Portus
Supported Housing

Policy Title: Tenancy Fraud
Version:1

Safe spaces for independent living

Review

Date of this review	Date of last review	Author(s)	Owner	Next review date
30/10/2025	30/10/2025	Sophie Hayward Customer Director	Sophie Hayward Customer Director	01/12/2026

Details of Amendments

Version	Date	Update/ amendment detail	Resulting from

Approved by

Executive Team	SF (CEO) 21/11/2025
Board	[00/00/00]

1. Introduction

This policy sets out Portus Supported Housing (PSH) approach to preventing, detecting, investigating, and responding to tenancy fraud. Tenancy fraud undermines the integrity of social housing, deprives households in genuine need of secure and affordable homes, and damages the financial viability of registered providers.

The organisation has a zero-tolerance approach to tenancy fraud and is committed to acting robustly, proportionately, and lawfully in all cases. This policy applies to all tenancies and licence agreements managed by PSH, including specialist supported housing, care, and support services.

2. Purpose

The purpose of this policy is to set out Portus Supported Housing's commitment to preventing, detecting, and responding effectively to tenancy fraud. It provides a clear framework for staff, tenants, and partners to understand what constitutes tenancy fraud, how it will be identified and investigated, and the actions that may be taken where fraud is proven.

The policy aims to protect the integrity of Portus's housing stock, ensure homes are allocated and occupied lawfully, and maintain public confidence in the organisation's management of supported housing.

3. Scope

This policy applies to all tenancies, licence agreements, and housing management activities undertaken by Portus Supported Housing. It covers all staff, agency workers, contractors, and partners involved in the allocation, management, and monitoring of properties.

The policy also extends to tenants, applicants, and members of the public who may report or be affected by tenancy fraud. It applies across all Portus services, including supported housing, care, and floating support schemes, and covers all forms of tenancy misuse or fraud as defined within this policy.

4. Legal and Regulatory Responsibilities

This policy is underpinned by the following:

- Prevention of Social Housing Fraud Act 2013
- Fraud Act 2006
- Theft Act 1968 (s.17, false accounting)
- Housing Acts 1985, 1988, and 2008
- Localism Act 2011
- Data Protection Act 2018 and UK GDPR
- Human Rights Act 1998
- Criminal Procedure and Investigations Act 1996

It also supports compliance with the Regulator of Social Housing's Governance and Financial Viability Standard and the Consumer Standards (Tenancy and Tenant Involvement & Empowerment).

5. Policy Statement

Portus Supported Housing is committed to protecting its homes and resources from tenancy fraud to ensure social housing is used by those in genuine need. We will take prompt, proportionate, and lawful action to prevent, detect, and address any form of tenancy fraud.

Portus will investigate all suspected cases, take appropriate enforcement action, and work in partnership with local authorities, the police, and other agencies. Through staff training and tenant awareness, Portus aims to foster a culture of honesty and accountability across all housing services.

6. Definitions

For the purpose of this policy, tenancy fraud includes but is not limited to:

- Unlawful subletting – letting the whole or part of the property without permission.
- Non-occupation – where the customer does not use the property as their sole or principal home.
- Key-selling – passing keys to another person in return for money or favour.
- False representation – providing false or misleading information during an application or review.
- Unauthorised occupation – people occupying the property without the legal right to do so.
- False succession claims or fraudulent mutual exchanges.

7. Prevention

Prevention is the most effective defence against tenancy fraud. The organisation will:

- Require original proof of address for all applicants and/or photographic identification.
- Conduct reference checks and where appropriate credit checks and/or face-to-face interviews.
- Provide customers with clear information about tenancy fraud at sign-up.
- Conduct tenancy audits, regular occupancy checks, and unannounced visits where risk indicators are identified.
- Run awareness campaigns through newsletters, social media, and supported housing networks.
- Train staff at induction and annually thereafter in recognising and reporting tenancy fraud.

8. Detection and monitoring

The organisation will adopt a proactive approach to detection through:

- Data-matching with local authorities, DWP, HMRC, and other registered providers.
- Monitoring of rent accounts and unusual activity (e.g. payments from third parties).
- Reports from staff, neighbours, contractors, and members of the public.

- Targeted tenancy checks in high-risk schemes or geographical areas.

9. Reporting and Whistleblowing

All reports will be acknowledged and recorded, and feedback will be provided where appropriate, while maintaining confidentiality.

Any staff member, tenant, or member of the public can report suspected tenancy fraud via:

- A dedicated fraud reporting email and phone line.
- Anonymous reporting via PSH website.
- Referrals via local authority fraud teams.

All reports will be managed confidentially and in accordance with the Whistleblowing Policy. Whistleblowers will be protected under the Public Interest Disclosure Act 1998.

10. Investigation

All reports will be logged and triaged by the Housing Officer.

Investigations will:

- Be proportionate and evidence based.
- Follow the requirements of the Criminal Procedure and Investigations Act 1996 if criminal proceedings are anticipated.
- Comply with the Data Protection Act 2018 and UK GDPR.
- Involve external partners such as local authority fraud teams or police where appropriate.

11. Enforcement

The organisation will pursue all appropriate remedies, including:

- Warning letters or voluntary undertakings.
- Possession proceedings under the Housing Acts.
- Unlawful Profit Orders under the Prevention of Social Housing Fraud Act 2013.
- Referral for criminal prosecution via the local authority or Crown Prosecution Service.

The organisation may publicise successful prosecutions to deter future fraud.

12. Roles and Responsibilities

- Board and Audit & Risk Committee: Oversight and assurance.
- Customer Director: Policy owner, accountable for implementation.
- Housing Teams: Prevention and initial investigation.
- Data Protection Officer: Oversight of lawful data processing and sharing.
- All staff: Duty to report suspicions of tenancy fraud.

13. Partnership Working

The organisation will work in partnership with:

- Local authorities (fraud and housing teams)
- DWP and HMRC
- Police and Crown Prosecution Service.
- Other Registered Providers, under the Digital Economy Act 2017.

Portus Supported Housing will also participate in regional tenancy fraud forums and information-sharing initiatives where available.

14. Training and Awareness

Training will be mandatory for all staff at induction, with refresher training delivered annually. Specialist fraud training will be provided for housing and supported housing teams. The organisation will promote awareness campaigns for customers to explain what constitutes fraud and how to report it.

15. Data Protection and Confidentiality

All investigations will be conducted in line with the Data Protection Act 2018 and UK GDPR. A lawful basis for processing will be identified (usually legitimate interest or public task). Evidence will be stored securely and retained only for as long as necessary. Customers may exercise their rights under data protection law, subject to lawful exemptions.

16. Monitoring, Review, and Governance

Compliance will be monitored through completion of the Tenancy Fraud Compliance Audit Template and quarterly management performance reports. The policy will be reviewed every three years or earlier if required by legislative or regulatory changes.

17. Equality and Human Rights

Actions taken under this policy will be mindful of individual circumstances, including health or capacity-related vulnerabilities.