

Cabinet

**Tuesday, 12 December 2023 at 5.15 pm
Phoenix Chamber, Phoenix House, Tiverton**

**Next ordinary meeting
Tuesday, 9 January 2024 at 5.15 pm**

Please Note: This meeting will take place at Phoenix House and members of the public and press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

The meeting will be hybrid and an audio recording made and published on the website after the meeting.

[Click here to join the meeting](#)

Meeting ID: 396 856 281 273
Passcode: wD4HYb

Membership

Cllr L Taylor	Leader of the Council
Cllr J Lock	
Cllr S Keable	
Cllr D Wulff	
Cllr S J Clist	
Cllr N Bradshaw	
Cllr J Wright	
Cllr J Buczkowski	

A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

- (a) The MDH Tenancy Inspection Policy (Pages 3 - 22)
To receive a report on that the PDG recommends that Cabinet adopt the updated Tenancy Inspection Policy and Equality Impact Assessment contained in Annexes A and B respectively, from the Corporate Manager for Public Health, Regulation and Housing.

Stephen Walford
Chief Executive

Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Teams.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

Residents, electors or business rate payers of the District may make a statement or shall be entitled to ask questions at a meeting which concerns the Council's powers / duties or which otherwise affects the District. If your question does not relate to an agenda item, the question must be submitted to the Democratic Services Manager two working days before the meeting to give time for a response to be prepared.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Democratic Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Laura Woon on: lwoon@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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Report for: Cabinet

Date of Meeting:	12 th December
Subject:	MID DEVON HOUSING TENANCY INSPECTION POLICY REVIEW
Cabinet Member:	Cllr Simon Clist Cabinet Member for Housing and Property
Responsible Officer:	Simon Newcombe - Corporate Manager for Public Health, Regulation and Housing
Exempt:	None which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)
Wards Affected:	All
Enclosures:	Annex A – Tenancy Inspection Policy Annex B – Tenancy Inspection Policy Equality Impact Assessment

Section 1 – Summary and Recommendation

The purpose of conducting tenancy inspections is to check the property condition, reduce tenancy fraud to ensure homes go to those in most need and identify tenancy management issues including tenants who require additional support to sustain their tenancies.

The Tenancy Inspection Policy aims to ensure that tenants are aware of the circumstances when Mid Devon Housing (MDH) will seek access to their properties and the tenant's responsibility in providing that access. Furthermore, it sets out the approach to obtaining access to our tenanted properties, including gardens and outside areas and explains the type of information collected and the action to be taken when concerns are raised.

Recommendation:

That the PDG recommends that Cabinet adopt the updated Tenancy Inspection Policy and Equality Impact Assessment contained in Annexes A and B respectively.

Section 2 – Report

1 Introduction

- 1.1 Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.
- 1.2 Under the Homes Standard, the Regulator of Social Housing (RSH) requires all registered providers to provide a cost-effective repairs and maintenance service to homes and communal areas. It sets out that registered providers such as MDH must meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.
- 1.3 The Tenancy Inspection Policy plays an important part in meeting these statutory consumer standards requirements. Overall, our tenancy inspections are important point of engagement with our tenants.
- 1.2 The Regulator of Social Housing expects registered providers to use a co-regulatory approach and they regard councillors as responsible for ensuring that providers' businesses are managed effectively and comply with all regulatory requirements. Consequently, it is important that councillors approve the relevant policy approaches adopted by MDH.
- 1.3 Social Housing (Regulation) Act has received Royal Assent, meaning the bill has now been enacted into law. This will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants.
- 1.4 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how good their landlord is performing giving tenants a stronger voice. The Regulations take account of the aims and ambitions of the White Paper and several are particularly relevant to the aims of this policy:
 - To be safe in your home (Chapter 1)
 - To know how your landlord is performing (Chapter 2)
 - To have your complaints deal with promptly and fairly (Chapter 3)
 - To have a good quality home and neighbourhood to live in (Chapter 6)
- 1.5 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These

measures include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants views on our performance which will include responsible neighbourhood management.

- 1.6 Whilst the performance of MDH against many of the TSMs could potentially be influenced by our approach to tenancy inspections, examples of those most relevant include:
- TP01 – Overall satisfaction
 - TP04 – Satisfaction that the home is well maintained
 - TP05 – Satisfaction that the home is safe
 - TP06 – Satisfaction that the landlord listens to tenants views and acts upon them
 - BS01 – Gas Safety Checks
 - BS02 – Fire Safety Checks

2 Review of the Tenancy Inspection Policy

- 2.1 There has been a Tenancy Inspection Policy in place for several years with the most recent version adopted in July 2016. It is therefore due to for review.
- 2.2 The review has taken into account the regulatory framework changes set out in Section 1 above, any new guidance from the regulators and other recent MDH or wider Council policy updates to ensure compliance and consistency.
- 2.3 This policy aims to ensure that tenants are aware of the circumstances when MDH will seek access to their properties and the tenant's responsibility in providing that access.
- 2.4 Overall the policy outlines Mid Devon Housing's (MDH) approach to obtaining access to our tenanted properties, including gardens and outside areas and explains the type of information collected and the action to be taken when concerns are raised.
- 2.5 One of the main reasons for Tenancy Inspections, also referred to as Tenancy Home Checks, is for MDH to understand if tenants have any vulnerabilities and require help to sustain their tenancies.
- 2.6 Under the Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014 MDH also has a duty to prevent the fraudulent subletting of their properties.
- 2.7 Social housing is a valuable asset that provides security and stability to people in housing need. All local authorities have a duty to make the best use of public resources and ensure existing stock is properly managed.
- 2.8 A Tenancy Home Check is a survey, which involves a member of the Housing team visiting tenants in their home to complete a short questionnaire, and take down some details about them and their household.
- 2.9 The purpose of conducting Tenancy Home Checks is to check the property condition, reduce tenancy fraud to ensure homes go to those in most need and

identify tenancy management issues including tenants who require additional support to sustain their tenancies.

- 2.10 The frequency of checks at a specific property and with regard to a particular tenant will vary in accordance with the priorities set out in 8.5 of the Policy.
- 2.11 MDH will visit properties in the housing stock regularly in order to carry out tenancy home checks. Regular inspections allow MDH to:
- Provide support to tenants who are vulnerable;
 - Check where there are safeguarding or welfare concerns;
 - Increase customer profiling information;
 - Check who is living at the property;
 - Identify opportunities for service improvement and tenants who wish to become involved;
 - Raise concerns about the condition of a property or safeguarding issues following an inspection;
 - Check that tenants are complying with the terms and conditions of their tenancy;
 - Investigate alleged tenancy fraud;
 - Identify abandonment and non-occupancy of a property;
 - Prevent unauthorised subletting or assignment; and
 - Identify concerns around property condition, such as potential health and safety risks such as hoarding and disrepair.
- 2.12 Tenants will be asked to provide identification during the Tenancy Home Check to ensure that the correct person is living in the property and that the tenant is using the property as their principle home.
- 2.13 The revision of the existing policy also includes further definition of responsibilities to ensure that all stakeholders are clear about accountabilities.
- 2.14 There are no other materially relevant changes to the policy.

3 Consultation

- 3.1 Tenants and all members were invited to comment on the draft policy between 6 October and 6 November 2023.
- 3.2 No comments or concerns were received from either tenants or members.
- 3.3 Despite a lack of response to consultation, it is important that tenants are fully aware of the updated policy. To this end, should the policy be adopted, MDH will proactively signpost the policy on our webpages/Facebook pages and in the next tenant newsletter. Where relevant, particularly in relation to queries, service requests or complaints we will also ensure specific tenants or other stakeholders are also aware of the updated policy as required.

4 Safeguarding and vulnerable tenants

- 4.1 Tenancy Home Checks are prioritised when concerns have been raised about the welfare of our tenants. They are used to establish if there are any safeguarding concerns.
- 4.2 Neighbourhood officers will discuss with tenants any vulnerabilities they have and put in place reasonable adjustments so that the tenant is comfortable with the way the MDH interacts with them. The information is placed on the tenants record so that all departments and officers within MDH make these reasonable adjustments in dealings with the tenant or their household.

5 Recommendations

5.1 In accordance with the above:

- 1. That the PDG recommends that Cabinet adopt the updated MDH Tenancy Inspection Policy and Equality Impact Assessment contained in Annexes A and B respectively.

Financial Implications

The Council is required to make the best use of its housing stock which includes managing it efficiently and taking steps to prevent tenancy fraud to avoid any financial losses.

There are no other direct financial implications arising from the update to this policy.

Legal Implications

See Section 2, Introduction with regard to Consumer Standards and new consumer regulation regime.

In accordance with the Localism Act 2011, the Council is required to publish a clear and accessible policy which outlines its approach to tenancy management which includes reference to the prevention of tenancy fraud.

The Council has a Tenancy Policy and uses tenant inspections as a means of preventing fraud.

Risk Assessment

Failure to provide housing management staff with the appropriate policies could result in a less consistent and effective service.

Impact on Climate Change

This Policy will have no impact on the Council's climate change ambitions.

Equalities Impact Assessment

Mid Devon Housing collects data on the diversity of tenants and endeavours to tailor services to meet the needs of all tenants.

Tenancy Inspections enable our officers to provide support to vulnerable tenants and to put in place reasonable adjustments so that the tenant is comfortable in the way that MDH interacts with them.

The Equalities Impact Assessment is attached in full to this report in Annex B.

Relationship to Corporate Plan

The Council must run the Housing Service efficiently and effectively in accordance with legislative requirements and the provisions of the regulatory framework.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 07 Nov 2023

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 07 Nov 2023

Chief Officer: Simon Newcombe

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 06 November 2023

Performance and risk: Steve Carr

Agreed by the Corporate Performance & Improvement Manager

Date: 08/11/2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Claire Fry, Operations Lead for Housing Management or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Email: cfry@middevon.gov.uk / snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers:

Current Tenancy Inspection Policy July 2016

<https://www.middevon.gov.uk/media/191652/tenancy-inspection-policy-v18.pdf>



TENANCY INSPECTION POLICY

2023

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1 Introduction

1.1 This policy outlines Mid Devon Housing's (MDH) approach to obtaining access to our tenanted properties, including gardens and outside areas. This policy covers:

- When MDH may need access to a property
- Tenancy Home Checks and the reasons for them
- Responsibilities
- What action MDH will take if access to a property is denied by a tenant
- This policy does not cover obtaining access to a property as part of a repossession process and it does not cover a property that has been abandoned
- This policy applies to all properties that are owned by MDH

1.2 MDH have a commitment to make best use of our homes and that this policy is closely related to our Tenancy Standard Policy which sets out our approach to the management of tenancy related fraud.

1.3 This policy explains the purpose of carrying out tenancy home checks, the type of information collected and the action to be taken when concerns are raised.

2 Legal Framework and Context

2.1 Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.

- 2.2 The Regulator of Social Housing regard councillors as responsible for ensuring that providers' businesses are managed effectively and that providers comply with all regulatory requirements.
- 2.3 Social Housing (Regulation) Act has received Royal Assent, meaning the bill has now been enacted into law. This will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 2.4 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how good their landlord is performing giving tenants a stronger voice. The Regulations take account of the aims and ambitions of the White Paper and several are particularly relevant to the aims of this policy:
- To be safe in your home (Chapter 1)
 - To know how your landlord is performing (Chapter 2)
 - To have your complaints dealt with promptly and fairly (Chapter 3)
 - To have a good quality home and neighbourhood to live in (Chapter 6)
- 2.5 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measure include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants views on our performance which will include responsible neighbourhood management
- 2.6 The TSM measures under tenancy inspections include:
- TP01 – Overall satisfaction
 - TP04 – Satisfaction that the home is well maintained
 - TP05 – Satisfaction that the home is safe
 - TP06 – Satisfaction that the landlord listens to tenants views and acts upon them
 - BS01 – Gas Safety Checks
 - BS02 – Fire Safety Checks

3 Policy Aims and Objectives

3.1

Aim

This policy aims to ensure that tenants are aware of the circumstances when MDH will seek access to their properties and the tenant's responsibility in providing that access.

Objective

Overall the policy outlines Mid Devon Housing's (MDH) approach to obtaining access to our tenanted properties, including gardens and outside areas and explains the type of information collected and the action to be taken when concerns are raised.

4 When MDH may need to access a Property

4.1 MDH may need access to a property for many reasons, some of which include:

- To carry out a welfare check if concerns have been raised
- Carry out a tenancy home check
- To check the condition of a property
- To carry out a stock condition survey
- To carry out a safety check, servicing or a repair
- To investigate any possible tenancy breaches
- Investigate alleged tenancy fraud

4.2 If MDH need to access a property, all reasonable attempts to contact the tenant will be made. There may be urgent circumstances in which MDH will not be able to give advance notice of a visit.

4.3 MDH will from time to time make unannounced visits to carry out a Tenancy Home Check. The officer visiting will carry out an inspection there and then, with the consent of the tenant. If the tenant does not consent, the visiting officer will give at least 24 hours' notice of an inspection.

5 Tenant Responsibilities

5.1 If we believe there to be a risk of damage to the property or an adjoining or in order to comply with our statutory duties, the tenant must allow us or our employee's immediate access to the property.

5.2 Individual tenancy agreements will detail tenants' rights and responsibilities in relation to providing access to their home.

5.3 Tenants must allow MDH or our contractor's access into their home when we request it, or if they request a repair or inspection. MDH and its contractors will always carry identification when visiting a property.

5.4 The Tenancy Agreement is a legally binding document and as such all tenants who have signed an agreement have agreed that:

'We visit our properties periodically in order to carry out inspections, such as tenancy home checks. Tenancy home checks are unannounced visits, however if you do not wish to give us access, we will give you twenty four hours' notice of a further visit'.

6 Denying MDH Access

- 6.1 Most tenants allow access to their homes as and when required. If a tenant does not allow MDH access, they may be in breach of their tenancy and MDH may take legal action.
- 6.2 If a tenant refuses access after reasonable requests, MDH may take all any of the following actions:
- Serve a Notice of Seeking Possession, informing the tenant of MDH's intention to seek possession of the property
 - Ask the court for an injunction to allow MDH access into the property. If a tenant has repeatedly refused access, MDH can ask the court to grant an injunction to last the life of your tenancy, to allow us ongoing access to the property, for a specific reason, e.g. gas safety checks.
- 6.3 If a tenant continues to refuse reasonable access, MDH will apply to the court for possession of the property. This decision may be taken if:
- The tenant fails to respond to attempted contact, or
 - The tenant fails to allow access after the Court has given MDH an injunction, or
 - The tenant routinely fails to allow MDH access

7 Entering a Property without Permission

- 7.1 There are occasionally exceptional circumstances in which MDH will need to enter a property without prior permission, where:
- There has been an identified serious health and safety risk to occupants
 - There is likely to be damage to the building if immediate action is not taken
 - There is immediate concern for the wellbeing of someone in the property
- 7.2 Some exceptional circumstances can include, but are not limited to:
- A water leak and the tenant is not contactable
 - An expired gas certificate and the tenant is not contactable and there is no-one to allow access

- 7.3 If MDH are made aware of a gas leak, or a structural concern, officers will not enter the property. MDH will contact the relevant emergency services and utility companies immediately.
- 7.4 If there is a possibility that a tenant has fallen unwell or has passed away, MDH will contact the police and request their presence to enter the property along with a Housing Officer
- 7.5 MDH will only enter a property without permission as a last resort.
- 7.6 Where MDH require urgent access MDH will pursue a civil remedy including applying for an injunction and/ or possession proceedings.

8 Tenancy Home Checks

- 8.1 A Tenancy Home Check is a survey, which involves a member of the Housing team visiting tenants in their home to complete a short questionnaire, and take down some details about them and their household.
- 8.2 MDH will visit properties in the housing stock regularly in order to carry out tenancy home checks. Regular inspections allow MDH to:
- Provide support to tenants who are vulnerable;
 - Check where there are safeguarding or welfare concerns;
 - Increase customer profiling information;
 - Identify opportunities for service improvement and tenants who wish to become involved;
 - Check who is living at the property;
 - Raise concerns about the condition of a property or safeguarding issues following an inspection;
 - Check that tenants are complying with the terms and conditions of their tenancy;
 - Investigate alleged tenancy fraud;
 - Identify abandonment and non-occupancy of a property;
 - Prevent unauthorised subletting or assignment; and
 - Identify concerns around property condition, such as potential health and safety risks such as hoarding and disrepair.
- 8.3 MDH Officers may make unannounced tenancy home checks at properties. MDH will either carry out a check there and then provided the tenant consents, otherwise the Officer will give at least twenty four hours' notice of a tenancy home check.
- 8.4 During a tenancy home check, MDH will obtain information about the household and inspect the property including external areas.

8.5 Officers will prioritise tenancy home checks where there is a concern:-

- That the tenant may be vulnerable and that safeguarding concerns have been raised;
- That the property has been obtained using fraudulent information;
- That the tenant is not using the property as their only and principal home;
- The keys have been passed to an unauthorised person and the tenant is allowing them to reside at the property;
- The property is being sublet;
- The property is being allowed to be used for illegal or immoral purposes;
- That the property is in poor condition;
- There have been reports that the property has been/is being damaged;
- There have been reports that there is a possible hoarding situation;
- There have been reports that the property has been abandoned;
- There has been repeated requests for replacement keys;
- The tenant has failed to give access for the annual gas check;
- The tenant fails to respond to letters from the Council;
- About a lack of repair requests or concerns have been raised by contractors;
- Raised by a neighbour, including complaints of frequent visitors or communal damage in blocks of flats;
- Of overcrowding in a smaller property;
- There are rent arrears, payments being made by a non-tenant or there is a large credit on the rent account, which could indicate that the tenant has been absent from the property for a prolonged period; or
- The above is not an exhaustive list.

8.6 MDH Officers will follow up any tenancy home checks where concerns have been raised. They will liaise with relevant agencies where appropriate. Where any breach of the terms of the tenancy agreement is identified, appropriate action will be taken.

8.7 Following a tenancy home check, where applicable, MDH will refer tenants to the relevant agency for further support and advice.

8.8 Targeted property condition checks by Neighbourhood Officers and other tenancy staff will be carried out where a notice of end of tenancy has been received. All ongoing tenants providing notice will be requested to complete an end of tenancy checklist regarding property condition and damage. Please refer to [MDH Voids Policy](#) for further detail.

9 Household Information

9.1 During a tenancy home check, Officers will review and update the information currently held about the tenant and their household members. Information collected will include:-

- Household details;
- Date of birth;
- Gender;
- National Insurance number;
- Contact details of tenant, their next of kin and emergency contact;
- Income details of the tenant and/or spouse, civil partner or partner living at the property (Flexi Tenancy Review Inspection only);
- Any household Member with any protected characteristic; and
- Any household member who is vulnerable or may require reasonable adjustments when dealing with MDH – Please refer to the [MDH Vulnerability Policy](#) for further detail. This includes primary and preferred language.

9.2 When we visit we will ask tenants for proof of identity to guard against fraud, it will enable us to determine that the person who has the Tenancy Agreement is the person who is occupying the home. We will ask for:

- Two forms of identification, one document should contain a photograph of the tenant such as a passport or driver's licence; and
- Proof that the tenant lives at the property, such as a utility bill or a bank statement.

9.3 As an additional check, tenants will also be asked to sign the completed tenancy home check survey, which will enable us to verify their signature against their Tenancy Agreement.

10 Stock Condition Surveys

10.1 As a Registered Provider MDH must have an accurate, up-to-date and evidenced understanding of the condition of its homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.

10.2 Stock condition surveys will be undertaken at all of our homes on a rolling bases to ensure that tenants homes are meeting the standards set out in section five of the Governments Decent Homes Guidance and that there are no health and safety concerns.

11 Complaints and Feedback

11.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback, so if people wish to complement our staff for doing a great job, we would love to hear from them.

11.2 If things do go wrong the council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

11.3 When people contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

11.4 The Housing Ombudsman Service advise that a complaint must be defined as:

- *‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents’.*

11.5 Where a tenant considers that the council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved ‘there and then’ by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.

11.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and they are still not satisfied, the tenant may contact the Housing Ombudsman Service.

11.7 MDH’s complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)

12 Review and version control

12.1 MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues.

12.2 This policy was produced in 2023 and is version 5.00

12.3 This policy was adopted by Cabinet on xxxx

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Tenancy Inspection Policy - Equality Impact Assessment (EIA)

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.










The public sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

MDH is required by law to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- Foster good relations between people who share a protected characteristic and people who do not share it.

EIA will be carried out by MDH in respect of new or revised policies and a copy of the assessment will be made available. Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action will be necessary.

Service:	Mid Devon Housing																					
Name of policy being assessed:	Tenancy Inspection Policy																					
Lead officer responsible for EIA:	Operations Manager for Housing Management Services																					
Is this a new or existing policy:	Revision of existing policy																					
<p>1. What are the aims and objectives of the policy?</p> <p>This policy aims to ensure that tenants are aware of the circumstances when MDH will seek access to their properties and the tenant's responsibility in providing that access.</p>																						
<p>2. What outcome do MDH want to achieve from this policy?</p> <p>Overall the policy outlines Mid Devon Housing's (MDH) approach to obtaining access to our tenanted properties, including gardens and outside areas and explains the type of information collected and the action to be taken when concerns are raised.</p> <p>The policy covers tenancy homes checks or inspections where one of the main reasons for this activity is for MDH to understand if tenants have any vulnerabilities and require help to sustain their tenancies. Will also help to identify and safeguarding or welfare concerns.</p>																						
<p>3. Who is intended to benefit from the policy?</p> <p>The Tenancy Inspection Policy will apply to all tenants</p>																						
<p>4. Who are the main stakeholders in relation to the policy?</p> <ul style="list-style-type: none"> • All tenants • Household members • Family members of tenants 																						
<p>5. On the basis of the analysis above, what actions, if any, will MDH need to take in respect of each of the equality strands?</p> <table border="1"> <thead> <tr> <th>Characteristic:</th> <th colspan="2">Impact: Please  the relevant box</th> <th>Comments/Action:</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Age:</td> <td>Positive</td> <td></td> <td rowspan="3">Information on age is collected as part of the tenancy home check process.</td> </tr> <tr> <td>Neutral</td> <td></td> </tr> <tr> <td>Negative</td> <td></td> </tr> <tr> <td rowspan="3">Disability: You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.</td> <td>Positive</td> <td></td> <td rowspan="3">Information on disability is collected as part of the tenancy home check process.</td> </tr> <tr> <td>Neutral</td> <td></td> </tr> <tr> <td>Negative</td> <td></td> </tr> </tbody> </table>			Characteristic:	Impact: Please  the relevant box		Comments/Action:	Age:	Positive		Information on age is collected as part of the tenancy home check process.	Neutral		Negative		Disability: You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.	Positive		Information on disability is collected as part of the tenancy home check process.	Neutral		Negative	
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	Negative																					

Gender:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		
Gender reassignment:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		
Marriage and civil partnership:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		
Pregnancy and Maternity:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		
Race:	Positive	✓	Information on race/ethnicity is collected as part of the tenancy home check process to help ensure we do not discriminate. This may particularly benefit BAME groups.
	Neutral		
	Negative		
Religion and Belief:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		
Sexual Orientation:	Positive		The policy will have no impact.
	Neutral	✓	
	Negative		

Result		
Are there any aspects of the policy, including how it is delivered or accessed, that could contribute to inequality?	No	<p>No ✓</p> <p>No major change needed: quality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken</p>
Will this policy have an adverse impact upon the lives of people, including employees and service users	No	<p>No ✓</p> <p>The policy provides a transparent framework that MDH will follow to ensure decisions carried out in line with the policy.</p>

		Conversely, the policy will have a positive impact in that it will help MDH to understand if tenants have any vulnerabilities and require help to sustain their tenancies. Will also help to identify and safeguarding or welfare concerns.
<p>Monitoring and Review:</p> <p>MDH will regularly review the EIA, in line with legislative changes or good practice, or if the policy impacts any group directly.</p> <p>Operations Manager for Housing Management Services</p> <p>Signed:</p>		