way?	Y	N
14b	What existing evidence (either presumed or otherwise) do you have for this?	Older residents are more likely to use mobility scooters. Policy may disproportionately affect older people due to increased reliance on mobility aids.	
15a	Could the policy or project have the potential to affect individuals or communities on the basis of religious belief differently in a negative way?	Y	N
15b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence of differential impact.	
16a	Could this policy or project have the potential to affect individuals on the basis of gender reassignment differently in a negative way?	Y	N
16b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence of differential impact.	
17a	Could this policy or project have the potential to affect individuals on the basis of marriage and civil partnership differently in a negative way?	Y	N
17b	What existing evidence (either presumed or otherwise) do you have for this?	No evidence of differential impact.	
18a	Could this policy or project have the potential to affect individuals on the basis of pregnancy and maternity differently in a negative way?	Y	N
18b	What existing evidence (either presumed or otherwise) do you have for this?	Limited relevance; no identified impact.	
19	Could any negative impacts that you identified in questions 10a to 15b create the potential for the policy to discriminate against certain groups on the basis of protected characteristics?	Y	Potential indirect discrimination risk, particularly for disabled and older residents if restrictions are applied without proportionality or reasonable adjustment.

20	Can this negative impact be justified on the grounds of promoting equality of opportunity for certain groups on the basis of protected characteristics? Please provide your answer opposite against the relevant protected characteristic.	Y	N	Any restrictions are justified on the grounds of: <ul style="list-style-type: none"> <li>- Protecting life and safety (fire risk)</li> <li>- Legal compliance with Fire Safety and Building Safety legislation</li> <li>- Ensuring safety of all residents, including other vulnerable groups</li> </ul>
21	How will you mitigate any potential discrimination that may be brought about by your policy or project that you have identified above?	<p><b>Reasonable adjustments</b> considered case-by-case in line with Equality Act 2010</p> <p><b>Needs-led assessment process</b> to avoid blanket restrictions</p> <p><b>Alternative solutions explored</b> (e.g. adaptations, external storage, DFG routes)</p> <p><b>Clear communication</b> in accessible formats</p> <p><b>Right to review and complaints process</b></p> <p><b>Staff training</b> on equality, safeguarding, and proportionality</p> <p><b>Support to obtain evidence</b> (e.g. medical confirmation)</p> <p><b>Monitoring of decisions and complaints</b> to identify disproportionate outcomes</p>		
22	Do any negative impacts that you have identified above impact on your service plan?	Y	N	No immediate adverse impact on service plan; however, resource implications for assessments and potential infrastructure improvements will be made and monitored before and during dissemination. The Policy will be reviewed after 6 months.

Signed by completing officer	Paul Salter
Service Manager Sign off	Chris Irons
Corporate Head of Service	Karen Thorburn

## Appendix 2 – Resident Consultation Feedback Summary

### **Mobility Scooter Policy – Tenant Feedback 07/04/2026**

largely positive, with respondents rating the policy highly (mostly 4–5 out of 5).

The policy is seen as clear, logical, and well-structured, and one respondent described it as a “good policy exemplar.”

#### **Key Strengths**

Clarity and structure:

- The policy is generally easy to understand and logically presented.

Comprehensiveness:

- Content is considered thorough, with helpful supporting sections (e.g. glossary).

High satisfaction scores:

- Respondents gave strong ratings across evaluation criteria, indicating overall confidence in the policy.

#### **Areas for Improvement**

Visibility and Awareness (Major Issue)

- A key concern is that tenants are not aware the policy exists. It is not referenced in the Introductory Tenancy Conditions booklet, which is seen as a significant gap.

This particularly affects:

- Older tenants (especially 65+)
- Tenants in general needs housing or bungalows, where shared space issues may not arise
- Tenants with health conditions or disabilities

Implication: Risk of non-compliance or safety issues due to lack of awareness.

Document Structure & Navigation

The glossary is very useful, but:

- It should be introduced earlier in the document or clearly signposted at the beginning

Technical & Compliance Gaps

Missing reference to UK GDPR under the “Information Management” section.

Inconsistent referencing style, including:

- Missing years
- Inconsistent use of brackets and abbreviations

Accessibility (Information Access, Not Format)

Concern is less about readability and more about how tenants find the policy.

Suggests a need for better communication and signposting, especially for vulnerable groups.

Respondent Profile Insights

Respondents include:

- A sheltered housing tenant (65–74, with long-term health condition)
- A general needs tenant (55–64)

This indicates feedback reflects perspectives from older and potentially more vulnerable tenants, which is highly relevant for this policy area.

**Key Takeaways for Action**

- Improve policy visibility and communication
  - Include in tenancy packs and key documents
  - Target communication toward older and disabled tenants
  - Enhance document usability
  - Move or signpost glossary earlier
  - Address compliance gaps
  - Add UK GDPR reference
  - Standardise referencing format
- Strengthen tenant awareness strategy  
Consider proactive engagement (e.g. newsletters, housing officer briefings)

## Appendix 3 – Tenant Summary Policy on a Page

### **Tenant Summary – Mobility Scooter Policy**

#### **Plain English Guide**

#### **Supporting Independence and Keeping Residents Safe**

Winchester City Council recognises that mobility scooters can help residents stay independent, active and connected to their community.

However, mobility scooters can also create safety risks if they are stored or charged in the wrong place. These risks include fire, blocked escape routes, electrical hazards and difficulties during an emergency evacuation.

#### **Why This Policy Is Needed**

The Council has a legal duty to keep residents, visitors, staff and buildings safe.

Mobility scooters must be managed carefully, especially in:

- Blocks of flats
- Sheltered housing schemes
- Buildings with shared corridors, stairwells, landings or entrances
- Any building where a scooter could block an escape route or increase fire risk

Mobility scooters must not be stored or charged in communal areas unless the Council has provided a designated, risk-assessed storage facility and given written permission.

#### **What You Need To Do**

You must ask the Council for written permission before storing or charging a mobility scooter at your home or in any Council-managed area.

You will need to provide information about:

- Your mobility need
- The type, size and weight of the scooter
- The scooter's battery and charging method
- Where you want to store and charge it
- Any support or adjustments you may need

You must not start storing or charging the scooter until written permission has been given.

#### **How We Make Decisions**

Each request is assessed individually.

We will consider:

- Your mobility needs
- Whether the scooter is suitable for the property
- Whether it can be stored and charged safely
- Fire safety and escape routes
- Electrical safety
- The impact on other residents
- Whether reasonable adjustments can be made

There is no automatic right to store or charge a scooter. Approval can only be given where the risks can be safely managed.

### **Possible Decision Outcomes**

After assessment, we may decide that your request is:

#### **Approved**

You can store and use the scooter, as long as you follow the conditions given in writing.

#### **Approved with conditions**

You can use the scooter, but you must follow specific rules, such as where it can be stored or charged.

#### **Deferred**

We need more information or further checks before making a decision.

#### **Refused**

We cannot approve the request because the risks cannot be safely managed, information has not been provided, or approval would breach fire or safety requirements.

You can ask for a review within 21 days if you disagree with the decision.

### **Where Scooters Must Not Be Stored or Charged**

- Corridors
- Stairwells
- Lift lobbies
- Landings
- Entrance halls
- Communal escape routes
- Any shared area not formally approved by the Council

This also applies to visitor scooters and, where relevant, powered wheelchairs.

Charging in communal areas is not allowed unless it is within a Council-approved, designated mobility scooter storage facility.

### **Safe Storage and Charging**

If permission is granted, you must:

- Store the scooter only in the approved location
- Charge it only where the Council has agreed
- Follow manufacturer charging guidance
- Avoid extension leads or trailing cables

Keep escape routes clear at all times

- Report any damage, faults or safety concerns
- Follow any conditions set out in your written approval

Scooters with lithium-ion batteries may need extra safety checks before approval is given.

**Adaptations and Reasonable Adjustments**

The Council will consider reasonable adjustments in line with the Equality Act 2010.

Please refer to the Adaptations Policy 2025-2028

**If a Scooter Is Stored Without Permission**

If a mobility scooter is stored or charged without written permission, it will be treated as unauthorised storage.

The Council may:

- Contact you to discuss the issue
- Ask you to move or remove the scooter
- Issue written warnings
- Remove the scooter where legally permitted
- Recover costs where appropriate

Where possible, we will give you the opportunity to put things right unless there is an immediate safety risk.

**How to apply for scooter storage – to be added**

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# Property Services

## Mobility Scooter Policy

### 2026-2029

**Service Area**

Property Services – Asset & Planned

**Policy Owner**

Property Services – Asset & Planned Service Manager

**Policy Category**

**Regulatory** – required to demonstrate compliance with landlord statutory duties, Regulator of Social Housing standards, and Housing Ombudsman requirements.

**Version controls:**

Version	Category	Trigger	Next review	Policy Owner	Date
1.0	Regulatory	Review	1 year	Asset & Planned Service Manager	01 April 2026

If you require this policy in another format or language, please contact the Housing Service by emailing [policy@winchester.gov.uk](mailto:policy@winchester.gov.uk) or calling **01962 848 400**.

**Policy Purpose**

This policy sets out Winchester City Council's strategic framework for the safe assessment, approval, use, storage and charging of mobility scooters within Council-owned and Council-managed housing. This Policy replaces the **Mobility Scooter Policy (2023)**.

This policy has been revised to reflect:

- The **Building Safety Act 2022** and the strengthened emphasis on resident safety in higher-risk residential buildings.
- The **Social Housing (Regulation) Act 2023** and updated Consumer Standards
- The **Fire Safety Act 2021** and **Regulatory Reform (Fire Safety) Order 2005**
- National Fire Chiefs Council guidance on mobility scooters
- Learning from operational experience, complaints and Housing Ombudsman determinations

The Council recognises that mobility aids are essential in supporting many residents to live independently, safely and with dignity in their homes and communities. Our approach is to be enabling, supportive and person-centred.

We will work collaboratively with residents to identify safe and practical solutions wherever possible, while balancing our legal responsibilities for fire, building and resident safety.

The Council will provide clear guidance, accessible information and support throughout the assessment process to help residents understand:

- What mobility equipment is covered by this policy
- What information may be required
- What safe storage and charging arrangements may be suitable
- What alternative options or support may be available where challenges arise.

We are committed to ensuring residents are treated fairly, respectfully and consistently, with decisions made on an individual basis and with consideration of disability-related needs and reasonable adjustments.

The Council therefore adopts a needs-led, person-centred and risk-based approach, underpinned by a clear safety principle.

Mobility scooters introduce material fire, electrical, obstruction and evacuation risks, particularly within blocks of flats, sheltered schemes and buildings with shared escape routes.

Mobility scooters must not be stored or charged in communal areas unless the Council has provided a formally designated and risk-assessed storage facility and written permission has been granted.

This policy supports the Council's duties under the **Regulator of Social Housing Consumer Standards**, particularly the **Safety and Quality Standard**.

This Policy is supported by a range of Resident-friendly guidance documents including a 'Policy on a Page' summary, Frequently Asked Questions, application guidance, fire safety advice and resident information materials. These documents are designed to help residents understand the

policy, assessment process, safety requirements and available support in a clear, accessible and practical way

A glossary of key terms used in this policy is provided at the end of the document to support understanding.

## **Scope of the Policy**

This policy is applied across Housing, Property and Neighbourhood teams involved in allocations, tenancy management and building safety.

## **Understanding Different Mobility Aids**

This policy primarily applies to motorised mobility scooters and, in some circumstances, powered wheelchairs where similar fire, charging or obstruction risks may arise. The Council recognises that different mobility aids present different levels of risk and therefore may require different approaches.

Non-Motorised Mobility Aids Examples include:

- Manual wheelchairs
- Walking frames
- Rollators
- Mobility trolleys

These items do not normally present battery charging or electrical fire risks. However, they must still not obstruct communal escape routes or create hazards within shared areas.

**Motorised Mobility Scooters** Mobility scooters are battery-powered vehicles designed primarily for outdoor mobility and longer-distance travel. These are usually larger devices that may:

- Require battery charging
- Use lithium-ion or sealed lead-acid batteries
- Present fire or obstruction risks if stored incorrectly
- Affect evacuation routes in communal buildings

This policy fully applies to Class 2 and Class 3 mobility scooters.

## **Powered Wheelchairs**

Powered wheelchairs are battery-powered mobility aids generally designed for indoor and outdoor use. In many cases they are smaller and more manoeuvrable than mobility scooters and are commonly stored within the resident's home.

However, where a powered wheelchair presents similar risks relating to:

- Battery charging
- Storage in communal areas
- Escape route obstruction
- Fire safety concerns the Council may apply relevant parts of this policy.

Each case will be assessed individually and proportionately. The safety of all residents, visitors, staff and contractors is paramount.

## **Distinction Between Property Types**

The Council recognises that mobility scooter risks vary by property type and must be managed accordingly.

### **Houses and bungalows (general needs)**

Risk may be lower where scooters can be stored within a private, self-contained area that does not affect shared access or other residents.

The Council will work collaboratively with residents to identify safe and practical storage and charging arrangements within the dwelling or a private external area (for example a shed or secure covered location), subject to assessment and written approval and provided this does not create a fire, electrical or access risk.

### **Purpose-built blocks and flatted accommodation**

Risk is higher due to shared building design and the potential impact on multiple households. Scooters may only be stored in a formally designated, Council-approved, risk-assessed mobility scooter storage facility. Storage and charging in corridors, lift lobbies, stairwells or communal landings is Not permitted due to significant safety risks.

## **Understanding Different Mobility Aids**

### **Core Principles**

The Council applies the following principles to ensure decisions about mobility scooters are fair, consistent and safe. The Council also aims to support residents to maintain independence safely wherever reasonably possible.

### **Safety First**

Safety is the primary consideration in all decisions. Scooters must not create risks to residents, staff or the building, including obstruction or unsafe charging. Where risks cannot reasonably be managed safely, approval may not be possible and alternative solutions or support options will be explored where appropriate.

### **Needs-Led and Proportionate Decisions**

Permission is based on evidenced mobility need and essential daily living requirements, not convenience. Approval will only be granted where a long-term mobility difficulty is demonstrated, supported by appropriate medical or professional evidence and the scooter is necessary, suitable and compatible with the property and building arrangements.

The Council will explain decisions clearly and support residents throughout the assessment process.

## Individual and Risk-Aware Assessment

Each request is considered on its own merits, taking account of the resident's circumstances and the specific risks associated with the property type. There is no automatic right to store or charge a scooter, and approval depends on whether risks can be safely managed for all occupants.

## Evidence-Based Assessment Process

All decisions are based on verified information about the resident's mobility need, the scooter, and the safety and suitability of the property. This ensures decisions are lawful, consistent and proportionate.

Residents may be supported to provide:

- Confirmation of mobility need from an appropriate medical or relevant professional (for example GP, consultant, Occupational Therapist or other recognised health professional)
- Details of the scooter, including size, weight, type and charging method
- Proposed storage and charging arrangements within the property or designated facility

Residents are strongly encouraged to obtain insurance to cover damage, loss, or third-party liability. Where damage is caused to Council property by a mobility scooter, the cost of repairs may be recoverable from the resident. Where insurance is in place, claims should be made through the resident's insurer. Residents may be responsible for reasonable repair costs where damage is caused to Council property and costs cannot be recovered through insurance.

Where required, the Council will support residents to obtain or submit this information. Where information is unavailable or incomplete, the Council will work with residents to explain what is needed and why. Decisions may be delayed where essential safety information cannot be obtained.

The Council will provide guidance documents and Resident-friendly information to help residents understand the process and what information may be required.

## Structured Assessment Stages

Assessments are intended to be supportive, transparent and focused on identifying safe solutions wherever reasonably possible. All applications are assessed through a consistent staged process:

1. **Mobility Need Review** - confirmation that a scooter is necessary to support essential daily living.
2. **Scooter Suitability Check** - review of size, manoeuvrability, battery type and charging requirements.
3. **Property and Building Assessment** - evaluation of layout, storage options and impact on safety and access.
4. **Final Risk Evaluation** - holistic review to confirm that risks can be safely managed for the resident and others.

Permission will only be granted where sufficient evidence is provided, and all stages confirm that the scooter can be accommodated safely within the property and wider building environment.

### **Reasonable and Lawful Adjustments**

Reasonable adjustments will be considered in line with the Equality Act 2010. The Council will work collaboratively with residents to consider appropriate and proportionate solutions wherever possible. Any adjustment must be lawful, proportionate, practical and compatible with fire, building and health and safety duties. Adjustments that introduce unacceptable risk cannot be approved.

### **No Automatic or Historic Rights**

Previous informal arrangements or lack of past incidents do not guarantee approval. All requests must meet current safety, legal and operational requirements at the time of assessment.

### **Visitors Using Mobility Scooters**

These principles also apply to visitors. Residents are responsible for ensuring that visitors' mobility scooters do not create safety risks. Mobility scooters (including visitor scooters) must not be stored or charged in communal areas, corridors, stairwells or escape routes.

This includes both mobility scooters and motorised (powered) wheelchairs where applicable.

### **Adaptations**

If changes to your home may help manage risk, these will be considered under our Adaptations Policy. They must be:

- Necessary to meet an assessed need.
- Safe and lawful.
- Practically achievable; and
- Compatible with fire and building safety.

In some cases, you may need to apply through Hampshire County Council for a Disabled Facilities Grant (DFG).

We cannot make changes to a building that would compromise safety for others.

The Council will discuss potential options with residents and provide guidance on available adaptation processes, supporting information and potential funding routes where appropriate.

Approval of an adaptation does not automatically result in permission to store or charge a mobility scooter.

### **Storage and Charging Requirements**

Storage or charging must not begin until written permission has been issued by the Council. If approved, mobility scooters must:

- Be stored only in locations agreed in writing.
- Never be stored or charged in corridors, stairways, lift lobbies, landings or any communal escape routes
- Be charged safely and in line with manufacturer guidance.

In blocks of flats, communal storage and charging is only permitted where a formally designated, Council-approved and risk-assessed mobility scooter storage facility exists.

Charging of mobility scooters is Not permitted due to significant safety risks in all general communal areas. Charging is only permitted within a formally designated, Council-approved and risk-assessed mobility scooter storage facility or within an approved private dwelling location.

Mobility scooters using lithium-ion batteries present a higher fire risk and must only be stored or charged in locations approved through the Council’s assessment process.

These requirements may also apply to powered wheelchairs where similar battery or charging risks are identified.

### Unsafe Practices We Cannot Permit

The following are not allowed:

- Using extension leads or trailing cables.
- Charging in communal areas.
- Altering electrical installations without approval.
- Mobility scooters (including visitor scooters) must not be stored or charged in communal areas.

### Assessment Outcomes and Next Steps

Decisions are based on a full assessment of mobility need, equipment safety and property suitability. After assessment, your application will result in one of the following:

Decision Outcome	What This Means for You
<b>Approved</b>	You can store and use your mobility scooter, as long as you follow the safety conditions we set out in writing.
<b>Approved with Conditions</b>	<p>You can use your mobility scooter, but you must follow specific conditions, such as:</p> <ul style="list-style-type: none"> <li>- Storing it in an agreed location</li> <li>- Following any charging restrictions</li> <li>- Complying with any review dates or additional safety requirements</li> </ul>
<b>Deferred</b>	We need more information or further checks before we can make a decision.

## Decision Outcome What This Means for You

- You must not store or charge the scooter at the property until you receive written confirmation from us.

We are unable to approve the request.

This may be because:

### Unable to Approve at This Time

- We did not receive the required information
- The identified risks cannot currently be managed safely within the property or building environment.
- Approval would breach fire or safety laws.

## Decision Review

Residents may also request further explanation or support to help them understand the decision-making process. You can request a review within 21 days of receiving your decision. The review will be carried out by a senior officer who was not involved in the original decision.

You also have the right to make a complaint under the Housing Complaints Policy.

## Storage Without Prior Approval

We understand that some residents may purchase or begin using a mobility scooter before fully understanding the approval process. Where this occurs, the Council will aim to work constructively and proportionately with residents to reduce risk and identify safe solutions wherever possible.

However, mobility scooters must not be stored or charged without written permission where approval is required under this policy. Storage Without Prior Approval may result in:

- Written warnings.
- Requirement to remove or relocate the scooter.
- Where necessary and legally permitted, the Council may arrange removal if significant safety risks remain unresolved.
- Recovery of costs where appropriate.

Retrospective requests will still go through the full assessment process.

## Recharges and Cost Recovery

All recharges must follow the Councils **Repairs Recharges Policy 2025-2028**. This includes damage caused by mobility scooters, which may be recovered from the resident directly or via

their insurance provider where applicable. We may recover reasonable costs where they arise directly from non-compliance, including:

- Removal or relocation of an unsafe scooter.
- Damage to Council property.
- Works required to address safety risks, including removal of unsafe charging equipment, electrical alterations, or clearance of obstructed communal areas.

Any recharge will be:

- Lawful and proportionate.
- Based on actual costs.
- Clearly explained in writing.

### **Recharges are not used as punishment.**

Where possible, we will give you the opportunity to correct issues before applying charges, unless there is an immediate safety risk. Information will be communicated in clear and accessible formats wherever possible.

### **Recording and Communication**

The Council will confirm all decisions in writing and maintain appropriate records to ensure transparency, consistency and accountability.

### **Monitoring and Ongoing Review**

Approvals may be reviewed, varied or withdrawn where conditions are breached, risks change, or circumstances alter, to ensure continued safety and compliance.

Resident feedback, complaints learning and engagement outcomes will help inform future policy and guidance improvements.

## **Winchester City Council Complaints Policy**

Complaints will be handled in line with Winchester City Council's Housing Complaints Policy and the Housing Ombudsman Complaint Handling Code, which set out a clear, fair, and accessible process for resolving complaints.

We will support residents to access the complaints process and provide reasonable adjustments where required

You can make a complaint in any of the following ways:

- By completing the online complaints form
- By email to: [customerservice@winchester.gov.uk](mailto:customerservice@winchester.gov.uk)
- By telephone: 01962 848 400
- In writing to: Winchester City Council, Colebrook Street, Winchester, SO23 9LJ
- By speaking directly to any council officer

If you remain dissatisfied after our response, you can escalate your complaint to the Housing Ombudsman, an independent service that reviews housing complaints across England. We aim to make the complaints process straightforward, fair, and transparent.

## **Recording and Information Management**

When you report a problem, we record it on our secure housing management system. We only collect and share information that is relevant, necessary, and proportionate.

We process personal data in accordance with the **Data Protection Act 2018** and the **UK General Data Protection Regulation (UK GDPR)**, alongside the Council's Data Protection and Privacy Policy.

Sometimes we work with other agencies (for example, the police or support services). We will only share your information with them if it is safe, legal and will help protect people or resolve the issue.

## **Performance Monitoring and Learning**

The Council reviews decisions, complaints, incidents and emerging safety guidance to improve practice and ensure consistent, fair and lawful decision-making.

## **Equality and Safeguarding Considerations**

We are committed to treating all residents fairly and considering individual circumstances, including disability-related needs. We recognise that mobility equipment may be essential in supporting independence, wellbeing and daily living.

We will consider reasonable adjustments where these are lawful, proportionate and compatible with fire and building safety requirements. Where we have concerns about vulnerability or risk, we may involve appropriate support services to help keep residents safe.

## **Legal and Regulatory Framework**

This policy is informed by relevant legislation and guidance governing fire safety, building safety, equality and landlord responsibilities. In all cases, statutory safety duties take precedence.

### **Primary Legislation**

- Social Housing (Regulation) Act 2023
- Equality Act 2010
- Building Safety Act 2022
- Regulatory Reform (Fire Safety) Order 2005
- Fire Safety Act 2021
- Health and Safety at Work etc. Act 1974

- Management of Health and Safety at Work Regulations 1999
- Use of Invalid Carriages on Highways Regulations 1988 (as amended)

### **Related Policies**

- Housing Complaints Policy
- Repairs and Recharge Policy 2025-2028
- Adaptations Policy 2025-2028
- Tenancy Agreement and Tenancy Conditions
- Fire Safety Policy 2025-2028
- Safeguarding Policy
- Data Protection and Privacy Policy

### **Guidance**

- National Fire Chiefs Council Fire Safety Guidance for Mobility Scooters and Similar Devices (2018)
- Local Government Association – Fire Safety in Purpose-Built Blocks of Flats (2011, updated)
- Housing Ombudsman Service – Complaint Handling Code (2024)

### **Governance and Review**

The Property Services - Asset & Planned Service Manager is responsible for ensuring this policy is implemented and reviewed.

Resident feedback and engagement outcomes will inform ongoing communication improvements and policy awareness activities. Resident-facing guidance documents and summary materials will also be reviewed regularly to ensure information remains clear, accessible and up to date.

This Policy will be reviewed annually as we are adopting a test and learn approach to ensure the approach we take is fair and proportionate, or sooner if legislation, guidance, or best practice changes. Equality impacts, complaints outcomes and Ombudsman learning will explicitly inform each review.

All housing staff are trained on safeguarding, equality and legal powers, and they regularly update their training to keep residents safe.

### **Appendices**

Mobility Scooter 'Policy on a Page' Summary

Mobility Scooter visual Guidance Information for Residents

Mobility Scooter Storage Application Form & Covering Letter

Mobility Scooter Refusal Letter

Mobility Scooter Agreement

## Glossary of Terms

Term	Definition
<b>Approved Location</b>	A place where the Council has confirmed in writing that a mobility scooter may be stored or charged following a safety and suitability assessment.
<b>Charging</b>	The process of connecting a mobility scooter battery to an electrical supply to replenish power. Charging must follow manufacturer guidance and may only take place in locations approved by the Council.
<b>Communal Areas</b>	Shared parts of a building used by multiple residents or visitors, including corridors, stairwells, lift lobbies, landings, entrance halls, and shared external access routes.
<b>Designated Mobility Scooter Storage Facility</b>	A location formally assessed and approved by the Council for the safe storage and charging of mobility scooters.

<b>Term</b>	<b>Definition</b>
<b>Escape Route</b>	A route used by residents to safely exit a building during an emergency such as a fire. Escape routes must remain clear of obstructions at all times.
<b>Fire Risk Assessment</b>	A structured process used to identify fire hazards, evaluate risks and determine appropriate safety controls within a building. Mobility scooter storage and charging arrangements must be consistent with the building's fire risk assessment.
<b>Mobility Scooter</b>	A battery-powered mobility aid designed to assist individuals with mobility impairments. This policy applies to Class 2 and Class 3 mobility scooters as defined under the Use of Invalid Carriages on Highways Regulations 1988.
<b>Mobility Need</b>	A verified long-term difficulty with mobility that significantly affects a person's ability to move around independently and undertake daily activities. Evidence may be required from a relevant health or care professional.
<b>Permission / Approval</b>	Written authorisation issued by the Council confirming that a mobility scooter may be stored or charged at a specific property location subject to conditions.
<b>Reasonable Adjustment</b>	A change or adjustment considered under the Equality Act 2010 to remove or reduce disadvantage experienced by a disabled person. Adjustments must be lawful, proportionate, and compatible with safety obligations.
<b>Unauthorised Storage</b>	The storage or charging of a mobility scooter at a Council property without written permission or in breach of approved conditions.
<b>Motorised Mobility Aid</b>	A battery-powered mobility device including mobility scooters and powered wheelchairs.
<b>Non-Motorised Mobility Aid</b>	A mobility aid that does not require battery or electrical charging, including manual wheelchairs and walking aids.
<b>Powered Wheelchair</b>	A battery-powered wheelchair designed primarily to support mobility both indoors and outdoors.

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### CLEAR CORRIDORS SAVE LIVES

This guidance helps keep you and your neighbours safe.

- Fires can start in seconds and spread very quickly.
- Toxic smoke can fill a corridor in minutes.
- Clear escape routes give you time to get out.
- These rules protect you, your neighbours and firefighters.

### NATIONAL GUIDANCE

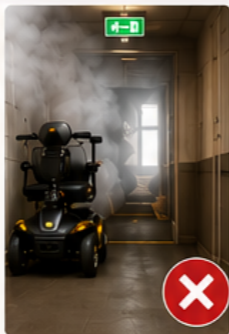
The National Fire Chiefs Council (NFCC) states mobility scooters should not be stored, parked or charged in communal corridors forming part of escape routes.

### 1 WHY THIS MATTERS

Mobility scooters help many residents live independently.

However, if stored or charged unsafely they can cause devastating fires and block escape routes.

**Clear corridors save lives.**



### 2 WHAT IS AN ESCAPE ROUTE?



Corridors, stairways and common areas are designed for everyone to escape safely in an emergency.

### 3 FIRE RISK OF BATTERIES



#### DID YOU KNOW?

- ⚠️ Lithium battery fires can spread extremely quickly
- ⚠️ Fires produce toxic smoke that can kill
- ⚠️ Charging faults can start fires unexpectedly
- ⚠️ Overnight charging increases risk while you are asleep
- ⚠️ Always follow the manufacturer's instructions

⚠️ If a battery is damaged, swelling or getting hot – STOP USING IT and report it immediately.

### 4 SAFE STORAGE & CHARGING – DO THIS



- ✔ Store your scooter in an approved area.
- ✔ Charge using a direct wall socket.
- ✔ Keep the area clean, tidy and well ventilated.
- ✔ Keep fire doors closed.
- ✔ Keep corridors and exits clear.
- ✔ Charge during the daytime where possible.
- ✔ Use the correct charger provided by the manufacturer.

### 5 UNSAFE STORAGE & CHARGING – DON'T DO THIS



- ✘ Do not store in corridors or communal areas.
- ✘ Do not charge in corridors or stairwells.
- ✘ Do not use extension leads or adaptors.
- ✘ Do not block fire exits, doors or escape routes.
- ✘ Do not store near rubbish or combustible items.
- ✘ Do not charge overnight in communal areas.

### 6 WHAT YOU CAN DO

- 🏠 Ask the Council for permission before buying or storing a scooter.
- 🔌 Charge safely during the day where possible.
- 🚶 Store your scooter only in an approved location.
- 📞 Report any damage, faults or concerns straight away.
- 🚶 Keep escape routes, corridors and doorways clear.
- 🔌 Use the correct charger and equipment provided.

### 7 WHAT YOU CANNOT DO

- 🚫 Do not store or charge your scooter in communal corridors, landings or stairwells.
- 🚫 Do not use extension leads, multi-sockets or adaptors.
- 🚫 Do not leave chargers connected unattended or overnight in communal areas.
- 🚫 Do not block fire doors, fire exits or emergency equipment.
- 🚫 Do not make any electrical alterations or use damaged chargers or batteries.

### 8 EXAMPLES OF MOBILITY SCOOTERS AND POWERED WHEELCHAIRS



Larger scooters can create greater obstruction and fire risk in communal buildings.

### 9 DIFFERENT BUILDINGS – DIFFERENT RULES

HOUSES & BUNGALOWS	FLATS & SHELTERED HOUSING
You may be able to store and charge in:	Communal areas must be kept clear.
<ul style="list-style-type: none"> <li>✔ Shed or outbuilding</li> <li>✔ Garage</li> <li>✔ Private external store</li> <li>✔ Inside your home (if safe and practical)</li> </ul>	<ul style="list-style-type: none"> <li>✘ Corridors</li> <li>✘ Landings</li> <li>✘ Stairwells</li> <li>✘ Lift lobbies</li> <li>✘ Escape routes</li> </ul>

📍 If you need an alternative storage solution, contact the Council – we may be able to help.

### 10 FIRE SERVICE SAFETY CHECKLIST

- BEFORE YOU CHARGE**
- ✔ Use the correct charger provided
  - ✔ Keep the area well ventilated
  - ✔ Keep away from curtains, furniture and clutter
  - ✔ Do not cover the charger
  - ✔ Unplug when fully charged
- NEVER**
- ✘ Charge overnight in communal areas
  - ✘ Use damaged batteries or chargers
  - ✘ Use extension leads or multi-sockets
  - ✘ Block exits, doors or fire equipment
  - ✘ Leave charging unattended

### 11 WHAT HAPPENS IF RULES ARE NOT FOLLOWED?

- We will always try to work with you to find a safe solution.
- 
1. We may issue a warning and request action.
  2. We may carry out further assessments or inspections.
  3. Serious breaches may result in removal of the scooter for everyone's safety.

**Our priority is safety, fairness and support.**

### 12 FACTS FROM HAMPSHIRE FIRE SERVICE

- Hampshire Fire and Rescue Service
- Mobility scooters and e-mobility device fires are increasing.
- Lithium battery fires burn hotter and are harder to extinguish.
- These fires produce toxic smoke very quickly.
- Corridors and stairwells must be kept sterile for safe evacuation.
- Working smoke alarms save lives – never remove or disable them.

### 13 NEED HELP OR MORE INFORMATION?

- We are here to help you stay safe and independent.
- 📞 Apply for permission or storage support: 01962 848 400
  - ✉ Email us: [policy@winchester.gov.uk](mailto:policy@winchester.gov.uk)
  - 🌐 For fire safety advice visit Hampshire Fire and Rescue Service: [www.hantsfire.gov.uk](http://www.hantsfire.gov.uk)

If you discover a fire – GET OUT, STAY OUT, CALL 999.

and Hampshire Fire and National Fire Chiefs Council (NFCC) guidance on mobility scooters.

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