TENANCY STRATEGY

DRAFT VERSION FOR ENGAGEMENT

Haringey LONDON

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1 Introduction

Haringey's Tenancy Strategy sets out the matters Haringey Council, and other Registered Providers of social housing in the borough, are required to consider when developing or reviewing their own Tenancy Policies.

It covers our obligations under the Localism Act 2011 to develop a Tenancy Strategy.

It aims to provide guidance and support to social housing providers in letting social housing, developing housing policies, and supporting residents to live independently and sustain their tenancies.

Social housing providers include the Council and housing associations/private registered providers in Haringey. This Strategy applies to the Council and all other Registered Providers in the borough.

The Tenancy Strategy applies to the granting of 'social rent' tenancies, including social rent, London Affordable Rent and Affordable Rent. It does not cover intermediate rent tenancies, or where we provide supported housing or temporary accommodation.

When we use the terms 'we', 'our', and 'us' in this strategy we mean Haringey Council.

Since the publication of our previous Tenancy Strategy in 2014, we have seen significant housing challenges in Haringey and multiple changes within the housing sector. This new Tenancy Strategy seeks to reflect and respond to the following changes such as:

- New legislation including the Fire Safety Act 2021, the Building Safety Act 2022, and the Social Housing (Regulation) Act 2023.
- New organisations and frameworks have been put in place to reintroduce active regulation of social landlords following the death in June 2017 of 72 people in the fire at Grenfell Tower.
- In June 2022 we brought our housing management services back under the Council's direct control and started on a journey to transform those services.
- We adopted a comprehensive Housing Improvement Plan as one major step in our journey to transform housing services to our tenants and leaseholders.
- We developed a new Housing Strategy for Haringey which sets out our vision for housing in the borough. The strategy includes strategic objectives to improve housing quality and resident services in the social housing sector.
- Preparing a new housing allocations policy which sets out how residents qualify for social housing, how we prioritise residents for rehousing, and how we let social housing in the borough.

Over 14,000 households are waiting for social housing on the housing register and more than 1,700 of those households have told us that they are living in overcrowded homes. Around 2,700 households are living in temporary accommodation. The Census has shown us that 3,641 Council tenant households are living in overcrowded homes. 33% of all households in bands A and B on the housing register need a three-bedroom home; 14% need a home with four or more bedrooms[1].

We therefore want social housing providers to make the most appropriate use of the housing and tenancy options available to them, to provide safe and stable homes for residents, and prevent homelessness as a result of the loss of tenancies.

2 Why do we need a Tenancy Strategy?

The role of a Tenancy Strategy as defined under the Localism Act 2011 is to outline the broad objectives that Registered Providers should consider when preparing their own tenancy policies on:

- The types of tenancies they grant
- The circumstances in which they will grant a particular type of tenancy
- Where they grant a tenancy for certain terms, the lengths of the terms
- The circumstances in which they will grant a further tenancy when an existing tenancy comes up for review.

The purpose of the Tenancy Strategy is to improve housing quality and resident services in the social housing sector in Haringey. We also want to make sure that we are up to date in providing clear and concise guidance for all registered providers across our borough.

This vision is at the heart of the Council's Housing aim that we want everyone in Haringey, whatever their circumstances, to have a safe, stable, and genuinely affordable home.

All Registered Providers, including councils, are required to develop a Tenancy Policy. This Tenancy Strategy is designed to support Registered Providers in Haringey to update their existing policies accordingly. We recommend that all Registered Providers in Haringey update and publish their policies online and make copies available to anyone who may request it.

Find the policies for our tenant and leaseholders

Our draft Tenancy Management policy outlines our approach to providing an efficient and effective tenancy management service.

[1] Housing register data, March 2025

3 Our priorities

This Tenancy Strategy is framed around four key priorities:

1 Lifetime tenancies are the preferred option in Haringey
2 Tenants understand their rights and responsibilities in relation to their tenancy, appeals and complaints
3 Tenants are supported to live in their homes for as long as it remains suitable
4 A proactive approach to preventing homelessness where a social housing provider is intending to end a tenancy

Objective 1: Lifetime tenancies are the preferred option in Haringey

Our draft Tenancy Management Policy confirms our decision to continue offering Lifetime tenancies to our council tenants. This provides the security and peace of mind we know that tenants want to support them with building a long-term future within their communities without having to undergo the uncertainty of a tenancy review at the end of a fixed-term tenancy.

We do also want to support tenants being able to rightsize to the most appropriate accommodation in terms of size and accessibility.

We recommend that all Registered Providers in Haringey issue lifetime tenancies Instead of fixed-term tenancies for all new tenants. For those currently on fixed term tenancies, we recommend that Registered Providers have a process in place to move tenants on to lifetime tenancies when appropriate.

Where Registered Providers decide to use fixed term tenancies, the following factors should be considered:

- Any fixed term tenancy should be for a minimum of five years unless there are exceptional circumstances
- Where there are exceptional circumstanced, shorter term tenancies should be at least (2 years). Exceptional circumstances include for example, where the accommodation is only intended to be a short term stepping-stone to accessing affordable independent housing for adult dependents in over-crowded households.
- All prospective tenants should be given clear information on the type of tenancy being issued, the reasons for offering that tenancy and how the tenancy will be reviewed when they sign for a tenancy.
- Where a fixed tenancy is used by a Registered Provider fully developed support, information and advice services must be available to the new tenant to help them understand their housing options and empower them to move on at the end of the fixed term.

- Decisions to end a fixed term tenancy should be proportionate and tenants should be provided with clear, accessible guidance on the internal appeal process with the Registered Provider.
- Registered Providers should have within their Tenancy Policy details of how frequently a fixed term tenancy should be reviewed and what factors should be considered as part of that review.

We recommend that a fixed term tenancy is renewed except where the property is part of a Local Letting Plan or special scheme, or where there have been significant tenancy breaches.

When a fixed term tenancy is reviewed, its renewal should consider a balance of factors including family circumstancesand the impact on our commitment to end homelessness and rough sleeping in the borough.

Registered Providers should give at least six months' notice to a tenant if the tenancy will not be renewed, the reasons for ending the tenancy should be clearly set out and information provided on how to make an appeal.

Where the tenancy is to be terminated reasonable efforts should be made to secure suitable alternative accommodation and consideration given to extending the tenancy until alternative suitable accommodation can be found.

Objective 2: Tenants understand the rights and responsibilities of their tenancy, their rights to appeal and make formal complaints

Our Tenancy Agreement is a legal agreement between the tenant and us. It sets out both tenant's and our rights and responsibilities. This is supported by a tenants handbook to help them understand the services provided to them and their rights and responsibilities as a tenant.

We recommend that all Registered Providers in Haringey produce tenancy agreements that are accessible and available to tenants including vulnerable tenants. There should also be a clear accessible policies and appeals process for certain decisions that is clear, fair and accessible including on:

- The type of tenancy offered, including a notice that the tenancy will become fixed term on the expiry of a starter tenancy
- The length of the fixed-term tenancy offered
- Terminating a tenancy or not to grant another tenancy on expiry of the fixed-term
- Extending a starter tenancy or probation period
- The approach to tackling tenancy fraud.

Clear policies, processes and guidelines should also be in place on how current or prospective tenants can make a formal complaint if they are dissatisfied with the service or response they have received, or the way in which their case has been handled.

We recommend that Registered Providers have sufficient policies and procedures in place, including those setting out their:

- Approach to tenancy sustainment and the circumstances where they may terminate a tenancy
- Complaint and appeal policy and procedures
- Service standards for dealing with complaints and appeals
- Information on how tenants can take it further, with reference to the Housing Ombudsman and any other dispute remedies available
- Where to seek independent legal advice
- Proactive approach to investigating all reports of suspected tenancy fraud
- Clear details on how councillors or other advocates can raise casework with Registered Providers on tenants' behalf

Objective 3: Tenants are supported to live in their homes and sustain tenancies for as long as suitable

We take a holistic view of tenancy sustainment: supporting people to live well in the community is a key factor in preventing homelessness and is therefore a core housing management task for us. We are committed to assisting tenants to live in their homes for as long as they remain suitable for them. There are four main ways in which we aim to become aware on a responsive basis that a resident is vulnerable or has a common indicator of vulnerability:

- The resident tells us
- A neighbour, family member or friend of the resident tells us
- A professional such as a GP, social worker, or support worker tells us
- Council officers or contractors identify that a resident may be vulnerable and informs us, generally through the Concern Card system.

The home visits we carry out are also used to assess all likely safeguarding risks and discuss with tenants if they have any vulnerabilities and seek to identify suitable support needs if necessary. Our approach is outlined further in our draft tenancy management policy and vulnerable tenants and leaseholders policy.

We recommend Registered Providers support tenants to sustain their tenancies by taking early action to address any concerns which could put their tenancy at risk. Eviction should be sought only as a last resort once all other avenues have been exhausted without success.

Objective 4: A proactive approach to preventing homelessness where a social housing provider is intending to end a tenancy

We will ensure that our early intervention work supports tenants to sustain their tenancies and prevent them from becoming homeless.

We aim to undertake a new tenancy check at 6 weeks following the tenancy start date. We will then undertake tenancy reviews at 6 months, 9 months and 12 months prior to an introductory tenancy coming to an end. Our approach to assessing whether to offer a secure tenancy, to extend or end the introductory tenancy is based on whether tenants have kept to the terms in their tenancy agreement.

Unless we act to either end the tenancy or extend the length of the introductory tenancy by 6 months (totalling 18 months) during the trial period due to a breach, the tenancy will automatically become secure after the 12-month period.

We will inform tenants in writing with the outcome of their introductory tenancy review and offer them the right to appeal the decision.

We recommend that Registered Providers have clear policies and procedures in place for reviewing a tenant's circumstances prior to their fixed-term or starter tenancy coming to an end – and for assessing whether the tenant will be offered a further tenancy, either in the same home or in a different home. This should include working with key workers when they have fixed term tenancies, to avoid them becoming homeless when their key worker status ends.

Where the Registered Provider decides not to offer a further tenancy, they should have exhausted all other options to try to preserve the tenancy and avoid the need for eviction and homelessness. This will include identifying underlying issues contributing to the breach of tenancy and offering appropriate support to address these.

Registered Providers should be aware of the requirements of Part 7 of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017), including in relation to preventing homelessness. Social housing providers should work with us as early as possible where they believe that a tenancy is likely to end.

We recommend that Registered Providers provide reasonable information, advice, support and assistance about suitable housing options and finding alternative accommodation – in the case of dependent children in the household, the family should be offered a referral or advised to refer to our Family and Children's Services.

If a Registered Provider is satisfied that a tenancy should not be renewed, they should provide the tenant with notice of their intention and written reasons for this – it is expected that a tenant will be given a reasonable amount of notice where the social housing provider decides not to grant a new tenancy.

4 The main types of tenancies

Our policy position is that we will continue to offer lifetime tenancies to new tenants, following an introductory tenancy where there have been no breaches of the tenancy agreement. This will help to deliver the vision in our Housing Strategy that a good quality, secure home allows people to put down roots in a community.

When issuing tenancies, it is essential that all tenants are informed of the type of tenancy they will be offered at the point of offer. This should also be clearly stated in their tenancy agreement, with any specified rights to the type of tenancy.

A range of tenancy types are available, and we encourage Registered Providers operating in Haringey to offer the longest and most secure tenancy possible. The following is a list of the typical types of tenancies which are issued by local authorities and Registered Providers.

4.1 Introductory tenancies

All our new Council tenants are offered an introductory tenancy for a trial period of 12 months. This lasts for one year after the date on which the tenancy was entered into, or the date on which the tenant was first entitled to possession, whichever is later.

New tenants are given a trial period to show that they can keep to the terms of their tenancy agreement, pay rent regularly, look after their home and not be a nuisance to neighbours. Unless we take action to end the tenancy or extend the length of the introductory tenancy during the trial period the tenancy will automatically become secure after the 12-month period.

Registered Providers should arrange for support to be provided to tenants where appropriate (including vulnerable tenants) to help them to sustain their tenancies and complete their introductory tenancy successfully.

4.2 Extending introductory tenancies

We will extend a 12-month introductory tenancy by a further six months if there has been a breach of the tenancy conditions during the trial period. The tenancy conditions are clearly listed in the Tenancy Agreement.

If the landlord wants to extend the introductory tenancy, they must serve the tenant with a Notice of Extension which explains to the tenant why they are extending the introductory tenancy or trial period.

A tenant who is served with a Notice of Extension has the right to ask for a review of the decision to extend the trial period.

4.3 Terminating introductory tenancies

The introductory tenancy will be ended by serving a Notice of Possession Proceedings if:

1) the tenant breaks the tenancy conditions; or
2) a false or misleading statement had been made to obtain the tenancy.

A landlord can ask for a court order to evict a tenant who breaks the terms and conditions of their introductory tenancy.

To do this the landlord will serve the tenant with a Notice of Possession Proceedings. This is the first stage in getting possession of the property.

After 28 days the landlord can apply to the court for a possession order.

If the landlord has followed the proper procedure, the Court must grant a possession order along with a bailiff warrant - the tenant can then be evicted. We undertake a tenancy review before an introductory tenancy ends if there have been breaches of the tenancy agreement. We have clear procedures in place for assessing whether to offer a lifetime tenancy, or to extend or end the introductory tenancy.

We will only look to evict a social housing tenant where there have been serious breaches of their tenancy agreement and all possible options have been explored for preserving the tenancy, including providing support to the tenant. Where an introductory tenancy is ended, we will support the tenant to access help and advice on alternative housing options.

4.4 Lifetime tenancies

Our preference is for lifetime tenancies, to promote settled lifestyles for local people. This means that we expect Registered Providers to issue lifetime tenancies for all new tenants.

We recommend that Registered Providers issue lifetime tenancies for all new tenants. For those currently on fixed-term tenancies, we expect Registered Providers to have a process in place to move tenants on to lifetime tenancies when appropriate. This guaranteed level of security allows tenants to settle and build support networks within the surrounding community.

We consider lifetime tenancies to be the best approach to address social housing need and create safe, healthy and confident communities in Haringey.

4.5 Tenants fleeing Domestic Abuse

The Domestic Abuse Act 2021 requires that secure tenancy provision is made available for those fleeing domestic abuse.

The secure tenancy provision in the Act (s.79) ensures that, where we grant a new tenancy to a victim who has or had a lifetime tenancy (whether with a council or housing association landlord), the new tenancy must also be a lifetime tenancy if:

- we are satisfied that the person is or was a victim of domestic abuse, and
- the new tenancy is granted for reasons connected with that abuse.

The provision also protects victim/survivors of domestic abuse who have a joint lifetime tenancy and wish to remain in their local authority home after the perpetrator has left. It requires that, where a local authority decides to grant a new sole tenancy to the victim in connection with that abuse, it must be a further lifetime tenancy.

5 Successions

Succession is a legal term used when a person takes over a tenancy following the previous tenant's death. Under current law, there can only be one succession to a council or housing association tenancy. This means that any tenant who took over a tenancy from a previous tenant by succession or assignment cannot pass their tenancy on to a partner or family member.

Secure tenants
Council tenants are likely to have a secure tenancy unless they are occupying their home as temporary accommodation or under a licence.

Housing Association tenants can also be secure tenants if they entered into their tenancy agreements prior to 15 January 1989 and have remained living in the same property. The same rights to succeed apply as in the case of secure council tenants.

Where a secure council tenancy started before 1 April 2012 (the date that the Localism Act 2011 was introduced) the statutory succession is allowed to a surviving spouse/civil partner or a member of the deceased tenant's family.

However, the Localism Act 2011 amended the succession rights of people living with secure council tenants where the tenancy was created after 1 April 2012. In these cases, a statutory right to succeed is limited to the spouse/partner of the deceased tenant.

Assured tenants
Housing Association tenants who entered into their tenancy agreements after 15 January 1989 are likely to be assured tenants.

The statutory right to succeed to an Assured Tenancy has always been limited to the surviving spouse/partner. We will apply these rules in our own council housing stock and cannot extend succession rights to non-partner family members or where the previous tenant was also a successor.

However, we will continue to consider granting new tenancies for the same home in exceptional circumstances in line with our draft tenancy management policy. We recommend that other providers take a similar approach and publish clear and accessible policies which outline their approach.

6 Linked strategies and policies

In developing this strategy, we had regard to our following documents:

Haringey 2035: our vision

Haringey Housing Strategy 2024-2029

Housing Allocations Policy

Tenancy Management Policy

Haringey Homelessness Strategy

Haringey Rough Sleeping Strategy

Haringey's Rent Setting Policy

7 Delivering the Tenancy Strategy

We are committed to forging a genuine partnership with all Registered Providers in Haringey.

We want to work not only towards our shared aspirations and challenges as landlords, but also to deliver our vision of Haringey as a borough where we can all belong and thrive.

The Strategy will be kept under review to reflect changes to the Council's strategies and policies – and changes to national legislation, regulation and guidance.

We will aim to review the Tenancy Strategy within four years from the date it is introduced.