



## Protection of Vulnerable Customers

Status: Approved

<b>Policy Lead :</b>	Director of Customer and Communities
<b>Owned By :</b>	Director of Customer and Communities
<b>Date Approved:</b>	February 2026
<b>Approved By :</b>	BHA Board
<b>Review Date:</b>	February 2029
<b>Regulatory / Legislative Considerations/ References</b>	<ul style="list-style-type: none"> <li>• Adults with Incapacity (Scotland) Act 2000</li> <li>• Mental Health (Care &amp; Treatment) (Scotland) Act 2023</li> <li>• Adult Support and Protection (Scotland) Act 2007</li> <li>• Human Rights Act 1998</li> <li>• Data Protection (Scotland) Act 2018</li> <li>• Protection of Vulnerable Groups (Scotland) Act 2007</li> <li>• Sexual Offences (Scotland) Act 2009</li> <li>• Housing (Scotland) Act 2010</li> <li>• Housing (Scotland) Act 2025</li> <li>• Equality Act 2010</li> </ul>
<b>Other Documents to be read in conjunction with this policy:</b>	<ul style="list-style-type: none"> <li>• Complaints policy</li> <li>• Reactive Repairs Policy</li> <li>• Domestic Abuse Policy</li> <li>• <u>Scottish Social Housing Charter</u></li> <li>• <u>SHR Regulatory Framework</u></li> <li>• <u>UK General Data Protection Regulation</u></li> <li>• <u><a href="https://www.scotborders.gov.uk/adults-older-people/adult-protection">https://www.scotborders.gov.uk/adults-older-people/adult-protection</a></u></li> </ul>

<b>Policy Title:</b>	<b>Protection of Vulnerable Customers</b>
<b>Purpose / Aim of policy:</b>	<p>The purpose of this policy is to ensure any Berwickshire Housing Association (BHA) customer who may be considered vulnerable, will receive the appropriate support services to keep them safe from harm.</p> <p>This policy applies to all BHA colleagues and volunteers, where there are any concerns about the potential or actual abuse of an individual who they meet via our services or projects. This includes all circumstances where abuse may not have been intended but the outcome was abusive.</p> <p>The aims are to:</p> <ul style="list-style-type: none"> <li>• identify and be aware of customers who may be most vulnerable and at most risk of harm due to their personal and family circumstances;</li> <li>• ensure those most vulnerable are engaged as appropriate with at regular visits determined by a case-by-case basis;</li> <li>• act on concerns where vulnerability is present and ensure appropriate supports are in place to minimise risk of harm;</li> <li>• be fully compliant in reporting adult support and protection concerns to the local authority as directed by local policy and legislation.</li> </ul>
<b>Scope of Policy:</b>	<ul style="list-style-type: none"> <li>• Duty of Care</li> <li>• Identifying vulnerable customers</li> <li>• Indicators and triggers</li> <li>• Proactive arrangements</li> <li>• Protection from harm and abuse</li> <li>• Data storage and sharing approach</li> <li>• Reporting and monitoring</li> </ul>
<b>Approval Source:</b>	BHA Board
<b>Equality Impact Assessment:</b>	<p>Vulnerable adults and young persons with any of the following protected characteristics:</p> <ul style="list-style-type: none"> <li>• age</li> <li>• gender reassignment</li> <li>• being married or in a civil partnership</li> <li>• being pregnant or on maternity leave</li> <li>• disability</li> <li>• race including colour, nationality, ethnic or national origin</li> <li>• religion or belief</li> <li>• sex</li> <li>• sexual orientation</li> </ul> <p>BHA is committed to providing fairness and equality of opportunity to prevent discrimination in both the workplace and wider society. This policy will be applied in line with our Equality and Diversity Policy to ensure that no person is discriminated against on the grounds outlined in the Equality Act 2010. BHA will ensure our approach to safeguarding vulnerable adults considers the individual needs of our customers and their households. Where required, appropriate arrangements will be made for communicating with our customers.</p>

<p><b>Sustainability Assessment:</b></p>	<p>Every effort and support will be given to helping individuals to remain safely in their home and community. This will be done through getting to know our customers, working with relevant partners and making safeguarding referrals to the relevant agencies.</p> <p>BHA will play an active part in any safeguarding meetings as required to ensure the customer is supported and the tenancy sustained. A sustained tenancy will always be more cost effective than a homeless or crisis requiring intensive expensive emergency support.</p>
<p><b>Partnership Assessment:</b></p>	<p>BHA will work in partnership with organisations and stakeholders within the communities served to ensure any reports of abuse or any type of safeguarding referrals are taken seriously and dealt with sensitively.</p> <p>Key partners include Police Scotland, Scottish Borders Council (SBC), NHS, Penumbra, Borders Addiction Services, Domestic Abuse Advisory Service and We Are With You.</p>
<p><b>Definitions:</b></p>	<p><b>Vulnerable:</b> a person at heightened risk of harm due to their personal and family circumstances.</p> <p><b>Adult at risk of harm or neglect:</b> people aged 16 years and over who:</p> <ul style="list-style-type: none"> <li>• are unable to safeguard their own wellbeing, property, rights or other interests;</li> <li>• are at risk of harm;</li> <li>• and because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.</li> </ul> <p><b>Safeguarding:</b> Safeguarding is the action that an organisation takes to promote the welfare of children and vulnerable adults to protect them from harm including physical, emotional, sexual and financial harm and neglect.</p>
<p><b>Risk Implications:</b></p>	<p>A key risk area is that BHA does not act on concerns about those who may be vulnerable. Training all colleagues on safeguarding with mandatory training for colleagues delivered by SBC's public protection unit alongside this policy to risk. Also the approach of ensuring everyone in the organisation is aware of how to report issues, from contractors to customers, will ensure this risk is minimised.</p> <p>A further risk is that the policy is not implemented and BHA does not uphold its duty of care towards its most vulnerable customers, including those most at risk of harm.</p>

## 1. INTRODUCTION

- 1.1 This policy is designed to guide the identification, action and process to be followed to prevent and act on harm for those most at risk from our role as a social landlord. This includes both an 'adult at risk' as defined by legislation and situations where BHA might conclude that harm, or risk of harm, may be present and where reasonable steps should be taken as a duty of care.
- 1.2 This policy applies to all Berwickshire Housing Association (BHA) colleagues and volunteers, where there are any concerns about the potential or actual abuse of an individual who they encounter via our services or projects. This includes all circumstances where abuse may not have been intended but the outcome was abusive. It also relates to self-neglect and harm.
- 1.3 BHA recognises that we have a moral responsibility to do what we can to ensure that vulnerable people are able to enjoy a good quality of life and to live as independently as possible.
- 1.4 Addressing the needs of vulnerable people is a key business requirement. Many of the risks faced by our vulnerable customers are passed on to BHA through non-payment of rent and increased tenancy turnover. Being vulnerable does not reduce a customer's responsibility in fulfilling their tenancy agreement, however we recognise that some will require additional support to meet their obligations.
- 1.5 This policy is an overarching approach applied across the business. It informs our approach to duty of care and safeguarding. It is tenure neutral and applies to all BHA customers, whether this is an applicant for housing with BHA, a current customer or household member, or anyone else affected by BHA services.

## 2. POLICY STATEMENT

- 2.1 This policy outlines BHA's approach when a customer's vulnerability is recognised and that some customers may be vulnerable for multiple reasons. We are committed to meeting their needs through the provision of suitable accommodation, and appropriate, responsive landlord services.
- 2.2 BHA defines 'vulnerable' in relation to the provision of its services as: *'customers who have a particular characteristic and/or experience an exceptional life event and are currently unable to act independently and/or are unable to cope with managing their tenancy without additional support.'*
- 2.3 This definition reflects BHA's understanding that 'vulnerability' can be a changeable state influenced by multiple factors and experiences such as age, disability, bereavement, mental health, domestic violence, or financial difficulty.
- 2.4 We recognise that some customers will have a degree of vulnerability that may impact how they are able to manage their home or engage in their community. Customers can become vulnerable over the course of their time with BHA.

## 3. DUTY OF CARE

- 3.1 A 'duty of care' is a legal obligation to take reasonable care to avoid causing harm to others, meaning a person or organisation must act in a way that a

reasonable person would in similar circumstances to prevent foreseeable harm. Action must be taken when an issue is brought to BHA's attention.

3.2 At BHA, all customer-facing colleagues (e.g. in Customer Experience, Assets, Repairs, Tenancy Sustainability, BeFriend, Neighbourhood Management), should act on concerns where an individual or family may be vulnerable and at more risk of harm.

3.3 It is the responsibility of every colleague to report any vulnerability or concerns relating to abuse they identify during their work and ensure follow-up action is taken. Duty of care and vulnerability concerns will not be closed without an internal case conference to ensure all concerns have been followed up.

#### **4. IDENTIFYING VULNERABLE CUSTOMERS**

4.1 BHA considers as vulnerable anyone who experiences difficulties with everyday living to the extent that they *may* need some additional support to make sure they are not at any disadvantage and/or to sustain the occupancy of their home. This definition applies to all household members. Examples of people who may be vulnerable include, but are not limited to those who:

- have a physical, sensory or learning disability;
- have mental health issues including risk of suicide;
- have experienced trauma;
- are seriously ill including dementia;
- are experiencing domestic abuse;
- are older, and may live alone in isolated areas;
- those deemed as sole carers;
- are single parent families;
- are pregnant women;
- are unemployed;
- are leaving care and taking up a tenancy for the first time;
- are ex-offenders;
- are considered to be financially excluded including in fuel and food poverty;
- have substance abuse problems;
- have difficulties understanding, speaking or reading English;
- have experienced homelessness/ repeat homelessness;
- have experienced hospitalisation;
- are in periods following discharge from hospital or other institutional care;
- have experienced periods of sustained illness at home;
- have experienced bereavement;
- are in a period of change from supported accommodation to independent living;
- have evidence of neighbour harassment or abuse toward the individual or household;
- provide evidence of antisocial behaviour by the individual or household;
- have experienced divorce or other relationship breakdown; and
- have arrears of rent or other debt issues.

- 4.2 A customer's vulnerability may be identified by:
- customers telling BHA they are vulnerable when they apply for a home or at any time by making a self-referral;
  - any colleague who has contact with a customer in-person, on the phone or through any other channel of communication;
  - contractors working on behalf of BHA;
  - via a referral from an external agency or organisation;
  - from a family member or carer.

## 5. INDICATORS AND TRIGGERS

- 5.1 Importantly, customers who BHA become aware are experiencing a significant change in circumstances should be at least viewed as potentially becoming vulnerable and at risk of harm. Indicators might include:
- Loss of all contact and withdrawal from previously established contact with BHA teams, including a repeated failure to respond to correspondence or to answer the door when visited;
  - Significant life-changing events (illness bereavement, loss, unemployment, relationship breakdown, trauma);
  - Unexplained non-payment of rent and accumulation of arrears as a change in usual payment behaviour;
  - Antisocial behaviour because of mental health issues;
  - Being a victim of antisocial behaviour, domestic abuse or harassment;
  - Not allowing access essential and routine maintenance, e.g. gas and electric safety checks;
  - Known contact with statutory or other support services;
  - Known to have disconnected from energy supply;
  - No physical or verbal contact with BHA over an extended period;
  - Hoarding, self-neglect or other behavior which results in the persons home and/or garden becoming damaged, neglected or otherwise unfit for occupation.

## 6. PROACTIVE ARRANGEMENTS

- 6.1 BHA will identify all known vulnerabilities or potential vulnerabilities for consideration at the registration and application stage of our customers' relationship with BHA. This generally commences at the allocation stage.
- 6.2 Identifying vulnerability or potential vulnerability at an early stage enables BHA to make a timely response and, where possible, tailor our services to meet the needs of the individual or household at or shortly after sign up for new customers.
- 6.3 Identifying vulnerability can prompt colleagues to signpost people or make a referral to relevant BHA in-house support (Tenancy Sustainability Team, BeFriend, BeWell) and external organisations that can provide support.
- 6.4 Following a customer moving into a BHA home, a 'settling in visit' will be carried out and is a further opportunity for both customer and colleague to identify any vulnerabilities not previously identified.
- 6.5 External contractors have a duty of care to report concerns about a customer's

welfare due to their vulnerability and potential risk of harm. Prior to any contract commencing BHA will ensure any contractor working in customers' homes are trained on the identification of vulnerabilities.

- 6.6 All BHA customers should receive regular visits from their local Neighbourhood Manager determined on a case-by-case basis. However, those identified as vulnerable will be more frequent, especially when life changing circumstances may be changing rapidly.

## **7. PROTECTION FROM HARM AND ABUSE**

- 7.1 BHA upholds the rights of individuals or families accessing its services to live their lives free from any form of abuse. We expect colleagues to know what course of action to take if they observe or suspect abuse or if abuse is reported to them. BHA colleagues should know how to support vulnerable individuals to keep them safe from harm and respond appropriately to concerns and actions which may involve the abuse of individuals or families accessing our services.

- 7.2 BHA will adopt the following principles to tackle all forms of abuse:

- Give paramount consideration to the welfare of individuals or families supported by services or projects to keep them safe from harm;
- Act to safeguard the right of every person to have safe and adequate physical, emotional and social support;
- Require every colleague who suspects or has evidence that a person is suffering, or is likely to suffer harm, to report the matter to their line manager;
- Require repair or other contractors to report any indications of abuse or harm to us on 0800 652 8104 as soon as possible;
- Take whatever steps are necessary to protect the person and such action will take priority over all other work;
- Work within the guidelines issued by and give every assistance to SBC Social Work and all other agencies on matters of abuse;
- Work with all relevant agencies to develop and maintain a shared understanding of aims, objectives and standards of practice;
- Recognise the right of every person using a service to have their needs understood and their views considered and an individual approach taken when planning for their future welfare;
- Ensure that when the right to an independent lifestyle and choice is at risk the individual concerned receives appropriate help, including advice, protection and support from relevant agencies e.g. independent advocacy;
- Actively work within ethical principles to provide services which promote: dignity, privacy, choice, safety, realising potential, equality and diversity.

## **8. DATA STORAGE AND SHARING APPROACH**

- 8.1 Information relating to vulnerabilities should be regarded as sensitive personal data. Information will be stored consistently within our housing management system. Our Data Protection Policy applies in the handling and storage of this data.

- 8.2 All line managers are responsible for ensuring BHA colleagues comply with the data protection policy and implement appropriate practices, measures, controls and training to ensure compliance.

**9. REPORTING AND MONITORING**

- 9.1 All incidents and concerns under this policy will be recorded on CRM and discussed with the relevant line manager. Further actions taken, including Adult Support and Protection actions, will be clearly set out alongside the outcome of any referral. Any actions taken by BHA to minimise risk will be similarly documented and held against customer records.
- 9.2 Service Leads will monitor to ensure support is in place and appropriate actions have been taken, alongside noting any trends or repeat concerns that arise. These will be reported within monthly performance briefing and in quarterly reports to the Operations Committee.
- 9.3 This policy will be reviewed every three years or as required due to legislative or regulatory changes.