**Overview and Scrutiny Committee 19 November 2026**

**Report of the Monitoring Officer**

# Spotlight Review: Tenancy Succession

1. Purpose of Report

To consider the operation of the Tenancy Succession legalisation.

## 2. Recommendation

**The Committee is asked to RESOLVE that the recommendations identified in the Spotlight Review be approved.**

3. Detail

The purpose of the Spotlight Review, which took place on 16 October 2026, was to examine the effectiveness, fairness, consistency and impact of the Council's Tenancy Succession arrangements.

The review assessed whether current policies comply with legislative requirements, supported vulnerable households, made effective use of the Council's housing stock and if it provided clear guidance to residents following the death of a tenant.

The review made particular emphasis on identifying opportunities to improve customer experience, strengthen decision-making processes and ensure that housing resources are managed efficiently.

4. Financial Implications

The comments from the Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications for the Council to consider at this stage. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

Whilst there are no direct legal implication arising from this report, the legal services team will be able to support and advise as required as the project progresses.

6. Human Resources Implications

Not applicable.

7. Union Comments

Not applicable.

8. Climate Change Implications

Any climate change implications are contained within the report.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

Not applicable.

11. Background Papers

Nil.

**Appendix**

Background

Tenancy succession occurs when a person takes over a tenancy following the death of the original tenant. Succession rights are governed by legislation, tenancy agreements and local housing policies.

The process can be complex and emotionally challenging for bereaved families, particularly where there are competing housing pressures and limited social housing availability.

The Council has a responsibility to balance:

- The rights of eligible successors.
- The need to provide support to bereaved households.
- The efficient management of social housing stock.
- Legal compliance and risk management.
- Wider housing demand and homelessness pressures.

Recent changes in family structures, increasing housing demand and the ongoing shortage of social housing create a need to ensure that succession arrangements remain fit for purpose.

Key Legislation

Housing Act 1985

The Housing Act 1985 establishes statutory succession rights for secure tenants. In most circumstances, only one statutory succession can occur, and eligible successors are generally limited to:

- A spouse or civil partner occupying the property as their only or principal home at the time of the tenant's death.

- Certain family members who have resided continuously at the property for a qualifying period immediately prior to the tenant's death, subject to the tenancy commencement date and applicable legislation.

The Act also provides powers for landlords to seek possession where a successor under-occupies a property and suitable alternative accommodation is available.

Localism Act 2011

The Localism Act 2011 amended succession rights for new secure tenancies granted after 1 April 2012. For these tenancies:

- The statutory right of succession is generally restricted to a spouse or civil partner (or a person living with the tenant as such).

- Local authorities retain discretion to provide additional succession rights through their tenancy agreements and local policies.

Housing Act 1996

The Housing Act 1996 provides the wider legislative framework governing the allocation of social housing and homelessness duties. Succession decisions can have implications for:

- Housing register demand.
- Transfer applications.
- Homelessness prevention responsibilities.
- Management of under-occupied accommodation.

Communication

Members were advised that most tenancy succession cases are managed through direct, face-to-face engagement with applicants and family members.

This approach enables officers to explain the succession process, gather relevant information and provide support during what is often a difficult and sensitive period for bereaved households.

Members noted that written correspondence issued as part of the succession process is necessarily focused on the Council's legal obligations and the statutory requirements associated with succession. Whilst legally compliant, Members acknowledged that such correspondence may be perceived as impersonal by individuals who have recently experienced a bereavement.

Particular consideration was given to the content and presentation of succession related correspondence. Members discussed opportunities to separate expressions of condolence and supportive information from the more formal explanation of the legal process and eligibility criteria. It was considered that this approach could improve the overall customer experience while ensuring that statutory requirements continue to be communicated clearly.

Members further noted the value of proactive home visits undertaken with the family of the deceased tenant. Members recognised that face-to-face engagement supports more effective communication, provides an opportunity to explain the process in a sensitive manner and assists officers in understanding the individual circumstances of each case. It was suggested that, where appropriate, greater emphasis on home visits could contribute to service improvements and enhance the support provided to residents navigating the succession process.

Single Point of Contact

Discussion took place regarding the introduction of a dedicated Single Point of Contact (SPOC) for tenancy succession cases. The designated officer would manage each case from notification of the tenant's death through to resolution of the succession process, providing continuity and consistency for residents.

The SPOC would act as the primary contact for the family of the deceased tenant and, where appropriate, undertake home visits to explain the tenancy succession process, discuss available options and provide support during a period of bereavement.

Review of Succession Correspondence

Members considered that the Housing Department reviews the content and structure of tenancy succession correspondence to ensure communications are both sensitive and informative.

In particular, legal and procedural information should be separated from bereavement-related communications. A bespoke condolence letter should be developed to acknowledge the family's loss, provide reassurance regarding the next steps and offer a home visit to discuss the succession process and available support.

Review of Process Timescales and Use of the Tell Us Once Service

A debate was undertaken for a review of the timing and sequencing of correspondence issued following notification of a tenant's death, with a view to ensuring communications are appropriate and sensitive to the circumstances of bereaved families.

As part of the review, consideration should be given to how the ‘Tell Us Once’ service may be utilised to support and streamline the tenancy succession process, reducing unnecessary contact and administrative burden on residents.

Development of Resident Information and Support Materials

The Spotlight Review considered that the Housing Department develops a tenancy succession information leaflet for families of deceased tenants, which should include:

- An explanation of the tenancy succession process.
- A checklist of actions that may need to be taken following a death.
- Information regarding housing options and support available.
- Contact details for the relevant Council services and external bereavement support organisations.
- Frequently asked questions relating to tenancy succession.

Bereavement Awareness Training

A discussion took place that further officer training arrangements can be undertaken and that a new introduction of additional bereavement awareness training for officers involved in tenancy succession cases should be implement.

The training should focus on effective communication, supporting vulnerable residents, recognising the impact of grief and delivering services in a compassionate manner while meeting the Council's legal obligations.

## Recommendations

1. **Introduce a Single Point of Contact within the Housing Department to specifically see the death of a tenant and Tenancy Succession process through to completion. Furthermore, establish a Single Point of Contact with deceased tenant's family to allow for a more consistent approach to communication. This would also include more home visits with the family of the deceased to enable proper explanation of how the Tenancy Succession process works.**

2. **Improve communication regarding the Tenancy Succession process by separating legal and condolence letters. This would include creating a bespoke condolence letter to properly set out and recognise the family of the deceased situation and offer a home visit, as highlighted above, to properly explain how the process works.**

3. **Review the timing of the letters sent regarding Tenancy Succession and how the 'Tell Us Once' service can support the Tenancy Succession Process.**

4. **Create a leaflet to provide the family of the deceased with support services and a checklist on helpful actions they can take following the death of a family member.**

5. **Introduce further officer training for dealing with bereavement within the Housing Department.**