
Regulator's Compliance Code: Statement

From 1 April 2008, the Regulator's Compliance Code becomes compulsory. Housing and Property Services enforcement policies and procedures have regard to the provisions of the Code.

Scope of Enforcement

- It is the aim of Housing and Property Services to secure effective compliance with the Council's Conditions of Tenancy and other legislation relevant to the conduct of a Council tenancy.

General Principles of Enforcement

- The general principle underpinning the enforcement process is one of persuasion, education and support and recognises that each case will present with a different set of circumstances which may require a range of responses.
- It is recognized that statutory enforcement action, such as Possession Proceedings, is often not appropriate or necessary, or an efficient use of limited resources.
- Enforcement procedures will always follow statutory requirements and guidance and prosecution will generally be a last resort where the situation presents little or no alternative.
- Housing and Property Services will endeavour to ensure that all the requirements of the Tenancy are promptly and effectively communicated to tenants at the commencement of a Tenancy and throughout the period of the Tenancy when necessary.
- Housing and Property Services will ensure that the reasons for any formal enforcement action are explained to the person against whom any enforcement action is being taken. These reasons will be confirmed in writing at the earliest opportunity. Complaints and relevant appeals and review procedures will also be explained at the same time.
- Housing and Property Services will ensure that its officers interpret and apply enforcement policies fairly and consistently.
- Enforcement activities will be carried out in a way which is transparent, accountable, proportionate and consistent.
- In carrying out its enforcement role, Housing and Property Services will have regard to the rights of individuals and affected parties and will, in particular, take into account the requirements and principles of the Human Rights Act 1998, Regulation of Investigatory Powers Act 2000, the Data Protection Act 1998, and the Freedom of Information Act 2000.