

Tenancy Policy

Document Owner	Head of Housing Services
Prepared by	Head of Housing Services
Approved by	Customer Services Committee
Approved date	June 2024
Date of next review	June 2026
Monitoring, Auditing and Reporting	<ol style="list-style-type: none"> 1. Quarterly review of tenancies granted to Directors Group 2. Internal Audit of Lettings Process 3. System generated performance report – identifying discrepancies in tenancy types

1. Scope and Aims

1.1. This policy sets out the range of tenancies currently in use by Hexagon which support our approach to the letting of our housing stock and tenancy provision.

1.2. The policy provides clarity over:

- which tenancy is granted under which circumstances,
- length of tenancy terms and
- circumstances under which a further tenancy will be granted.

1.3. The 'regulatory framework for social housing' requires registered providers to offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of the housing stock.

1.4. Hexagon is committed to working with its local authority partners to help them meet their duty to assist people in housing need. Therefore, Hexagon has regard to the tenancy strategy produced by each local authority in its area of operation.

1.5. The key objectives of this policy are to ensure that Hexagon is:

- meeting regulatory requirements,
- making efficient use of housing stock,
- offering tenancies that are compatible with the purpose of the accommodation,
- supporting sustainability within its communities and
- meeting the needs of individual households.

2. Resident Consultation

2.1. Residents will be consulted in future iterations of this policy but, for the purposes of meeting regulatory requirement, no resident consultation was carried out for this version.

3. Tenancy Types

3.1. We will provide all new tenants with a written agreement that sets out their rights and responsibilities and Hexagon's rights and obligations. The type of tenancy being granted and what this means to residents will be fully explained at the point of their sign-up.

3.2. We will grant tenancies compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of the housing stock.

3.3. We will carry out a review of our tenancy agreement template every three years to ensure they continue to comply with all relevant law in issuing tenancies or terms of occupation.

3.4. The table below sets out the different tenancy types with a general description of when Hexagon will use them:

Tenancy type	Offered to those:
Licence Agreement	<ul style="list-style-type: none"> Who are required to move temporarily from their property whilst maintenance work is carried out to their permanent address. In supported housing offered where the provision is temporary and/or shared.
12-month Starter Tenancy	<ul style="list-style-type: none"> Who are being offered a General Needs property but who do not currently have security of tenure, either with Hexagon or an alternative Registered Provider/Local Authority. Who are being offered supported housing that provides permanent accommodation.
Assured Periodic Tenancy (Life-time)	<ul style="list-style-type: none"> New tenants in General Needs properties who successfully upgrade from a Starter Tenancy Existing Hexagon tenants with Assured Periodic Tenancies who transfer within our stock Existing Assured Periodic/Secure Tenant of an alternative Registered Provider/Local Authority
Assured Shorthold Tenancy (2-year Fixed Term)	<ul style="list-style-type: none"> Who are being offered temporary accommodation under the Rough Sleepers Initiative which offers support to people experiencing homelessness.
Assured Shorthold Tenancy (Periodic)	<ul style="list-style-type: none"> Where someone is required to act as trustee e.g., for a young person under the age of 18. Who are being offered temporary self-contained supported housing. Who are being offered permanent shared supported living accommodation for people with learning disabilities.
Non-Secure Assured Tenancy	<ul style="list-style-type: none"> Short term homeless accommodation or temporary in supported housing where there is exclusive use of an individual dwelling.

Co-operative Assured Periodic Tenancy	<ul style="list-style-type: none"> Who occupy properties managed by Co-operatives that Hexagon has agreements with
Secure Tenancy	<ul style="list-style-type: none"> Where an existing Secure Tenant transfers to an alternative Hexagon property.

4. Starter Tenancy Review

- 4.1. Before the end of a 12-month Starter Tenancy period, Hexagon will confirm if conversion to an Assured Periodic Tenancy can take place. This will be based on the conduct of the tenancy, primarily the presence of arrears or reports of anti-social behaviour but will take account of any tenancy breach.
- 4.2. Where there is concern for the conduct of the tenancy, the Starter Tenancy can be:
 - Extended for a period of 12 months (with a further extension of 6 months at the end of this period if a reason for further extension can be provided).
 - Ended with use of a Section 21
- 4.3. The decision to extend or terminate a Starter Tenancy must be approved by the Neighbourhood and Estates Team Manager.
- 4.4. A Starter Tenant will have the right to request a review of the decision to extend or terminate their Starter Tenancy. The review will be carried out by the Head of Housing Services.
- 4.5. Automatic conversion to an Assured Periodic Tenancy will occur where no action is taken to extend, terminate or confirm conversion to an Assured Periodic Tenancy.

5. 2-year Fixed Term Tenancy Review

- 5.1. 2-year Fixed Term Tenancies apply only to those living in temporary accommodation offered by the Rough Sleepers Initiative. The support provider for this scheme, Clearing House, are responsible for completing regular reviews of the tenancy, ensuring amongst other things that the accommodation and support provision continue to meet the tenant's needs.
- 5.2. Six months ahead of the end of the Fixed Term, a review is carried out to determine if a further Fixed Term Tenancy should be granted or if notice should be issued where the accommodation is no longer deemed to be appropriate.
- 5.3. Full details of the review process, including the tenant's right to dispute or appeal any decision can be found at:

<https://www.mungos.org/wp-content/uploads/2022/08/Tenancy-Review-Policy-Procedure.pdf>

6. Legal Framework

6.1. Housing Act 1988

6.2. Equality Act 2010

6.3. Localism Act 2011

6.4. The Regulator for Social Housing Tenancy

7. Related Hexagon policies, strategies and procedures

7.1. Lettings Policy

7.2. Mutual Exchange Policy