

Tenancy Fraud Policy

Our Vision

Building better lives through social care and housing in local communities.

Our Mission

We co-design and deliver services that offer innovative social care solutions and support people to thrive.

Our Values

We are **caring** and **compassionate**



We are **inclusive** and **trusted**



We focus on **excellence** and **innovation**



We work in **partnership** and are **one-team**



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Quick Links

[Data Protection & Confidentiality Policy](#)
[Anti Bribery, Fraud, Theft & Corruption Policy](#)

1. Introduction

- 1.1 We are committed to protecting our homes, safeguarding customers and ensuring that all accommodation is occupied lawfully. Tenancy fraud reduces the availability of housing for those who need it, undermines fair access to services and presents significant financial, regulatory and reputational risks for the organisation.
- 1.2 This policy sets out the strategic framework for preventing, identifying and responding to tenancy fraud across all accommodation that we own, lease or manage. It defines the organisation's expectations of customers and staff, the principles that guide decision making and the circumstances in which action may be taken to recover possession or refer matters to enforcement bodies.
- 1.3 Tenancy fraud includes:
- unlawful subletting
 - unauthorised occupation
 - misrepresentation
 - non-occupation
 - key selling
 - any attempt to obtain or retain an agreement through dishonest means.

We will act lawfully, proportionately and consistently when responding to suspected or confirmed fraud.

- 1.4 Decisions under this policy must be evidence based and clearly recorded. The organisation will work with partner agencies, local authorities and enforcement bodies, where necessary, to prevent and address fraud. Customers must be informed of concerns that may affect their housing and of any rights they have to request a review.
- 1.5 This policy establishes the strategic standards and governance arrangements for managing tenancy fraud.
- 1.6 We operate a zero tolerance approach to deliberate tenancy fraud. All confirmed cases will result in proportionate and lawful enforcement action.
- 1.7 This policy applies to all accommodation that we own, lease or manage and to every tenancy, licence or occupancy agreement issued by us. It covers the prevention, identification and response to tenancy fraud, including fraud committed by customers, applicants, former customers or third parties.

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- 1.8 The policy applies to all staff involved in allocations, housing management, income management, support provision and service leadership. It sets the organisation's expectations for recognising and reporting concerns, assessing risk, safeguarding customers and escalating suspected fraud.
- 1.9 This policy does not define access routes to accommodation. Unsupported housing access is governed by the Allocations & Lettings Policy and supported housing access follows commissioner-led pathways set out in the Referrals and Assessment Policy. This document also does not describe investigative procedures, evidence-gathering methods or operational processes for property recovery or liaison with enforcement agencies. These are maintained in separate operational procedures.
- 1.10 The principles in this policy apply across supported housing, general needs housing and any service where we provide accommodation or manage occupancy agreements on behalf of external landlords. Where commissioning requirements or contractual obligations set additional expectations, those must be applied alongside this policy and within the relevant legal framework.

2. Definitions

- 2.1 **Unlawful Subletting** means letting part or all of a property to another person without the organisation's permission or in breach of the terms of the agreement.
- 2.2 **Unauthorised Occupation** means the occupation of a property by a person who has no legal right to reside there. This includes individuals who move in without permission or remain in the property after the lawful occupier has left.
- 2.3 **Misrepresentation** means providing false or misleading information during an application, sign-up, or at any point during the occupancy that affects eligibility, entitlement or the conditions under which the accommodation is provided.
- 2.4 **Non-Occupation** is the failure by the customer name on the occupancy agreement to live in the property as their main or only home. Non-occupation may indicate abandonment or other forms of fraud and must be assessed in line with safeguarding and legal considerations.
- 2.5 **Key Selling** is the transferring or permitting the use of keys, key fobs, access codes, permits or any other means of access to a property or associated facilities to another person in exchange for money, goods or any form of benefit. Associated facilities may include, but are not limited to, parking spaces or permits, garages, sheds, outhouses, storage areas and communal facilities where these are provided as part of, or linked to, the occupancy agreement.
- 2.6 A **False Statement** is any untrue declaration made to obtain housing, retain housing, or gain advantage in relation to the occupancy agreement.

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- 2.7 **Non-commissioned homes** are self-contained Look Ahead homes that are not funded or commissioned for support by a council or other body, and which are used mainly for independent living.
- 2.8 An **Occupancy Agreement** is the legal agreement permitting a customer to occupy a property. This may include tenancies, licences or other contractual arrangements depending on the service and commissioning requirements.
- 2.9 **Enforcement Action** is any formal action taken in response to confirmed or serious suspected fraud. This may include recovery of possession, withdrawal of an offer, referral to enforcement bodies or other lawful measures.

3. Tenancy Fraud

- 3.1 We take proactive steps to prevent tenancy fraud and identify risks at the earliest opportunity. Staff must remain alert to indicators of fraud and act promptly when concerns arise.

Fairness and Proportionality

- 3.2 Responses to suspected or confirmed fraud must be fair, proportionate and based on clear evidence. Customers must be informed of relevant concerns and given appropriate opportunities to engage.

Safeguarding and Welfare

- 3.3 Where tenancy fraud may indicate exploitation, abuse or risk of harm, safeguarding considerations must be prioritised. Staff must follow the Safeguarding Policies and procedures and work with the relevant authorities.

Responsible Use of Housing Stock

- 3.4 We must ensure that our accommodation is used lawfully and for its intended purpose. Decisions must support the fair allocation of housing and the careful and responsible management of our homes.

Partnership and Multi Agency Working

- 3.5 We will work with local authorities, enforcement bodies, landlords and other agencies to prevent, detect and address tenancy fraud, sharing information lawfully and appropriately.

Consistency and Transparency

- 3.6 Customers must receive clear explanations of decisions that affect their occupancy and information about any rights they have to request a review. Decisions must be applied consistently across services and reflect our organisational values, safeguarding responsibilities and legal duties.

Accountability and Governance

- 3.7 Staff must record concerns, actions and decisions clearly. Investigations and decisions with significant risk or impact must be approved by the Director of Housing & Customer Experience. Oversight of fraud activity is set out in our Preventing Bribery, Loss, Theft and Fraud Policy.

Prevention and Early Identification

- 3.8 We are committed to preventing tenancy fraud and identifying concerns at the earliest opportunity. We understand that prevention reduces organisational risk, supports fair access to housing and ensures lawful use of accommodation.

Promoting a Culture of Honesty and Compliance

- 3.9 Staff must promote clear expectations around lawful occupation and reinforce the importance of accurate information at all stages of the customer journey. It is our responsibility to ensure that customers understand their responsibilities under their occupancy agreement and the consequences of fraud and are provided relevant information in a format that is accessible to them and meets their individual needs.

4. Identifying & Reporting Suspected Fraud

- 4.1 Staff must remain alert to indicators of potential fraud. These may arise through:
- routine contact
 - welfare checks
 - support interactions
 - housing management activity
 - information from neighbours or partner agencies
 - discrepancies in customer records.

Any concerns must be reported promptly using the RIVO system.

Verification of Information

- 4.2 Information provided by customers or applicants must be assessed for accuracy and completeness. Staff must ensure that key information relevant to eligibility, occupancy and household composition is verified in accordance with organisational requirements.

Monitoring of Occupation

- 4.3 Regular customer contact and awareness of living conditions support early identification of risks. Where there are concerns about non-occupation or unauthorised occupation, staff must record and escalate these concerns for assessment.

Multi Agency Information Sharing

- 4.4 Where lawful and appropriate, we will share information with partner agencies, including local authorities and enforcement bodies, to support the prevention and early identification of tenancy fraud. Any information sharing must be shared in line with the Data Protection & Confidentiality Policy.

Safeguarding Considerations

- 4.5 Where fraud concerns indicate possible exploitation, coercion or abuse, safeguarding procedures must be followed. Safeguarding responses may take precedence over enforcement while risks are assessed.

Clear Reporting Routes

- 4.6 Staff must record and escalate suspected fraud within the organisation. Concerns must be logged promptly on RIVO reviewed at the appropriate level to determine next steps.

5. Investigation and Assessment

Receipt and Review of Concerns

- 5.1 Suspected tenancy fraud must be reviewed promptly by a manager with responsibility for housing or service delivery. The review must consider the nature of the concern, any immediate safeguarding risks and the information required to determine next steps

Evidence Based Assessment

- 5.2 Investigations must be based on verifiable information. Staff must assess evidence objectively, ensuring that conclusions are supported by clear facts. Speculation must not inform decision making. Any information relied upon must be handled in accordance with data protection requirements.

Safeguarding Considerations

- 5.3 Where concerns suggest that a customer or another individual may be at risk of exploitation, coercion or abuse, safeguarding procedures must be followed. Safeguarding considerations may influence the pace, focus or outcome of an investigation.

Customer Engagement

- 5.4 Where appropriate and lawful, customers must be given the opportunity to respond to concerns that may affect their occupancy agreement. Communication must be clear, factual and proportionate.

Multi Agency Collaboration

- 5.5 Where fraud concerns involve external landlords, enforcement bodies or commissioners, we may share relevant information lawfully and seek collaborative assessment. Multi agency involvement must support a fair and effective investigation.

Proportionate Escalation

- 5.6 If initial enquiries confirm that tenancy fraud is likely or that there are serious safeguarding or legal risks, managers must escalate the case to the appropriate director. Escalation ensures oversight of significant organisational, legal or reputational implications.

Decision Making and Outcomes

- 5.7 Any decision regarding tenancy fraud must be based on the evidence gathered, the customer's response and relevant legal and contractual obligations. Outcomes may include no further action, continued monitoring, referral to another agency or the initiation of enforcement action. All decisions must be recorded clearly and supported by appropriate governance.

6. Enforcement and Action

Lawful Enforcement Routes

- 6.1 Enforcement action must reflect the customer's underlying tenure and the legal rights attached to their occupancy agreement. Where possession is sought, we must use the correct statutory route and ensure that all action is supported by clear documentation and authorised by the relevant director ~~at the appropriate level~~.

Proportionate Response

- 6.2 Enforcement must be proportionate to the nature and severity of the fraud. Factors such as intent, impact, safeguarding concerns and the customer's circumstances must be considered when determining the appropriate response. Enforcement may include recovery of possession, withdrawal of an offer or referral to an external agency.

Referral to Enforcement Bodies

- 6.3 Where criminal offences may have been committed, we may refer cases to local authorities, enforcement bodies or other relevant agencies. Any referral must be lawful, evidence based and clearly documented.

Action to Recover Property

- 6.4 Where fraud results in unlawful occupation or misuse of accommodation, we may take action to recover the property. Decisions must be supported by legal advice and accurate records that demonstrate the basis for action.

Impact on Applications and Future Housing

- 6.5 Confirmed tenancy fraud may affect eligibility for current or future offers of accommodation. Decisions must be consistent with the Allocations and Lettings Policy and any applicable commissioning requirements. Any restrictions relating to future access must be lawful, proportionate and clearly recorded.

Safeguarding and Welfare Considerations

- 6.6 Where enforcement action may affect individuals with safeguarding needs, we must ensure that risks are assessed and that appropriate safeguarding procedures are followed. Safeguarding concerns do not prevent enforcement but must inform the approach taken.

Communication with Customers

- 6.7 Customers must be informed - in a format that is easily accessible for them - ~~writing~~, of any enforcement decision that affects their occupancy agreement. Communications must be clear, factual and explain the reasons for the decision and any rights the customer has to request a review.

Governance and Oversight

- 6.8 All enforcement decisions must be approved by the relevant director. Records must show the evidence considered, the rationale for the decision and any alternatives explored. Enforcement activity must contribute to organisational oversight of fraud risks and compliance.

7. Communication, Review and Appeals

- 7.1 Clear and timely communication is essential to ensuring that decisions relating to tenancy fraud are fair, transparent and understood by customers. Customers must be informed of concerns that may affect their agreement and of the rights available to them under this policy. All communication must be in a format that is easily accessible and understood by the customer.

Communication of Decisions

- 7.2 Customers must receive written confirmation of any decision made under this policy. Communications must set out the decision, the reasons for it and any implications for the customer's agreement. Information must be factual, accessible and appropriate to the customer's communication needs.

Right to Request a Review

- 7.3 Customers may request a review where they believe a decision relating to suspected or confirmed tenancy fraud has not been applied correctly or proportionately. A review must be conducted by a manager who was not involved in the original decision. The reviewer must consider the evidence, assess whether the policy has been followed and determine whether the decision should be upheld or amended.

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Escalation to Senior Management

- 7.4 Where a case involves significant risk, complex circumstances or disagreement about the outcome of a review, it may be escalated to the Director of Housing & Customer Experience or another senior decision maker. Escalation is reserved for matters with potential legal, regulatory or organisational impact. senior decision of the Director will normally be final.

Complaints

- 7.5 Concerns relating to service quality, staff conduct or dissatisfaction that falls outside the scope of a policy review must be managed through the Complaints & Feedback Policy. Customers must be signposted to this route where relevant.

Record Keeping

- 7.6 All communications, review outcomes and escalations must be clearly recorded. Records must show the evidence considered, the rationale for the decision and the steps taken to ensure fair and consistent practice. This supports accountability, auditability and organisational oversight.

Accessibility and Support

- 7.7 Customers must be informed of their right to seek independent advice or advocacy where they require support to understand or challenge a decision. Reasonable adjustments must be made to ensure that communication and review processes are accessible.

Record Keeping and Confidentiality

It is the Policy Owner's responsibility to update the Asset & Liability Register with any risks and/or information arising from the implementation of this policy.

We will comply with our Data Protection and Confidentiality Policy which can be found by clicking [Here](#) or visiting our website at www.lookahead.org.uk

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Exec Director Policy Owner	Director of Housing & Customer Experience
Author	Head of Housing
Related Policies/Procedures	Asset & Liability Register Data Protection & Confidentiality Policy Anti Bribery, Fraud, Theft & Corruption Policy Allocations & Lettings Policy Referrals & Assessments Policy Transfers & Mutual Exchange Policy Safeguarding Adults and Safeguarding Children Policies Tenancy Management Policy Income Management Policy Ending an Occupancy Policy Voids Policy Complaints & Feedback Policy
Relevant Legislation and Regulatory Requirements	Prevention of Social Housing Fraud Act 2013 Housing Act 1985 Housing Act 1988 Fraud Act 2006 Prevention of Social Housing Fraud (Power to Require Information) (England) Regulations 2014 Regulatory Framework, Tenancy Standard Social Housing Regulations Act 2023

Version History			
Version	Date	Description of Changes	Author
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