

# CUSTOMERS IN VULNERABLE CIRCUMSTANCES POLICY

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# Customers in Vulnerable Circumstances Policy

Responsible Officer	Group Director Housing
This policy is applicable to	Karbon Group
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## Policy Statement

This policy sets out Karbon Group's commitment to treating customers fairly, with dignity and respect, and making sure everyone can access and use our services in a way that works for them. We recognise that at different times in life, people may experience circumstances that make things harder, and that these circumstances can change. The policy explains how we define vulnerability, how we recognise when someone may need extra support, and how we record this information carefully and lawfully. Importantly, we do not assume people are vulnerable based on age, disability or any other characteristic; instead, we take a person-centred approach that looks at individual circumstances and listens to what customers tell us.

The policy also explains how we respond when a customer needs support. We work with customers to agree reasonable adjustments, such as changing how we communicate or how we deliver services, so barriers are reduced wherever possible. Colleagues are expected to use this information responsibly, involve other teams or partner organisations when appropriate, and respect customers' choices about what they share. Clear roles and responsibilities are set out to ensure everyone at Karbon plays their part, and customers are encouraged to tell us if their circumstances change or if they feel their needs have not been taken into account. Overall, the policy is about creating inclusive, flexible services that put people first and help customers feel safe, supported and listened to.

## Risk the policy is designed to control

- 4. Customer Service and Satisfaction
- 6. Governance and compliance

## Key performance measures

These will be developed through the action plan supporting this policy ahead of its one year review.

## Definitions

**Customer** – this means existing and potential customers. It includes everyone that lives in the home.

**Reasonable adjustment** – a reasonable adjustment involves making a change to the way that we usually do things to remove or reduce barriers that a customer may face. Further information is provided in Appendix B

**Statutory agencies** – these are government agencies. They are often responsible for delivering public services, such as police, social care, healthcare or education. They are given specific powers to carry out particular tasks.

**Third parties and contractors** - these are organisations that we work with to support our customers. They can sometimes deliver services on our behalf.

**Vulnerability** – a full definition of vulnerability is provided in section 3. We will use this as a collective term throughout the policy.

**Vulnerability indicators** - these are conditions that could make a person vulnerable as detailed in section 3.

**Vulnerability flag** – is an indicator added to our CRM system as a quick reference that colleagues need to support the customer through reasonable adjustments to deliver our services.

## Abbreviations

**CRM System** – Customer Relationship Management System. This is the computer system that we use to record customer, tenancy and property information.

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# Policy Detail

## 1.0 Purpose of policy

We see our key priority as improving the quality of our homes, ensuring customers feel safe and satisfied. We want to make sure that our customers are treated fairly and have the opportunity, freedom and respect to access our services

We want to put in place a human-centric customer focused delivery of the services we provide. We want to provide a way for our customers in vulnerable circumstances, to ask for support to meet their individual needs.

This policy outlines our approach to recognise, record and respond to customers in vulnerable circumstances. At Karbon, these are called vulnerability indicators.

## 2.0 Objectives

We want to;

- Define what we mean by vulnerability.
- Explain how we will recognise, record and respond to vulnerabilities
- Comply with relevant legislation and best practice.
- Support customers in vulnerable circumstances with a tailored human-centric approach when we deliver our service.
- Take account of known vulnerability factors when we make decisions about a home and the customer.

## 3.0 Defining vulnerability

A customer may be classed as vulnerable because of their circumstances. As a result, they may need us to provide our services in a different way. This is to make sure they are not disadvantaged.

People can be vulnerable because of one or a number of conditions. These can be short as well as long-term. Anyone can become vulnerable due to a change in personal circumstances.

We further define vulnerability in four main categories;



The list of examples are only indicators. People who are experiencing these circumstances may not be vulnerable or need extra support as a result.

Additionally, the list isn't exhaustive. Some of our other policies, include further examples e.g. Our Domestic Abuse Policy also includes coercive control and financial control.

We don't define groups of people as vulnerable by default. These include elderly people, people with learning difficulties and people with physical disabilities.

We will use vulnerability indicators on customer records. They will help us to quickly identify the circumstance or circumstances for each customer.

## 4.0 Recognising, recording and responding

We want to make sure that our services are inclusive. We want to remove barriers for customers in vulnerable circumstances to provide equality of opportunity. We want customers to feel they are treated with dignity and respect.

### Recognising:

When we provide services to our customers in vulnerable circumstances, we want to be able to support their unmet needs. We want our customers to feel confident and supported to tell us when they have a change in their circumstances.

We also have a duty to anticipate where there are unmet needs. We may need to ask customers additional questions to identify and verify this information and support them further.

There are many opportunities to recognise that a customer may have a vulnerability including visits from colleagues to carry out repairs or a customer contact visit, when dealing with a complaint or anti-social behaviour case or when dealing with cases of property condition and/or hoarding. We also know that vulnerability will often link to a lack of engagement and we will use data to help us manage this.

Vulnerability indicators may be identified by people who work with us (such as our contractors). Or by a referral from a third party or statutory organisation.

## **Recording**

When a customer tells us information about themselves, we will treat this with care. We will collect information about customers at different touchpoints including when customers tell us. We will maintain accurate and up to date records from the information people tell us and the observations we make where there is a lawful basis to do so.

We will record information including details of any additional reasonable adjustments that are agreed. This includes ensuring that the vulnerability indicators are correct and up to date.

When customers have disclosed a vulnerability to us, we will add a flag on their records. This is called a vulnerability flag. The flag will be used with other information such as what support or adjustments are needed.

When we are made aware that circumstances have changed, and the vulnerability flag is no longer relevant, it will be removed.

This is in line with our Data Protection Policy and associated procedures.

## **Responding**

We will ask customers how they would like us to support their vulnerability indicators in the way that we deliver our services to them.

We'll work together to look at options and agree what adjustments and support are needed in individual circumstances. We will discuss what is reasonable and appropriate and document the decisions and actions required.

Where needed we will work with other colleagues, third parties and statutory agencies to discuss how we can support a customer and agree any reasonable adjustments that may be needed.

## **5.0 Roles and responsibilities**

**The Board, Chief Executive and the Leadership Team are responsible for:**

- Providing leadership on this policy.
- To act as champions to ensure that the policy is put in place and monitored.
- To ensure that it is communicated internally and externally.
- Creating an environment where difference is valued.

**Managers at all levels are responsible for:**

- Implementing the policy in their teams. Setting standards and visible leadership.

- Ensuring that colleagues are familiar with the policy and have the appropriate training for their role.
- Ensuring colleagues act in accordance with the policy and provide necessary support. They will seek advice and guidance when this is needed.
- Supporting us to collect, monitor and analyse data to make sure we're being fair and supportive.

**Each colleague is responsible for:**

- Implementing the policy in their day-to-day work and seeking advice and guidance when this is needed.
- Making sure they deliver their service in line with this policy and that they treat people with dignity and respect.
- Promptly manage and deal with any investigations and customer complaints. This is in line with our Complaints, Compliments and Suggestions policy.
- Tell their manager if they have concerns about colleagues, contractors and third parties in the way they treat customers.
- Improve their knowledge and understanding through training.

**Customers are responsible for;**

- Letting us know if there is a change in their circumstances.
- Sharing their personal information when we routinely ask including information that will help us to deliver our services.
- Reporting any concerns through our Complaints, Compliments and Suggestions policy.
- Working with us to agree support and reasonable adjustments

Customers may not want to tell us some of their personal details. Colleagues won't pressure them to do so. However, this may limit how we can deliver an inclusive and accessible service to them.

## **6.0 Mental health and mental capacity**

Mental capacity is not the same as mental health. Some customers with mental health conditions may have mental capacity limitations, but some will not.

Mental capacity limitations can change. For example, a person with dementia may find that they have capacity in the morning but struggle as the day progresses.

To support customers with mental capacity limitations, we will:

- Support customers to tell us about any limitations
- Look for signs and not only rely on the customer telling us
- Record details when they're known.
- Help a customer make an informed decision.
- Work with people who have a legal authority or are an authorised representative of the customer.

## 7.0 Specialist services

### Money Matters Service

Our Money Matters Service provides advice on money and benefits. This helps our customers to manage their money and sustain their tenancy.

The Financial Conduct Authority (FCA) governs how we provide this advice. When our customers use this service, we will meet the requirements of the FCA in addition to our commitment in this policy.

### Supported Housing Team (Karbon Homes)

Our Supported Housing Team provide support and accommodation where we are commissioned to do so. The team also work with a range of partners who provide support to customers, including those with learning disabilities, vulnerable young people, substance misuse, homeless and domestic abuse.

We have agreements in place to share personal data of customers. This includes how we record vulnerabilities.

## 8.0 Making a complaint

Customers can let us know if they feel the details they have shared about their vulnerabilities haven't been taken into account. If the service we deliver hasn't met their expectations, they can raise a complaint through our Complaints process.

Details can be found in our Complaints, Compliments and Suggestions Policy. This policy also tells customers how they can find out more information, give feedback or escalate their complaint.

## 9.0 Monitoring and Review

The Group Director Housing is responsible for the monitoring and review of this policy.

After the first year, this policy will be reviewed every three years. This will be reviewed earlier if there are significant changes to best practice, regulatory or legislative requirements.

When vulnerability is a factor in other policies we will use these words. We will also refer to this policy.

*“This policy is applied in line with **Our Approach To Vulnerability Policy**. Everyone matters. We want people to be treated fairly, have equality of opportunities, freedom, respect and access to our services. We will offer support, reasonable adjustments and adaptations to remove barriers. We will discuss with our customers what is reasonable and appropriate.*

*We will support people with vulnerabilities to deliver this service. Details are provided in the appropriate areas in this policy.*

*All of our customer policies are available on the website.”*

## **10.0 Consultation**

This is the first policy in Karbon Homes that details our approach to vulnerability. We have used resources and best practice guidance to write the policy. We have consulted with customers and colleagues for their views and input.

We will continue to engage with our customers throughout the first year of the policy for their valuable input. This will support the development of our approach.

## **11.0 Equality, Diversity and Inclusion**

This policy is applied in line with our Inclusion and Belonging Policy. This includes the legal requirements of the Equality Act 2010, Workers Protection Act 2023 and the Public Sector Equality Duty.

At the Karbon Group we aim to eliminate discrimination, promote equality of opportunity, foster good relations and define the nine protected characteristics of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

All of our customer policies are available on the website.

If you would like this or any other policies in different language or format please contact [inclusion@karbonhomes.co.uk](mailto:inclusion@karbonhomes.co.uk).

## **12.0 Data Protection and Privacy**

We have a clear policy on data protection and sharing data with other partners/third parties under the requirements of the UK General Data Protection Regulation, the Data Protection Act 2018 and other associated legislation. This is clearly set out in the Data Protection Policy for the Karbon Group which, along with its associated procedures, must be followed throughout the operation of this policy.

## **Appendix A: Relevant legislation and guidance**

### **Landlord and Tenant Act 1985**

The Act outlines the obligations of landlords, including the provision of essential services such as water, heating, and sanitation. It also covers matters related to health and safety standards, fire safety, and the suitability of rented properties for habitation.

The Act safeguards certain rights for tenants, including the right to know the identity of their landlord, the right to a written tenancy agreement, protection against unfair eviction, and the right to live in a property that is reasonably maintained and fit for habitation. It also requires landlords to consult before passing on maintenance and improvement costs to leaseholders and assured tenants.

### **Housing Act 1996 and the Homelessness (Priority Need for Accommodation) (England) Order 2002**

Section 189(1)(c) of the Housing Act 1996 says that a person may be 'vulnerable' and have a priority need for housing as a result of:

- old age
- mental illness
- mental handicap
- physical disability
- other special reason

Other special reasons could include someone who is vulnerable as a result of being victim of trafficking or modern slavery, or because they are a young person without support.

The Homelessness (Priority Need for Accommodation) (England) Order 2002 gives priority need to those who are vulnerable as a result of:

- having been in care while they were 16 or 17 and is now 21 or over
- having been in the armed forces
- having been in custody
- having fled actual or threatened violence

Although specific to homelessness, landlords may find it useful to see that in addition to more common definitions of vulnerability such as age and physical disability, there is also reference to domestic violence, care leavers and those who previously served in the armed forces. The 'other special reason' category also shows the need for consideration of individual circumstances, rather than a 'checklist' approach.

### **Human Rights Act 1998**

The Act gives further effect to the rights and freedoms guaranteed under the European Convention on Human Rights.

Social housing providers have legal responsibilities under the Act. In human rights terms, "everyone must be treated with dignity and respect". Taking this approach helps broaden the view beyond the protected characteristics.

Landlords' policies and processes should define what vulnerable means, how to identify this, what their responsibilities are, and the reasonable adjustment process.

Guidance for public sector organisations and employees, including social housing providers, is available on the Equality and Human Rights Commission's website.

### **Housing Act 2004 - Health and safety standards for rented homes**

The Act sets out requirements for assessing housing conditions and enforcing housing standards.

The Housing Health and Safety Rating System (HHSRS) is a risk-based assessment procedure used by environmental health officers to identify potential risks or hazards in homes. Considerations from the assessment include:

- The chance of harm
- How serious it would be
- Any extra risk to children or older people

'Vulnerable group' is defined in the associated guidance as:

*"a particular group of people based upon age who could live in the dwelling for whom the risk of a hazard is greater than for most people."*

Landlords should have their own risk assessment process for identifying which residents could fall under the category of extra risk or vulnerable group.

### **Equality Act 2010**

The Act brought together and expanded on separate pieces of legislation relating to inequalities.

Under the Public Sector Equality Duty (Equality Act 2010 section 149), public authorities and those bodies carrying out public functions must have due regard to:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity.
- Foster good relations.

The Act sets out prohibitions in relation to the different types of discrimination it identifies, which include:

- Age.
- Disability.
- Gender (sex).
- Gender reassignment.
- Sexual orientation.
- Religion or belief.
- Ethnicity (race).
- Pregnancy and maternity.
- Marriage and civil partnership.

The Act identifies different types of discrimination, including:

- Direct discrimination – treating someone with a protected characteristic less favourably than others. This includes:

- Discrimination by association – occurs when someone is treated unfavourably on the basis of another person’s protected characteristic.
- Discrimination by perception – occurs when someone is treated unfavourably because others believe they have a protected characteristic, even though in reality they don’t have it. It is perceptive discrimination.
- Indirect discrimination – putting rules or arrangements in place that apply to everyone, but, as a consequence, putting someone with a protected characteristic at an unfair disadvantage.
  - failure to make reasonable adjustments for a disabled person – where a person is at a substantial disadvantage due to their disability and the employer fails to put in place reasonable adjustments to remove or reduce the disadvantage.
- Harassment – unwanted and inappropriate behaviour linked to a protected characteristic that violates someone’s dignity or creates an offensive environment for them.
- Victimisation – treating someone unfairly because they’ve complained about discrimination or harassment.

### **Reasonable adjustments**

Landlords’ duty is to adjust their service, with the aim being, as far as possible, to remove any disadvantage faced by those with a protected characteristic or a vulnerability. The adjustment may be a short-term or temporary need, or a longer-term need.

The need should be reviewed and not assumed.

Landlords also have an ‘anticipatory’ duty- they must consider in advance what individuals may need when accessing their service.

When deciding whether an adjustment is reasonable, the landlord should consider:

- How effective the change will be.
- Can it be done?
- The cost and resources (depending on the landlord’s resources and size).

Importantly, after taking these points into account, if the decision is that it is reasonable, the landlord must make the adjustment. It is not enough for landlords to say it is not its responsibility to make the adjustments requested due to lack of funding as this is not a justification for not making reasonable adjustments.

### **The Care Act 2014**

The Care Act sets out the responsibilities of local authorities regarding assessing and meeting individuals’ care needs. A fundamental component of the Care Act is the ‘suitability of accommodation’ in meeting the home care and support needs of older and vulnerable people.

The Act is clear that the provision of suitable accommodation can be a fundamental part of the care and support given to vulnerable adults.

The Act and the accompanying regulations and guidance outline how housing can support a more integrated approach. Housing in this context is defined as not just “bricks and mortar”, but also housing related support.

There are also what is referred to as the general responsibilities under the Act, which are: promoting individual wellbeing; preventing needs for care and support; promoting integration of care and support with health services; providing information and advice; promoting diversity and quality in provision of services; cooperating generally and cooperating in specific circumstances.

Safeguarding adults comes under this legislation.