

Policy Name: Vulnerability Policy

1. Policy Summary

- 1.1. The policy sets out the standard Midland Heart will adhere to and the approach we will take to ensure that everyone can access and benefit from our service.
- 1.2. The Regulator of Social Housing's Tenant Involvement and Empowerment Standard, requires us to "provide choices, information and communication that is appropriate to the diverse needs of (our) tenants" and to "demonstrate that (we) understand the different needs of tenants, including in relation to the equality strands and tenants with additional support needs."
- 1.3. Midland Heart is committed to making sure our services can be easily accessed by tenants with complex and/or additional needs and ensuring adjustments are made to the services who require them to be.
- 1.4. We understand that a tenant may have additional needs as a result of a single vulnerability or condition, or due to a combination of factors, which can vary when they occur. We work with our tenants to keep our approach adaptable.
- 1.5. We are dedicated to working in partnership with statutory and specialist services, to ensure a tenant with additional needs are fully supported.
- 1.6. This policy should be read in conjunction with the Awaab's Law Policy and associated procedures.

2. What will we do?

- 2.1 Midland Heart acknowledges that with vulnerabilities, barriers can exist which may prevent access to our services, whether that is for a temporary, intermittent or permanent time. We are committed to working with our tenants to ensure the most appropriate service is provided.
- 2.2 Ensure that all tenants have equal access to our services, and are met with meaningful, fair and respectful communication. We will communicate openly with individuals through methods that are their preferred choice.
- 2.3 We will ensure vulnerabilities are recorded clearly and are kept up to date with any reasonable adjustments we need to be aware of. Staff members should refer to Northgate Notepad Type Guidance document for more guidance on recording standards.
- 2.4 Provide assistance to tenants in accessing additional services they may need, as well as services provided within Midland Heart.
- 2.5 We will ensure all staff receive comprehensive vulnerability training. With addition to regular

auditing, monitoring complaints and service improvements, to understand what we are doing well and what improvements are required to ensure our understanding and approach are robust to meet the best possible outcomes for our tenants.

3. It applies to

- 3.1. The policy applies to all Midland Heart tenants and residents. A tenant or resident is anyone who holds a tenancy with us or lives in one of our properties and includes anyone who has applied for our homes.
- 3.2. It is anyone who receives or requests a service from us or who is affected by our activities.

4. What is vulnerability?

- 4.1 Vulnerability means any individual who may not be able to access a service or may get a disadvantaged outcome without extra help. Examples of circumstances where additional needs may exist include tenants in need of help or support due to mental ill health, disability, age, physical illness and who are, or may be, unable to look after their home and/or their wellbeing or unable to protect themselves from harm or exploitation by others.
- 4.2 We will not assume that whole groups or those who are vulnerable require the same adaptations to the service we deliver.

5. Accessibility and Awareness

- 5.1. Our tenants and residents can discuss their concerns through any of our communication channels. This includes to any member of staff, via face-to-face interaction, phone, email and social media. Where requests are received through social media to maintain privacy and confidentiality, we will respond via private message.
- 5.2. Where concerns are received on behalf of tenants or residents through other agencies e.g. advocates or support agencies. In these cases, we will need written consent from the tenant or resident to discuss needs with their representative in line with our Data Protection Policy and Procedure and our GDPR 2018 requirements. It will be clear on our records where this is already in place, to avoid asking for it repeatedly.
- 5.3. We will promote awareness of what additional needs and reasonable adjustments are and the ways in which a tenant or resident can discuss a concern with us through all of our main communication channels, this includes our website, social media, posters, leaflets, letters, and phone calls.

6. Reasonable Adjustment and Support

- 6.1 Where additional needs are evidenced as listed in our allocations policy and tenants required an assisted move to another property, we will follow our allocations process to support with this.
- 6.2 Where additional needs are evidenced which require adaptations to homes for tenants, our aids and adaptations team will work in conjunction with other areas of the business to ensure the correct support is provided to the tenant. In instances where external contractors are used, a full risk assessment will be undertaken prior to work starting.
- 6.3 Where a tenant is adequately housed, however still has additional needs we will support where applicable and signpost to relevant agencies.
- 6.4 There may be occasions where there is good reason to apply discretion when decision making. We will always consider the individual circumstances when making our decisions. We will instil the right behaviours and empower our staff to make the right decisions with our tenants at the heart of every step.

7 Related Law & Regulations....

| Legislative Document | Information |
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| Care Act 2014 | The Care Act 2014 came into effect in April 2015 and replaced most previous law regarding carers and people being cared for. It outlines the way in which local authorities should carry out carer's assessments and needs assessments; how local authorities should determine who is eligible for support; how local authorities should charge for both residential care and community care; and places new obligations on local authorities. |
| Children's Act 1989 and 2004 | The Children and Families Act 2014 obtained royal assent and became law on 13 March 2014. This is a landmark and wide-ranging act designed to fully reform services for vulnerable children, by giving them greater protection, paying special attention to those with additional needs, and also helping parents and the family as a whole. |
| Working Together to Safeguard Children 2023 | Working Together to Safeguard Children (2023) is a statutory guidance on multi-agency working to help, protect and promote the welfare of children. |
| Data Protection Act 2018 and GDPR 2018 | UK's national law governing Data Protection and European Law governing Data Protection across EEA countries. |
| Public Interest Disclosure Act 1998 | Introduced to protect whistleblowers from detrimental treatment by their employer. It protects employees who make disclosures of certain types of information, including evidence of illegal activity or damage to the environment, |

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| | from retribution from their employers, such as dismissal or being passed over for promotion. |
| Sexual Offences Act 2003 | The Sexual Offences Act 2003 (the Act) came into force on the 1 May 2004 and applies to all offences committed on or after that date. Its purpose was to strengthen and update the law on sexual offences, whilst improving the protection of individuals from sexual offenders. |
| Equality Act 2010 | The basic framework of protection against direct and indirect discrimination, harassment and victimisation in services and public functions. |
| Human Rights Act 1998 | The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights Act came into force in the UK in October 2000. |
| Mental Health Act 1983 amended 2007 | Is designed to give health professionals the powers, in certain circumstances, to detain, assess and treat people with mental disorders in the interests of their health and safety or for public safety. |
| Mental Capacity Act 2005 | The MCA has been in force since 2007. The primary purpose of the MCA is to promote and safeguard decision-making within a legal framework. It does this in two ways; by empowering people to make decisions for themselves wherever possible, and by protecting people who lack capacity by providing a flexible framework that places individuals at the heart of the decision-making process. It also allows people to plan ahead for a time in the future when they might lack the capacity, for any number. |
| Modern Slavery Act 2015 | It is designed to combat modern slavery in the UK and consolidates previous offences relating to trafficking and slavery. |
| Prevent 2023 | Prevent Duty Guidance (2023) forms under Counter-Terrorism and Security Act (2015) and aims to stop people from people terrorists or supporting terrorism. Prevent also extends support to the rehabilitation and disengagement of those already involved in terrorism. |

8 This policy links to ...

2.1 Internal

- Additional Needs Guidance
- Safeguarding Policy & Procedures
- Risk Alerts Procedure
- Code of Professional Conduct
- Anti-Social Behaviour Policy
- Data Protection Policy and Procedure
- DBS Risk Assessment Guidance
- Domestic Abuse Policy and Procedure
- Aids and Adaptations Policy
- Damp and Mould Policy and Process
- Complaints Policy
- Repairs Policy
- Aids & Adaptations Policy
- Allocations Policy
- Awaabs Law Policy

2.2 External

- Adult Safeguarding Multi-Agency Guidelines (West Midlands)
- Working Together to Safeguard Children 2023
- Making Safeguarding Personal (ADASS / LGA)
- Consumer Standards (Regulator of Social Housing) Draft
- Housing Ombudsman Complaints Handling Code 2024

Policy Document Control

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Customer Insight (if applicable): *Tenant Involvement into this policy and associated changes has been obtained through tenant involvement consultation groups.*

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