



09 July 2025

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| Title | RBC Tenancy Agreement |
| Purpose of the report | To make a decision |
| Report status | Public report |
| Executive Director/ Statutory Officer Commissioning Report | Melissa Wise – Executive Director for Communities & Adult Social Care |
| Report author | Natalie Waters – Interim Assistant Director for Housing Landlord Services |
| Lead Councillor | Councillor Matt Yeo – Lead Councillor for Housing |
| Corporate priority | Thriving Communities |
| Recommendations | <ol style="list-style-type: none">1. That the Housing, Neighbourhood & Leisure Committee approve the Final Tenancy Agreement for implementation with Tenants on 15th September 2025, as outlined in Appendix 3 of this report. |

1. Executive Summary

- 1.1. This report outlines proposed changes to the Council's current tenancy agreement, which was last updated in 2016. The agreement is due for renewal in light of legal changes, sector-wide learning and best practice gathered from other local authorities, a full review has been undertaken resulting in this new Tenancy Agreement.
- 1.2. Consultation has been conducted to gather Tenant feedback on the revised Tenancy Agreement. We expect engagement will continue after the Agreement has been implemented and we will be clear with Tenants how they can engage with us.
- 1.3. As part of the review, the Housing Service were consulted to ensure that the revised Tenancy Agreement, attached at Appendix 3, reflects the operational needs of the service. This collaborative approach has ensured all key aspects of the Landlord functions are appropriately covered in the Agreement with all aspects in one place for the ease of our Tenants.
- 1.4. The proposed changes aim to better protect tenants and reflect modern expectations and responsibilities, particularly in areas such as Damp and Mould, tenancy fraud and gang-related activity. Importantly, the majority of the new requirements and responsibilities fall on the Council as a Landlord, rather than the tenants themselves.

2. Policy Context

2.1. Regulatory Context of the Tenancy Agreement

The Tenancy Agreement is a fundamental component of the Council's role as a social landlord, underpinning its tenancy management responsibilities and obligations to tenants. It serves not only as a legal contract but also as a key mechanism through which the Council delivers its housing services in accordance with national regulatory

and statutory requirements. Since the last review in 2016, significant changes have occurred within the Social Housing Sector.

In April 2024, the Regulator of Social Housing (RSH) introduced a revised set of Consumer Standards, which all registered providers of social housing must comply with. Central to these is the Tenancy Standard, which sets out clear expectations for how tenancies are allocated, managed, sustained, and ended. The standard requires that:

- Tenancies must be allocated and let in a fair, transparent, and needs-based manner.
- Providers must support tenants to maintain their tenancies and avoid unnecessary evictions.
- Tenancy agreements must comply with all applicable statutory and legal requirements.

Providers must publish clear policies on tenancy types, terms, and the circumstances under which different tenancies are granted. These expectations are designed to ensure that social landlords act in a way that promotes tenancy sustainment, community stability, and the efficient use of housing stock.

2.2. Legal Policy Context

The tenancy agreement must also align with a range of statutory frameworks, including but not limited to:

- **The Housing Act 1985 and Housing Act 1996**, which govern the rights and responsibilities of tenants and landlords in the social housing sector.
- **The Equality Act 2010**, ensuring that tenancy policies and practices do not discriminate and promote equality of opportunity.
- **The Rent Standard**, which regulates rent-setting to ensure affordability and fairness.

These legal frameworks collectively ensure that the Council's tenancy practices are lawful, equitable, and supportive of tenant wellbeing.

2.3. The Housing & Communities service aspires to deliver a common purpose of 'Supporting the life that matters to you'. This aims to ensure we tailor our services to meet the individual needs of our tenants together with aligning this with our corporate parenting responsibilities. This approach allows all tenants moving into our stock including those leaving either child or adult social care housing provisions to have the specific support they need to sustain their tenancies and thrive.

2.4. Purpose of the Revisions

The proposed revisions to the current Tenancy Agreement are necessary to:

- Ensure compliance with the updated regulatory framework and statutory obligations.
- Reflect best practice in tenancy management, including proactive support for tenants at risk of losing their homes.
- Support the Council's broader strategic objectives, including:
 - Tenancy sustainment: helping residents maintain stable housing.
 - Community safety: ensuring tenancies are managed in a way that promotes safe and cohesive neighbourhoods.
 - Housing standards: ensuring that tenancies are aligned with the Council's commitment to quality, well-managed homes.

3. The Proposal

3.1. It is essential that the Tenancy Agreement be revised and updated to reflect current legal requirements and best practice standards. Key high-level changes included within the revised Tenancy Agreement attached at Appendix 3 include:

- Tenancy Fraud – Now clarifies in more detail the responsibilities on tenants and the Council's position and enforcement powers around Tenancy Fraud. Section 20
- CCTV and Surveillance – Introducing clear provisions relating to the use of CCTV and surveillance systems. This includes setting expectations around privacy and consent and the lawful use of monitoring equipment in communal areas or on properties. Section 13
- Gangs and Serious Crime – Now clarifies in more detail the responsibilities of tenants and also strengthening provisions in order to protect households and communities from exploitation and anti-social behaviour. Section 14
- Damp and mould – This newly added section clarifies the responsibilities of tenants, including how to report issues, as well as the landlord's duties to ensure tenant homes remain safe. It specifically addresses compliance with the requirements outlined in Awaab's Law. Section 6
- Safety and compliance changes - Requirements arising from the Grenfell Fire Tragedy which require that Landlords improve safety, accountability, and transparency, which are reflected in the proposed changes. The matters outlined are addressed comprehensively throughout the majority of sections in Appendix 3, specifically in sections where health and safety risks arise. Examples include: ensuring fire escapes are not blocked, prohibition of tampering with fire safety equipment, preventing accumulation of rubbish in communal areas, allowing access for flushing water systems when tenants notify absence to prevent legionella, permitting access for essential servicing of utilities such as gas and electric, storing and charging of electric and battery-powered scooters.

3.2. These changes are designed to protect Tenants, uphold community safety and provide the Council with appropriate mechanisms to respond to evolving challenges. The updates place more responsibility on the Council as Landlord with minimal requirements placed on tenants themselves. We have incorporated specific clauses into the tenancy agreement to protect tenants and the wider community in relation to gang-related and criminal behaviour. This now explicitly includes cybercrime, exploitation and abuse of children and adults, drug dealing, and human trafficking. See appendix 1. These changes have also been drafted to ensure that Tenant rights are maintained while enabling the Council to act decisively and lawfully to protect residents and neighbourhoods.

Pre delivery:

3.3. Following the approval of the new Tenancy Agreement, we are preparing to deliver Notices of Variation to all Secure and Introductory Tenant's homes. This process is governed by the Housing Act 1985, which outlines the legal requirements for serving such notices.

3.4. A detailed plan is currently being developed to ensure the efficient delivery of documents by Ward over the designated delivery week. A dedicated delivery team has already been established to execute this process.

3.5. Each household will be hand delivered personalised Notices of Variation along with a copy of their new Tenancy Agreement during week commencing 11 August 2025. The variation terms will come into effect five weeks later, on 15 September 2025.

3.6. Staff members delivering the paperwork will complete internal documentation to confirm the delivery of each notice to each household, in accordance with the requirements of the Housing Act 1985. It is important to note that tenants are not required to sign the new agreements; the legal obligation is fulfilled by the serving of the notice itself.

- 3.7. Where translation needs are identified when notices are being prepared, both documents will be provided in the appropriate languages. Where specific language needs are not identified, straplines in our five most used languages will be included. This is to ensure that individuals who do require translation are aware that support is available and can be assisted in accessing translated versions as required.
- 3.8. For tenants with learning needs, staff will conduct face-to-face visits to ensure understanding of the variation terms.
- 3.9. Throughout July 2025, staff working with tenants will be issued with the new Tenancy Agreement to allow time for familiarisation with both its content and the revised format and flow. While the changes are not substantial, the updated Agreement aligns with current legislation, which Officers and teams are already familiar with, but this will ensure staff are fully informed of the order in which key provisions are presented, enabling them to support tenants effectively and respond to any queries with confidence.
- 3.10. Where changes affect processes, for example, the new Agreement explicitly grants us the ability to access homes to carry out Electrical Installation Condition Reports (EICRs), which was not clearly possible under the previous version, operational procedures will be reviewed and amended by teams to ensure compliance and clarity. Please note there are no changes to the current gas process.
- 3.11. There is no requirement for system changes at this time, as the existing systems already provide the necessary functionality to support the effective delivery of our responsibilities.

Post delivery

- 3.12. Additional post-implementation drop-in sessions will be held to provide tenants with further opportunities to ask questions and seek support. Sessions have been scheduled to take place weekly at the 4 Housing owned Community Centres and all Sheltered Housing units between 13 August 2025 and 11 September 2025 to offer tenants this opportunity.
- 3.13. Following this period, tenants will continue to have the opportunity to ask questions and seek support through our regular Housing & Community surgeries, which are held monthly at each Housing-owned community centre and Sheltered Housing units. Additionally, tenants will retain ongoing access to support and information via existing communication channels which includes but not limited to email, phone call and face to face.
- 3.14. We will also be scheduling in briefings with our voluntary sector partners in late July 2025 to ensure they are advised on the final document and process of serving to ensure they can provide guidance to tenants that may contact them.
- 3.15. The planned approach to delivering the new Tenancy Agreements and Notices of Variation complies fully with legal requirements and incorporates measures to support tenant understanding and engagement.

4. Contribution to Strategic Aims

- 4.1. Implementing a new Tenancy Agreement will contribute significantly to the vision and priorities outlined in the Reading Council Plan 2025–2028, particularly under the priority to Secure Reading's Economic and Cultural Success ensuring high-quality, affordable housing and enhancing tenant satisfaction, which contributes to a stable, inclusive community and a thriving local economy.

This also contributes to the objective to deliver new energy efficient council homes and improve tenant satisfaction with social housing by clearly defining rights, responsibilities, and service standards, fostering transparency and stronger relationships between tenants and the Council.

5. Environmental and Climate Implications

5.1. Adopting the Tenancy Agreement will not have any environmental or climate impact or implications. However, enhanced tenancy enforcement may indirectly support the Council's goals of maintaining cleaner, safer living environments.

6. Community Engagement

6.1. A formal consultation process has been carried out:

- A Preliminary Notice of Variation (Appendix 2) and a summary of changes (Appendix 1) were sent by first-class post to all Secure and Introductory tenants, including those under Private Finance Initiative (PFI) arrangements, on 22nd April. Delivery was completed by 25th April. The documentation included full details of the proposed changes, and the Preliminary Variation Notice was served in accordance with the requirements of the Housing Act 1985.
- Local drop-in sessions were then held at Community Centres across the Borough to seek tenants' views on the proposals and offer support. These were held at Lyndhurst Road Community Centre 28th April and 1st May, Whitley Wood Community Centre 29th April & 6th May, Coley Park Community Centre 7th May & 8th May, and Hexham Road Community Centre 28th April & 30th April. 2 sessions were held at each centre; one in the day and one late afternoon early/evening over a period of 2 hours each.
- Community drop ins were also held locally at our Sheltered Housing sites for all tenants to access which took place every week from 25th April to 23rd May 2025 (four sessions held at each) at:
 - Bristow Court, Harley Rd, Caversham
 - 169 Corwen Rd, Tilehurst
 - 4 Liebenrood Rd, Reading
 - 10 Trinity Place, Reading
 - Social Room, 3, 11 Durham Close, Whitley
 - Christchurch Court, Christchurch Gardens, Whitley
 - Tyrrell Court, The Dell, Reading,
 - St Stephens Court, Rupert Street,
 - Weirside Court, Orts Road,
 - Woodlands Court, Howth Drive, Woodley,
- A dedicated email address was set up for feedback and support where around 20 tenants have contacted and been responded to.
- A telephone line was also monitored for feedback and support where around 6 tenants contacted and have been responded to.
- An online survey hosted on the Commonplace platform was used for feedback - 128 views have taken place with 10 responses.
- A handful of tenants also approached Citizens Advice for support too.

6.2. While feedback rates have been low, this is consistent with similar consultations. Experience suggests that engagement increases significantly once implementation begins.

6.3. The feedback that has been received during the consultation has been carefully considered in developing the final version of the Tenancy Agreement. The majority of the feedback has been in relation to the services offered or the operational delivery of them which are not relevant to the content of the Tenancy Agreement but have been picked up by the appropriate Housing Team. We have also received a few comments on whether the Tenancy Agreement will be available in different languages or braille, which we have made arrangements to facilitate once it is finalised and ready to be served. On this basis the feedback has made no material change to the proposed

Tenancy Agreement itself. Tenants have voted on their preferred design of the front cover, which will be used as the final design.

- 6.4. The consultation process lasted for just over 4 weeks and ended on 26 May 2025. As noted in 3.13-3.16 there will be ongoing opportunities for tenants to discuss the new Tenancy Agreement and its implementation.
- 6.5. As part of the consultation, Housing colleagues were also consulted to ensure the revised Tenancy Agreement reflects the operational needs of the service. This collaborative approach has ensured all key aspects of the landlord function are appropriately covered.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to -
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 7.2. There are no proposed changes to services that will negatively impact on the way people access and experience services therefore there is no requirement for an Equality Impact Assessment for the purposes of this report.

8. Other Relevant Considerations

- 8.1. There are no other relevant considerations.

9. Legal Implications

- 9.1. The Regulator for Social Housing has set out its requirements for Safety & Quality, Transparency, Influence and Accountability, Tenancy and Neighbourhood & Community Standards. The Agreement covers the Council's requirements to meet these standards.
- 9.2. In addition, work and opportunities delivered within this Tenancy Agreement covers the Council's requirements in the following legislation:
 - Landlord & Tenant Act 1985
 - Social Housing (Regulations) Act 2023
 - Housing Act 2004
 - Equality Act 2010
 - HCA – the Regulatory Framework for Social Housing in England from April 2012
 - Building Safety Act 2022
 - Social Housing (Regulation) Act 2023

- 9.3. The Council's Senior Housing Solicitor; Georgina Tully has had significant input to ensure that the changes are fully compliant with the relevant legislation and has signed off the final version.

10. Financial Implications

- 10.1. All known costs associated with the implementation of the Tenancy Agreement are accounted for within the existing Housing Revenue Account budget.

- 10.2. Whilst it is not anticipated there will be any additional staffing requirements or additional costs to meet the enhanced landlord responsibilities, resources will be considered post implementation. If necessary, a Business Case would be submitted as part of the HRA 30 Year business plan workings through the usual annual Budget Setting process

11. Timetable for Implementation

- 11.1. Throughout July 2025, staff will be issued with the new Tenancy Agreement.
- 11.2. End of July 2025 our Voluntary Sector partners will be briefed.
- 11.3. Week commencing 11 August 2025, Hand delivery of the new Tenancy agreement and Notice of Variation will be served to all households.
- 11.4. Drop ins post-delivery will be held weekly from 13 August 2025 to 11 September 2025.
- 11.5. Final version comes into effect 15 September 2025.
- 11.6. The Agreement will be reviewed next in 2028.

12. Background Papers

- 12.1. There are none.

Appendices

1. **Summary of changes**
2. **Preliminary Notice of Variation**
3. **New Tenancy Agreement**