



Licence Management and Sustainment Policy 2025 - 2028

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Manual Version Control

Version	Date	Change Description
1.0		New Policy

1.0 Introduction

1.1 PFH is a social housing provider for older people in Hull and the East Riding of Yorkshire. All allocations are made under a Licence and this policy sets out Pickering and Ferens Homes' (PFH) approach to Licence Management. It addresses:

- How we manage property occupation and changes to licences
- How we support beneficiaries (residents) to sustain their licences
- How we best utilise our available housing stock
- How we approach licence fraud
- The routes available for residents to move home.

1.2 This policy applies to all licences made to beneficiaries of the Charity.

1.3 This policy is supported by detailed procedures and should be read alongside the Charity Commission Scheme 2021 (CCS), Allocations Policy, and Letter of Appointment (Licence).

2.0 Legal and regulatory requirements

2.1 Legal requirements

The following legislation applies to this policy:

- **Housing Act 1985**
- **Housing Act 1988**
- **Social Housing Regulation Act 2023**
- **Civil Partnership Act 2004**
- **Equality Act 2010.**
- **Legal Aid, Sentencing and Punishment of Offenders Act 2012**
- **Prevention of Social Housing Fraud Act 2013.**

2.2 Regulatory requirements (from April 2024)

The Regulator of Social Housing's consumer standards contain specific expectations and outcomes that providers are expected to achieve.

2.2.1 There is an expectation within the Tenancy Standard for registered providers to offer tenancies or terms of occupation that are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.

2.2.2 Registered providers must also meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation. We must ensure that our homes continue to be occupied by the resident the property was let to, for the duration of the Licence.

3.0 Licence (Letter of Appointment)

3.1 PFH is subject to the requirements of the Charity Commission Scheme 2021 (Appendix 1). As a registered Charity and Almshouse Charity, PFH offers its beneficiaries a Licence, and not a tenancy.

3.2 The Licence (also known as a 'Letter of Appointment') (Appendix 2) enables PFH to give an individual permission to enter and occupy premises. If permission isn't granted, entry and occupation of the property would amount to trespass.

- 3.3 Under the Licence, there is no intention to enter into a legal relationship or create a tenancy. This means that the person(s) occupying the property must pay for the accommodation but the conditions for a tenancy are not created. Therefore, a beneficiary will not pay a 'rent', instead they will pay a 'Weekly Maintenance Contribution'.
- 3.4 A licence does not give any legal interest in the property or land and does not grant exclusive occupation or 'exclusive possession', like many tenancy agreements do. It provides the Licensee with permission to use the property.
- 3.5 A licence can be for a fixed term or be a periodic licence. We will offer beneficiaries a licence for as long as they qualify to be a beneficiary (see also sections 4.0 and 5.0 of the Letter of Appointment).
- 3.6 We have the explicit right to enter the property, upon reasonable notice (unless in an emergency). PFH will not enter a beneficiary's home without their consent or a legitimate reason, unless it is a health and safety related emergency.
- 3.7 Licensees are expected to provide access for inspections, including gas and electric safety checks, which PFH is legally required to undertake.
- 3.8 Licences can be ended by serving Notice to Quit (in the prescribed form) giving 28 days' notice to the licensee.

4.0 Property occupation and changes to the Licence

- 4.1 PFH uses different procedures to ensure the effective management of licence occupation within existing stock. They include:
 - 4.1.1 **Abandonment** – Whilst abandonments are rare, PFH aims to minimise the time that abandoned properties are left empty for. This is achieved by taking swift action when there is evidence of an abandoned property.
 - 4.1.2 **Relationship breakdown** - Where a relationship within a household has broken down to the extent that one person wishes to move from the property, we will advise and discuss with those experiencing relationship breakdown about the options available to them, and where possible offer alternative accommodation.
 - 4.1.3 **Squatters and illegal occupiers** - PFH has a responsibility to ensure that its properties are let to those in housing need. Legal action to repossess the property will be instigated as soon as we are aware of illegal occupation.
 - 4.1.4 **Succession** – There are no succession rights under the term of the licence; only those named on the licence have a right to remain in the property. However in some circumstances PFH allows non-qualifying people to occupy the property, essentially as a guest of the licensee, to provide for their care and wellbeing needs. Should the licensee pass away for example and the non-licensee remains, PFH will act in a sensitive way, taking into account their circumstances; their health conditions or impairments and will assess their overall suitability to be a beneficiary of the Charity before making a decision on whether they are able to remain in the property. PFH will in all circumstances support those affected by offering guidance and support to ensure they are suitably housed.

- 4.1.5 **Licence termination** - All residents (or their named representatives) are required to give at least four weeks' notice that they are ending their licence.
- 4.2 We recognise that a change in a resident's circumstances may occur, such as changes in physical and/or mental health, or perhaps a difficult or traumatic life event. Therefore, PFH will always deal with these cases with sympathy and empathy and will make reasonable adjustments to procedures where appropriate, within the bounds of the Charity Commission Scheme.
- 5.0 Licence sustainment**
- 5.1 PFH has an important role in supporting residents who are often vulnerable and unable to access services or support. We will assist residents throughout their occupancy and have a strong focus on Licence sustainment. This is achieved through:
- 5.1.1 Understanding what a Licence is - Getting the Licence off to the best possible start through a pre-letting process with clear explanation of the terms and conditions of the Licence. We will provide information to prospective residents in an 'offer pack' which includes information about what a Licence is, and the main differences between a Licence and a tenancy.
- 5.1.2 Affordability Assessment – this is initially carried out as part of the application process. More detailed affordability assessments may also be undertaken if initial information indicates there may be issues with affordability of the WMC.
- 5.1.3 Landlord References – a landlord reference will be sought if the applicant is in rented accommodation to help us identify if there are any concerns with the prospective resident's ability to maintain a licence.
- 5.1.4 Applicant Declaration – To help us further identify if there are any concerns with the prospective resident's ability to maintain a licence, understand if they are a suitable candidate for the areas they have chosen and ascertain if there is a history of any arrears, criminal activity or other concern we will ask applicants to complete the Applicant Declaration (Appendix 3) so that we can be satisfied that they are suitable candidates, appropriately supported and that we are able to maintain our duty of care to other residents.
- 5.1.5 Vulnerabilities and specific needs - Where a person may be vulnerable or struggle to understand the requirements of the Licence, we will liaise with a social or support worker or family members or provide information in a suitable format. Where English is not the first language, access to interpretation services and written information in different formats is available.
- 5.1.6 Safeguarding – staff are trained in recognising potential safeguarding issues and how best to support the resident. Staff will pro-actively seek advice and/or make referrals to the Safeguarding Adults team or See and Solve team.
- 5.1.7 Induction visits - in PFH Plus (Sheltered) accommodation, the resident will receive a visit from their Scheme Manager who will carry out an induction visit shortly after the resident has moved in. This helps explain the services and facilities, along with licensee expectations.
- 5.1.8 Aftercare call – all new residents will receive an aftercare call or visit within a few weeks of moving in. This is to identify if the resident has any issues or concerns, offer help and advice, ensure that they understand the services and for example, how to make WMC payments.

- 5.1.9 Early intervention practices – in the event a breach of Licence occurs, for example due to WMC arrears or anti-social behaviour we will intervene to prevent unnecessary escalation. We will support the resident with financial advice and help to maximise benefits. We will address ASB at an early stage, and support those involved, recognising the specific needs and vulnerabilities of both the victim and the perpetrator.
- 5.1.10 Provision of affordability assessments and income maximisation services which include assistance with claiming benefits, helping manage WMC payments, working with external partner agencies to support the resident to maintain their licence.
- 5.1.11 Providing a named Area Coordinator - and other trained staff to support vulnerable customers with licence related issues such as hoarding or social isolation.
- 5.1.12 Signposting to other organisations - including foodbanks and other charities who support the wellbeing of those living in the community.
- 5.1.13 Promoting PFH's health and wellbeing activities which are held within our own Pop-In's (community facilities) and schemes and external venues. We will also encourage residents to lead on these activities.
- 5.1.14 Providing Aids and Adaptations – In accordance with our Aids and Adaptations Policy, we will endeavour to provide a robust aids and adaptations service to enable residents to remain in their home for life. We will identify adaptation needs, provide adaptations directly or support residents in obtaining grant funding. We will not unreasonably withhold authorisation for adaptation works which a resident may wish to fund themselves.
- 5.1.15 Volunteering - Promoting and utilising the volunteer scheme – both for those who may need the service and for those who may wish to become a volunteer.
- 5.1.16 Collaboratively working with external stakeholders such as debt advisory services, domestic abuse services, police, social services, and community mental health teams.
- 5.1.17 PFH Connect – providing a wellbeing and communications service to every household so that we have assurances that the resident is well, and also to allow effective and easy two-way communication.
- 5.1.18 Provision of telecare – In PFH Plus accommodation, Communicall equipment is provided in all properties. In other stock, telecare in the form of Smart Hubs, pendants and if required, additional devices such as falls detectors can be provided.
- 5.1.19 Option to transfer or mutually exchange – to prevent avoidable moves and ensure residents are always suitably housed.

6.0 Making best use of our housing stock

- 6.1 PFH offers a licence to the individual for as long as they need it and continue to qualify to be a beneficiary of the Charity. We recognise that circumstances change and there may be a need for residents to move to alternative accommodation. We provide support and assistance to achieve this through our lettings and mutual exchange policies.
- 6.2 Within the remit of the Charity Commission Scheme and Allocations Policy, we may use our housing stock to assist other organisations who are working in our communities. This may

include helping survivors of domestic abuse who may otherwise require more specialist housing suitable for their needs.

6.3 We will work with the local authorities in the areas in which PFH operates to support their strategic housing function by adhering to existing nomination agreements and seeking or receiving ad-hoc nominations.

7.0 Licence fraud

7.1 PFH is committed to making the best use of its assets, and meeting housing need across Hull and East Yorkshire. We recognise that licence fraud in the form of subletting or obtaining a licence by deception, can mean that valuable housing stock is not always allocated to those who need it most.

7.1.1 To prevent fraud at the start of each licence, or subsequent change we will:

- i) Ensure we have up-to-date information on each person in the household
- ii) Verify the identification of each resident at application stage
- iii) Work with local authority fraud teams, if required
- iv) Obtain landlord references (if applicable)
- v) Ask the applicant to complete an Applicant declaration form.

7.2 Additional internal controls are:

- i) Limiting licence commencement processes to the Resident Services Area Coordinators
- ii) Internal auditing of the process
- iii) Resident Services Manager approval of all allocations
- iv) Monthly checks to ensure allocations have been made appropriately
- v) Work with our staff and contractors to ensure any concerns they have when entering a resident's home are reported to PFH/the appropriate team
- vi) Request updated household and family contact details via the PFH Connect device on a regular basis
- vii) Act on any information provided to us via any source that may suggest licence fraud. In addition, when staff visit a property, they will check the occupants against the records we hold. This may be through for example, 5-yearly stock condition surveys and other routine visits. If there are any anomalies, this will be reported and managed by the Area Coordinator.

8.0 Data protection, information exchange and confidentiality

8.1 All information regarding property occupation will be dealt with in accordance with General Data Protection Regulations (GDPR). All information is stored securely and will not be disclosed unless the licensee has given their consent or there is a clear duty to do so (for example, under an information sharing agreement with the police).

9.0 Value for money

9.1 Supporting licence sustainment and ensuring homes are occupied by those in housing need or are legally entitled to a licence ensures social value is delivered.

9.2.1 Requiring four weeks' notice when a resident surrenders their property allows PFH to:

- i) Pre-inspect the property and plan works to minimise void loss (in agreement with the outgoing resident); and
- ii) Ensure delays are minimised in allocating a new household to the property.

9.3 If legal remedies are required to recover possession of a home, we will utilise our in-house knowledge and may also obtain advice from PFH's legal advisors.

10.0 Monitoring and review

10.1 This policy will be reviewed every three years in accordance with our review timetable or in the interim period if any major legislative or regulatory changes require it.

11.0 Our Commitment to Equalities

11.1 Everyone at PFH has a responsibility to ensure that this policy is put into practice. We expect a commitment from everyone to ensure that their action does not lead to unlawful discrimination.

11.2 Deliberate acts of discrimination, including victimisation, harassment, instruction or pressure to discriminate, will result in serious disciplinary action taking place possibly including dismissal of employees and termination of contracts with external agents.

11.3 PFH can provide access to interpreters for minority languages, sign language and can organise written material in large print and Braille where required, including all documents relating to ASB. Our offices, Retirement Plus Schemes and Pop-In Centre's are wheelchair accessible. An induction loop can be provided when residents attend our offices.

11.4 PFH will aim to ensure that no individual or group is treated less favourably on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. We aim to recognise the needs of individuals and treat each person through the allocations process with dignity and respect.

11.5 PFH will take account of the individual needs of residents who may require additional support and services in its allocations processes so as to provide a service to suit the individual where necessary.

12.0 Associated Policies

- Allocations Policy (incorporates Internal Transfer and Mutual Exchange Policy)
- ASB Policy
- Hate Crime Policy
- Domestic Abuse Policy
- Safeguarding Policy
- WMC and SC Arrears Management Policy
- Aids and Adaptations Policy