

Tenancy Policy

Date Reviewed	March 2026	Next Review Date	March 2029
Consultation	Completed	Reviewed By	Head of Housing
EIA	Completed	Responsible Officer	Director of Customer Services
DPIA	N/A	Approval By	Executive Team

1. Purpose

The purpose of this policy is to set out how Black Country Housing Group (BCHG) will grant, manage and review tenancies in a fair, transparent and lawful way. The policy ensures compliance with the Regulator of Social Housing's Tenancy Standard, relevant legislation and good practice.

2. Scope

The policy sets out our approach for rented properties for general needs, (social rent and affordable rent), retirement living and supported living. The Policy does not cover Extra Care Housing, and shared ownership.

3. Definitions/Abbreviations

BCHG	Black Country Housing Group
AST	Assured Shorthold Tenancy
CORE	Continuous Recording of Lettings system
RP	Registered Provider
RSH	Regulator of Social Housing
GDPR	General Data Protection Regulation
RSAP	Rough Sleepers Accommodation Programme
Secure Tenancies	Tenancies that commenced before 15 January 1989
Assured Non-Shorthold Tenancies	Tenancies that commenced after 15 January 1989

4. Related Policy / Procedure and other Documents

Lettings Policy
 Rent Setting Policy
 Service Charge Policy
 Income management Policy
 Mutual Exchange Policy
 Eviction Policy
 Complaints Policy
 Safeguarding Policy
 Anti-Social Behaviour Policy
 Data Protection Policy
 Reasonable Adjustments Policy
 Tenancy Fraud Policy

5. Roles and Responsibilities

The Director of Customer Services is responsible for overseeing the implementation of this policy and reporting to Board as required.

The Head of Housing is responsible for reviewing and updating the policy and ensuring correcting processes are in place and colleagues have all the relevant training.

Housing Operational Managers are responsible for ensuring the correct tenancy agreements are granted.

Customer Relations Managers and Scheme Managers are responsible for following this policy and using the associated methods, tools, and systems correctly.

6. Policy Statement

This policy sets out the types of tenancy agreements offered by BCHG and the circumstances in which they are used.

BCHG will let most properties on an assured non-shorthold tenancy, sometimes known as lifetime tenancies. Assured Shorthold Tenancies (AST) will only be used for customers moving into homes acquired through the Rough Sleepers Accommodation Programme (RSAP). This will be reviewed in line with forthcoming legislative changes within Renters Reform Act.

Existing BCHG tenants with an assured non-shorthold tenancy who move to another BCHG property will continue an assured non-shorthold preserving their security of tenure.

Existing housing association or local authority tenants holding an assured non-shorthold tenancy who transfer into a general needs' property will be offered an assured non-shorthold tenancy.

Existing BCHG tenants who hold a Secure Tenancy (tenancies began before 15 January 1989) when assured non-assured tenancies were introduced under the Housing Act 1988), will retain their Secure Tenancy should they transfer to another BCHG property.

A description of each tenancy type offered by BCHG is set out in **Appendix 1**.

This policy will be monitored and reviewed in line with local authority strategies, the Tenancy Standard, and relevant legislation. BCHG will comply with UK GDPR and data protection requirements when handling personal information.

7. Policy Details

The types of tenancies we offer are as follows: -

Assured Non-shorthold Tenancies (Social Rent & Affordable)

Assured non-shorthold tenancies were created under the Housing Act 1988 and will be offered in most cases to all new customers moving into general needs, retirement living and supported living

accommodation, with long stay provision. Providing the tenant does not breach the tenancy conditions, they will usually be able to stay in their home for the rest of their life. Assured tenancies will be offered on either social rent or affordable rent and is determined by Homes England funding.

Secure Tenancies (Fair Rent)

Secure tenancies were issued to tenants that began their tenancy before 15th January 1989, and right are contained in part 4 of the Housing Act 19985. BCHG will only grant a new secure tenancy to existing customers wishing to transfer where the secure tenancy rights will transfer with them.

Assured Shorthold Fixed Term Tenancies (Social & Affordable Rent)

Assured shorthold tenancies will only be granted where required by Homes England funding or contractual conditions, such as the Rough Sleeping Accommodation Programme (RSAP), and until such time as the Renters Reform Act abolishes their use for social housing providers.

Supported Living

Supported living residents will be offered assured non shorthold tenancies.

7.1 Data Processing

Personal Data: The tenancy agreements will include name and date of birth of all members living in the household. A copy of the Tenancy Agreement will be kept on SharePoint in the tenancy folder, and any paper copy will be destroyed.

Data Protection: No sensitive data will be contained in the tenancy agreements.

Data Integrity: Each tenant will check accuracy before signing the tenancy agreement

7.2 Legal and Regulatory Considerations

[The Tenancy Standard](#), which is part of the Regulatory guidance, requires RPs to publish a Tenancy Policy, which outlines our approach to tenancy management. The Standard sets out that RPs should issue tenancies that are compatible with the.

- ✓ Purpose of the accommodation
- ✓ Needs of the individual households
- ✓ Sustainability of the community; and
- ✓ Efficient use of their housing stock

[Housing Act 1985](#) includes the rights for secure tenants including the grounds for possession

[Housing Act 1988](#) includes the rights for assured and assured shorthold tenants the grounds to prove to gain possession of the property

[Housing Act 1996 \(Section 170\)](#) – sets out the duty of housing associations to such an extent as is reasonable in offering accommodation to those in priority need under the local authority's allocation scheme

[Renters Right Act](#) – sets out the abolishment of fixed term assured shorthold tenancies for registered providers (from 2027).

7.3 Equality Diversity & Inclusion

BCHG recognises that different people and communities may have specific needs which may require flexible approaches. We also appreciate that some groups or individuals may experience discrimination and disadvantage. This may be due to their protected characteristics under the Equality Act 2010. We believe that everyone should be treated with dignity, respect, and fairness, regardless of their characteristics.

An Equality Impact Assessment has been carried out on this policy which will be updated in line with policy reviews to ensure there is no discrimination and opportunities to improve equality and access are maximised.

8. Compliance, Monitoring & Reporting

Tenancies obtained by deception will be actioned in line with the Tenancy Fraud Policy

If tenancy information is mishandled, leaked, or misused, it could lead to identity fraud. Any data breaches will be investigated in line with BCHG's Data Breach Procedure and may lead to disciplinary action.

Paper copies of tenancy agreements will be destroyed after being digitally saved securely. Once a customer leaves BCHG, all tenancy information will be retained for 6 years before destruction.

A quarterly audit will be carried out by the Performance Manager to ensure compliance.

9. Tenancy Review

For existing RSAP assured shorthold tenancies, tenants may end their tenancy at any time by giving 4 weeks' written notice. BCHG will not end the tenancy before the fixed term unless there is a tenancy breach.

Towards the end of the fixed term, BCHG will review whether a new tenancy will be granted. If not, advice and assistance will be provided to help the resident explore alternative housing options.

If BCHG decides not to renew the tenancy, the resident must receive:

- **6 months' written notice**, explaining the reasons
- A right to request a review
- A further **2 months' notice requiring possession** (Section 21 Housing Act 1988)

10. Appeals Process

If a customer believes that they have not been offered or granted the correct type of tenancy as outlined in the Policy, they can make an appeal for the decision to be reviewed. The appeal must be in writing. Where the tenancy has started, any request to review should be made within 3 months of the tenancy start and will be decided within 14 days by the Head of Housing.

11. Customer Voice

BCHG is committed to consulting customers on customer-facing policies using a “no voice, no approval” approach. Customers and colleagues were consulted as part of this policy review.

12. Review

This policy will be reviewed every 3 years or sooner if required.

Appendix 1

Tenancy Type	When It is Used	Review Termination	Rent Type
Assured non-Shorthold			
Assured tenancies with no fixed term often referred to as lifetime tenancies.	For all new tenants moving into a BCHG general needs property, older persons accommodation and supported living with long term provision For all current BCHG customers wishing to transfer and already hold an assured tenancy.	Can be ended only on grounds specified in Schedule 2 of the Housing Act 1988 after serving a valid Notice Seeking Possession and securing a valid outright possession order from a court.	Social, Affordable,
Secure Tenancy			
Older lifetime tenancies issued before 15 th January 1989	Only to be issued to existing BCHG Secure customers transferring to a new home	Can be ended only on grounds specified in Schedule 2 of the Housing act 1985 after serving a valid Notice Seeking Possession.	Fair Rent
Assured Shorthold Tenancy – Fixed Term – Up until 2027 when the new Renters Reforms apply			
Generally known as AST's that have a fixed term	This will include time limited supported housing tenancies such as Rough Sleepers Accommodation Programme, rent to buy tenancies	Can be ended only after the initial 6 months by serving a valid Notice Requiring Possession (S. 21 HA 1988)) with 2 months' notice of intention to terminated or at any point from the start of the tenancy if there are breaches of tenancy, by serving a Notice Seeking Possession Housing Act 1988.	Social, Affordable