

## APPENDIX A



**GREAT YARMOUTH**  
BOROUGH COUNCIL

### **Local Housing Allowance Vulnerability & Safeguarding Procedure**

Under Local Housing Allowance (LHA) a tenant cannot simply request that their payments are made to their landlord. To protect vulnerable tenants the council will apply a discretion to pay the landlord. This procedure sets out the guidelines by which officers will make decisions. This procedure has been developed in consultation with stakeholders across the Borough.

#### **Aims and Objectives**

- to provide a safeguard for the most vulnerable tenants and reassure them that their benefit and rent will be paid
- to help prevent rent arrears and tenants being put at risk of eviction
- to help sustain tenancies for vulnerable tenants
- to reassure landlords that their rent will be paid if they have vulnerable tenants or are approached by vulnerable tenants
- to help put tenants in touch with other agencies where necessary and give people the opportunity and support so they can manage their own affairs
- to ensure council officers make reasonable, fair and consistent decisions
- to promote a transparent and simple process that is widely understood
- to treat each case individually and to avoid making assumptions about people's situations

The procedure is not designed to:

- supersede support that is being received by tenants and helping them to be responsible for their own income and expenditure
- be a blanket policy for agencies providing support to private tenants
- be used by landlords to circumvent the aims of LHA

## **Procedure**

### **1. Alerting the council of potential vulnerability**

The tenant or their representative makes the council aware that they would prefer their LHA to be paid to the landlord. The request needs to be supported with written evidence from a third party, but initially can be by:

- a letter / email
- a phone call
- the application form

### **2. Gathering information and evidence**

Officers will consider the information that has been received and whether there is enough evidence to make an appropriate decision. Evidence can be from:

- Adult Social Care Teams (Norfolk County Council)
- Homelessness Prevention Caseworkers
- support or advisory services e.g. the CAB, Supporting People Providers
- a tenant's family or friends
- GP

Evidence from a landlord cannot be accepted alone

### **3. Making a decision**

One of two decisions will be made by the Council

1. the tenant is vulnerable and payment of LHA will be made to the landlord
2. the tenant is not vulnerable and payment of LHA will be made to the tenant

### **4. Notifying affected parties**

The tenant and/or their representative will be written to and advised of the following:

- the decision
- if and when the decision will be reviewed
- appeal rights
- advice agencies, voluntary or statutory organisations that may help them
- contact details for the CAB Money Advice Service if they don't have a bank account and will be receiving excess LHA themselves

The landlord will also be written to and advised:

- if their tenant has been found vulnerable and the council will pay them LHA up to the contractual rent
- if and when the decision will be reviewed
- request bank details if not previously received
- if their tenant has been found not to be vulnerable, the landlords appeal rights against this decision

### **Examples of Vulnerability**

Reasons that we might pay the landlord instead of the tenant might be because the tenant:

- has a medical condition (affecting their mental or physical health)
- has a learning disability or a physical disability
- has previously been homeless
- is going through some changes that means the tenant needs some extra support
- is dealing with an addiction to e.g. alcohol, gambling or drugs
- has severe debt problems e.g. CCJs, bankruptcy, or a bad credit rating preventing them from having a bank account

NB This list is not exhaustive, nor does meeting one or more of the criteria guarantee that a person is vulnerable e.g. a person recovering from an addiction problem may be attempting to manage their financial affairs as part of their rehabilitation.

Please refer to the 'payment to landlord' request forms which give further examples and will need to be completed if you would like us to consider making direct payments to the landlord.