



Tenancy Fraud Policy

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Executive Summary

The Tenancy Fraud Policy outlines Wigan Council's commitment to preventing, detecting, and responding to tenancy fraud across its social housing stock. Tenancy fraud undermines fair access to housing, misuses public resources, and can destabilise communities. This policy ensures that robust mechanisms are in place to protect the integrity of the housing system and uphold the Council's values.

This policy supplements the Council's wider Anti-Fraud, Bribery and Corruption Strategy and contributes to the overall framework of governance established to ensure that Wigan Council is well managed and fulfils its statutory and regulatory duties in a proper, consistent and responsible manner.

This policy also sits alongside and is related to Wigan Council's Fraud Prosecutions, Sanctions and Redress Policy.

Purpose

The policy aims to:

- Safeguard social housing for those in genuine need.
- Promote fairness, transparency, and accountability in housing allocation and management.
- Support legal and ethical standards in tenancy practices.

Types of Tenancy Fraud Addressed

The policy focuses on three main categories:

- Fraudulently obtaining a tenancy (e.g. false applications, succession fraud, mutual exchange fraud).
- Unlawful occupation (e.g. subletting, key selling).
- Fraud involving Right to Buy / Right to Acquire (e.g. misrepresentation of occupancy or tenancy history).

Strategic Alignment with Progress with Unity

This policy directly supports Wigan Council's *Progress with Unity* missions by:

- Creating fair opportunities through equitable housing access.
- Helping neighbourhoods flourish by ensuring stable and lawful occupancy.

- Contributing to a well-run council through transparent processes and responsible use of public assets.

Enforcement and Support Measures

- Investigations are led by the Tenancy Services Team and Internal Audit, with support from partner agencies.
- Legal action may be taken to recover properties and pursue prosecution where fraud is proven.
- Sub-tenant(s) who may be unaware of their unlawful situation will be offered guidance and support.
- Staff training and public awareness campaigns will be used to strengthen fraud prevention.

Introduction

Tenancy fraud can occur at various stages of a tenancy and in multiple forms. It undermines fair access to housing, misuses public resources, and can destabilise communities. This policy sets out Wigan Council's approach to identifying, preventing, and responding to tenancy fraud within its social housing stock.

The policy builds on national legislation such as the *Prevention of Social Housing Fraud Act 2013* and supports the Council's strategic commitment to fairness, transparency, and community wellbeing. It outlines the roles and responsibilities of staff, the types of fraud encountered, and the enforcement actions available.

This document is intended for use by housing professionals, partner agencies, and residents, and should be read in conjunction with related policies and procedures. It reflects Wigan Council's ongoing commitment to the *Progress with Unity* framework, ensuring housing services contribute to fair opportunities, thriving neighbourhoods, and effective well-run services.

Governance and Accountability

Wigan Council is committed to ensuring that tenancy fraud prevention is governed with transparency, accountability, and strategic oversight. The Service Manager for Tenancy Management holds overall responsibility for the implementation and review of this policy.

The Council's Housing Leadership Team will:

- Monitor performance against fraud prevention objectives.
- Review policy effectiveness annually and recommend updates.
- Ensure alignment with corporate governance frameworks and the Council's *Progress with Unity* missions.

Internal audits may be conducted to assess compliance with this policy and identify areas for improvement. Findings will be reported to senior management and used to inform future training and operational planning.

Aims and Objectives

Wigan Council will support the fair allocation and occupation of social housing to those in most need, in accordance with government guidelines and Wigan Councils Allocations Policy.

Frontline employees and customers in the neighbourhoods have a key role to play in the prevention and investigation of all aspects of tenancy fraud.

Wigan Council will ensure that any data whether received or shared by Wigan Council from or with third parties will be done so in accordance with our privacy notice and in accordance with the GDPR principles.

Wigan Council may also share information to meet its legal obligations, in connection with legal proceedings or where instructed to do so by court order, or to protect the vital interests of an individual.

This policy applies to all Wigan Council owned housing stock managed within the Housing Revenue Account.

This policy refers to the following:

- Prevention of Social Housing Fraud Act 2013
- The Housing Act 1985
- Wigan Councils Anti-Fraud, Bribery and Corruption Policy, Statement
- Equality Act 2010
- This policy contributes to the Council's *Progress with Unity* missions by promoting fairness in housing allocation, protecting community stability, and ensuring responsible use of public resources.

Types of Tenancy Fraud

This policy concentrates on the three main types of tenancy fraud:

- Fraudulently obtaining a social housing tenancy
- Unlawful occupation (subletting and key selling)
- Fraud involving the Right to Buy/ Right to Acquire

Fraudulently Obtaining a Social Housing Tenancy

Fraudulently obtaining a social housing tenancy can occur in several ways, including:

- Making a false claim on an application via the housing register
- Falsely assigning the tenancy to another individual or doing so without Wigan Councils permission
- Falsely claiming succession of a tenancy when one of our tenants passes away
- Falsely applying for a Mutual Exchange or conducting an exchange without the permission of Wigan Council.
- Making a false claim on a sole to joint application

Making a False Claim in an Application to Wigan Council

A false application can occur when an individual applies on the housing register and withholds relevant information or gives false or misleading information. It includes individuals who deliberately worsen their circumstances in order to gain priority on the housing register. A false application can also occur where individuals are ineligible for social housing due to their immigration status or where they have restrictions applied such as no recourse to public funds. If an individual already has a social housing tenancy elsewhere and they have failed to declare this it can also result in a false claim as they may be misrepresenting their need for social housing.

Applicants are responsible for informing Wigan Council if their circumstances change such as a change of address or change in household. A false claim can include when an individual has a change in circumstances prior to receiving an offer of accommodation and fail to declare it, resulting in an offer of a property that they do not qualify for.

Customers applying for social housing in the Wigan Borough will sign a declaration confirming that the information that they have given on their application is true and correct to the best of their knowledge. Customers are required to update their information on their application if their circumstances change. Any false information given or failure to supply any information requested may result in the loss of any home offered.

At the point of receiving a provisional offer of a property the Lettings Assistant will verify that the details we hold about an individual and their housing circumstances are correct to ensure the priority awarded is accurate and that they are eligible for the allocation. These checks may

include requesting proof of identity and eligibility for social housing if we do not already hold this or where it is not up to date.

At point the of sign-up the Neighbourhood Tenant Officer will verify the identity of the individual signing the tenancy agreement by obtaining photographic identification (ID). They will also seek the tenant's signed consent to take an ID photo that will be used to prevent instances of fraud and stored on the customer's account in line with GDPR.

At point the of sign-up, the Neighbourhood Tenant Officer will confirm the applicant's current circumstances with them to ensure they reflect the reason for rehousing and priority awarded on the rehousing list.

Making a False Claim on a Sole to Joint Application

Fraud can occur when a tenant applies to add another party to a tenancy to create a joint tenancy. They may misrepresent their circumstances. This may include where the person to be added to the tenancy has accommodation elsewhere for example, a social housing tenancy or own a property.

As part of the decision-making on whether to allow the tenancy change, the Tenancy Services team will verify the identity of the individual by obtaining photographic identification, they will carry out checks to ensure they are resident at the property where the tenancy is to be granted, the Neighbourhood Tenant Officer will obtain the tenant's signed consent to take an identification photograph to be used to prevent instances of fraud and stored on the customer's account.

Making a False Application for Assignment or Conducting an Assignment Without Wigan Council's Permission

A false application for assignment can occur when an individual applies for their tenancy to be assigned to another person who would not usually qualify. This can occur when the individual misrepresents their relationship to the tenant or the length of time that they have resided in the property. This can also occur when an application has false household members listed to satisfy occupancy rules attached to the assignment process.

If a tenant conducts an assignment without the permission of Wigan Council, the assignment would be invalid. The person remaining in the property would be unlawfully occupying the property and therefore legal proceedings may commence to take possession of the property.

Making a False Claim for Succession

Succession rights differ depending on the type of tenancy. Succession is potentially fraudulent when an individual misrepresents their relationship to the tenant or the length of time that they have resided with the tenant.

Care will be taken when dealing with cases of a suspected false claim for succession due to the sensitive nature of the situation. However, if Wigan Council identifies that an individual has made a false claim for succession. Wigan Council will inform the individual in writing of its knowledge of the false claim and the next steps for the occupier.

Making a False Application for a Mutual Exchange or Conducting an Exchange Without Wigan Council's Permission

A false application for Mutual Exchange can occur when an individual makes a false statement on their application for exchange, such as including false household members on an application to satisfy property occupancy.

If tenants move without the permission of Wigan Council, the exchange will be invalid, and Wigan Council will make a management decision regarding the occupancy of the individuals who have moved. This may include seeking possession of the properties involved.

For a Mutual Exchange to be valid, all parties must move into their respective exchange property. If Wigan Council is made aware that a party does not intend to move into the respective exchange property, then the exchange will be refused.

Wigan Council will carry out background checks on applicants to ensure that they do not currently own another property which could be their main home. Such checks may include reviewing the application for previous addresses, council tax records and the housing register. This is to ensure that housing stock is being allocated to those who are eligible and in need.

Wigan Council ensures that the staff members who deal with applications are different to those who allocate properties and the duties of the two teams are segregated.

Unlawful Occupation (subletting and key selling)

Subletting

Subletting refers to a tenant renting out part or all of their council property to another person without permission.

Key Selling

Key selling involves a tenant accepting payment in exchange for handing over the keys to a council property, effectively selling access.

Examples of Unlawful Occupation

Unlawful occupation may include, but is not limited to:

- A tenant moving out of the property and renting it to another individual without notifying or seeking permission from Wigan Council.
- A tenant accepting payment from another person in exchange for the keys to the property, effectively selling access without a formal tenancy agreement.

Consequences of Unlawful Occupation

Where unlawful occupation is identified, Wigan Council may:

- Initiate possession proceedings to recover the property.
- Seek an Unlawful Profit Order to recover any financial gain made through subletting or key selling.
- Consider criminal prosecution under the *Prevention of Social Housing Fraud Act 2013*.

Detection Methods

Unlawful occupation may be detected through:

- Reports from neighbours, staff, or partner agencies.
- Data matching with council tax records, DWP, and other internal systems.
- Home visits and verification checks by Neighbourhood Tenant Officers.

Support for Victims of Key Selling

Wigan Council recognises that individuals who have unknowingly entered unlawful arrangements may be vulnerable. In such cases:

- The Council will assess the individual's housing needs and provide guidance or signposting to appropriate services.
- Reasonable notice will be given to vacate the property, and support will be offered to prevent illegal eviction.

Preventative Measures

To prevent unlawful occupation, Wigan Council will:

- Provide clear information to tenants at sign-up regarding the consequences of subletting and key selling.
- Promote awareness through training, campaigns, and regular communication with tenants.
- Conduct periodic tenancy audits to verify occupancy and ensure compliance with tenancy agreements.

Wigan Council's Tenancy Agreement states

Occupying the Property

- The Tenant must at all times occupy the Property as their only or principal home. Where the tenancy is a joint tenancy then at all times at least one of the joint tenants must occupy the Property as their only or principal home.
- The Tenant must not leave the Property unoccupied for any single period in excess of 28 days without providing the Council with advance notice of such absence and of an intention to return (otherwise the Council may reasonably conclude that the Property has been abandoned and begin steps to recover possession of the Property).

Fraudulent claims for the Right to Buy/ Right to Acquire

Fraudulent claims can occur for the Right to Buy when a tenant includes an individual on their Right to Buy claim who would not usually be eligible to buy. This may be misrepresenting their relationship or how long the individual has occupied the property (if at all).

Fraud occurs if a tenant is not occupying the property as their only or principal home and makes a claim for the Right to Buy. In cases such as this, subletting may also occur.

Fraud occurs when an individual attains or claims additional discount by falsifying a tenancy history.

Instances of Right to Buy/ Right to Acquire fraud are prevented and detected by the Right to Buy team, who work in conjunction with the Tenancy Services Team and Internal Audit.

Data

Data will be shared with wider council teams and other agencies such as the DWP, to identify where a tenant may be providing false information on their living circumstances. Once a discrepancy has been identified, the case will be recorded on our case management system (JADU) and further investigation will take place.

Wigan Council will ensure that all tenants' personal data is requested and stored in accordance with its privacy notice and the General Data Protection Regulation.

This collaborative approach ensures that fraud is tackled holistically and that public resources are protected across organisational boundaries.

Awareness

In line with the *Progress with Unity* mission to make towns and neighbourhoods flourish, Wigan Council is committed to engaging residents and staff in the prevention and detection of tenancy fraud.

Local residents have a part to play in the prevention and detection of tenancy fraud as they are well placed to notice changes to a household. Wigan Council will encourage customers to report suspected fraud (anonymously if preferred), in the following ways:

- By telephone or in person
- By email to myhome@wigan.gov.uk
- By completing an online reporting form via Wigan Council website [Tenancies](#)

Front line employees have a part to play in the prevention and detection of tenancy fraud. Training will be provided to employees most likely to

encounter tenancy fraud. Awareness of tenancy fraud will be promoted throughout the organisation.

Wigan Council will regularly publicise fraud awareness information. This publicity will include Wigan Council's commitment to tackling tenancy fraud and taking possession action if necessary and examples of tenancy fraud where action has been taken and a successful outcome achieved.

Training and Capacity Building

Wigan Council will ensure that all relevant staff are equipped with the knowledge and skills to identify and respond to tenancy fraud. This includes:

- Mandatory induction training for new staff in housing and tenancy services.
- Annual refresher training for frontline staff and managers.
- Specialist training for officers involved in investigations and enforcement.

Training will cover fraud types, legal frameworks, data protection, and ethical considerations. Evaluation of training effectiveness will be conducted through feedback and performance monitoring.

This commitment to staff development supports the Council's mission to deliver well-run services and uphold public trust.

Partnership Working

Effective prevention and detection of tenancy fraud rely on strong collaboration between Wigan Council and its partners. The Council will work closely with:

- The Department for Work and Pensions (DWP)
- Council Tax and Revenues teams
- The Police
- The National Anti-Fraud Network (NAFN)
- Registered Providers and Housing Associations

Information-sharing agreements will be maintained in line with General Data Protection Regulation (GDPR) and the Council's privacy notice. Joint investigations may be undertaken where appropriate, and referrals will be made to partner agencies when fraud indicators are identified.

Investigation

The responsibility for investigations of suspected cases of tenancy fraud is shared between the Tenancy Services Team and Internal Audit

The Neighbourhood Tenant Officer will conduct desktop investigations in relation to suspected instances of tenancy fraud. Linking in with wider council teams and partner such as Council Tax and the DWP.

They will review the data retained about the tenancy, and further checks completed via the National Anti-Fraud Network (NAFN). Officers will work closely with Wigan Councils Internal Audit team.

The Neighbourhood Tenant Officer will conduct home visits to the property to confirm who is in occupancy at the address and where possible obtain statements from sub-tenant(s).

Once enough evidence has been found the lead officer will interview the tenant to present fraud concerns, this may be a joint interview with a Counter Fraud Officer from Internal Audit, or individual interviews depending on the type of fraud highlighted.

These investigation practices reflect the Council's commitment to transparency and accountability, key principles of the *Progress with Unity* framework.

Recovery of the Property and Unlawful Profits

Secure tenants lose their security of tenure if they have sublet or parted with possession of the whole of their property. Security of tenure is not regained by moving back into the property.

When it has been established that tenancy fraud is taking place, steps will be taken to recover possession of the property.

A tenant may choose to terminate their tenancy at any point during the investigation or possession process

Consideration will be made with every claim for possession to include an unlawful profit order for unlawful profits made from the fraudulent activity.

Prosecution

Tenancy fraud can lead to a criminal prosecution. Wigan Council will consider prosecution for every proven case. Any decision to pursue prosecution will be taken in accordance with Wigan Council's Fraud Prosecutions, Sanctions and Redress Policy.

Monitoring and Performance Reporting

To ensure continuous improvement, Wigan Council will monitor the effectiveness of its tenancy fraud prevention measures. Key performance indicators (KPIs) will include:

- Number of fraud cases identified and investigated.
- Properties recovered due to proven fraud.
- Unlawful profit orders obtained.
- Prosecutions pursued and outcomes achieved.

Performance data will be reviewed quarterly by the Housing Leadership Team and reported annually to elected members. Where appropriate, anonymised case studies will be shared with the public to demonstrate the Council's commitment to tackling fraud.

This approach supports transparency and accountability in line with the *Progress with Unity* framework.

In accordance with the reporting framework set out in the Council's Anti-Fraud, Bribery and Corruption Strategy, the Chief Internal Auditor submits an Annual Fraud Report and regular progress updates to the Audit, Standards and Governance Committee. These reports will include summary information on investigations into tenancy fraud once outcomes have been confirmed.

Support for Sub-tenant(s)

Wigan Council is aware that sub-tenant(s) may not be aware that they are using the property unlawfully and they can be victims of their housing situation.

Sub-tenant(s) could be vulnerable to illegal eviction by the tenant once the situation is uncovered. Wigan Council will seek to support sub-tenant(s) and provide them with guidance in relation to their housing situation.

Wigan Council will give reasonable notice to sub-tenant(s) to leave the property.

Equality and Diversity

We are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.

Data protection and equality impact assessments have been undertaken in respect of this policy and which identified no negative impact on any person/group with a protected characteristic as a result of this policy.

This approach supports the *Progress with Unity* mission to create fair opportunities for all, ensuring that housing services are inclusive and equitable.

Complaints and Feedback

Complaints

Unfortunately, we don't always get things right, if a customer is unhappy with the service, they have received from Wigan Council, we ask that they let us know. We are committed to making it easy for anyone who is unhappy with a service, or experience provided by the Council, to tell us about it. Where customers require additional support, we will endeavour to provide a service that seeks to meet the needs of a particular individual or household.

You can make a complaint to us in whichever way is easiest for you.

- Use our online form at www.wigan.gov.uk/contactus
- Email us at complaints@wigan.gov.uk
- Phone us on (01942) 827607
- Write to us at the Complaints and Information team, PO Box 100, Wigan, WN1 3DS
- Call into any public Council office

In cases where we cannot resolve complaints informally, complaints are dealt with in line with Wigan Council Complaints Policy and a Stage 1 and

Stage 2 complaints process is followed. If a customer remains unhappy and are not satisfied with our response, they can appeal through the Housing Ombudsman service, the Local Government Ombudsman, or their local MP.

How to complain to the Housing Ombudsman

- Use the online complaint form at [Make a complaint - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)
- Phone them on 0300 111 3000
- Email: info@housing-ombudsman.org.uk

How to complain to the Local Government Social Care Ombudsman

- Use the online complaint form at [Contact us - Local Government and Social Care Ombudsman](#)
- Phone them on 0300 061 0614

Feedback

It is vital we know what our customers think and that is why your feedback and suggestions are important to us.

Tell us about any feedback or suggestions you have that might make our services better or more efficient

Let us know if we have given you a good service.

This helps us to understand what is important to you and to share good practice so that we can improve our services. Use this link to complete the online form [Give us feedback](#)

Review and Version Control

This policy will be reviewed every two years or sooner if required by legislative changes or operational needs. The Service Manager for Tenancy Management is responsible for coordinating the review process.

A version control table will be maintained to track amendments and ensure clarity on the current policy status.

Version	Date Approved	Summary of Changes	Approved by
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1.0	January 2026	New policy issued – Tenancy Fraud Policy 2026	Full Council
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