

Islington Tenancy Strategy



ISLINGTON
For a more equal future

Introduction

The key aim of our strategy is to ensure that the council and its partners address the housing need of the borough and that it is in alignment with the council's commitment to building a more equal future for Islington.

This Tenancy Strategy should have regard to the council's own approach to addressing housing need in Islington to ensure that social housing is allocated fairly and with priority to those in the greatest housing need.

This Tenancy Strategy fulfils our statutory duty under the Localism Act, providing a framework for social housing registered providers (RPs), operating in the borough who are obliged to have regard to all matters the council sets out in its tenancy strategy in setting their own landlord policies on tenure and rents:

- Type of tenancies that should be offered by social housing in the borough
- Circumstances in which social landlords could grant a tenancy of a particular kind
- Length of fixed-term tenancies
- Circumstances in which a fixed term tenancy should be renewed
- Local approach to rent levels and our position with regard to affordable rent.
- Our approach to working with our partners to help meet the housing needs of local people.

Our Aims and Objectives

This strategy sets out our approach and priorities to promote mixed and stable communities in the borough by providing guidance to social housing providers to inform their policies and practices on tenure and rents.

There is a serious shortage of affordable housing, particularly homes for social rent, that can only be addressed in the longer term through new supply and even if expected rates of development increased significantly, this could take many years.

To make Islington a fairer place, the council believes social housing should promote mixed and stable communities. It therefore does not support an approach that seeks to move on council tenants, including vulnerable and other people, to home ownership and private rented sector housing unless that this is an expressed and informed choice. The council does not support the approach of submitting tenants to a second assessment of their housing circumstances after a fixed term based on criteria adopted by social housing providers.

Recognising the issue of limited supply, we support the allocation of social housing on the basis of housing need and the provision of incentives, information and support to help tenants move into other tenures and otherwise increase mobility within social housing for example by helping under-occupying tenants to move and facilitating moves by way of exchange schemes.

As affordability is a real issue for our residents, we encourage social housing providers to continue to offer tenancies at social rent. The ongoing impact of welfare reforms now compounded by the Cost of Living crisis will make it increasingly difficult for families to access affordable housing and the guidance we are providing to registered housing providers seeks to minimise the impact on Islington residents.

Islington Council will work with our partners to meet the aims of this strategy:

1. Promote mixed and stable communities through the provision of lifetime secure (or assured tenancies)
2. Maximise the availability of social rented homes for Islington residents
3. Promote fairness and choice.

Islington Context

Islington is a borough where people like to live; in our last residents' survey 91% residents said they enjoyed living in Islington and 92% said it's a place where people from different backgrounds get along well together.

It is one of the smallest and most densely populated boroughs in London, much of the borough is already built up, resulting in a scarcity of land for new housing.

- **Population:** Estimated at 245,827 in 2022, an increase of approximately 19% since 2011
- **Households:** 108,800, with an average of 2.1 people per household
- **Social housing:** The council is a landlord to 42.1% of Islington's population, the third highest percentage in London
- **Diversity:** Over a quarter of residents are from Black and Minority Ethnic communities. 57% are under 35, with fewer older people and children compared to London as a whole
- **Deprivation:** Islington moved from the 24th most deprived local authority in England in 2015 to the 53rd in 2019 (out of 317). It is now the 6th most deprived in London
- **Disability:** Estimated 36,656 residents with a disability in 2021 (15% of the population)
- **Children in low income households:** 28% of children under 16 (10th highest in the country)
- **Green space:** Only 13% of the borough's land is green space, the second lowest in the country.

Housing in Islington

Both house prices and rents are high in Islington and access to genuinely affordable housing remains one of the borough's biggest challenges.

Between 2009 and the end of August 2023, the council has built 580 new high quality, genuinely affordable council homes.

Our residents have told us that housing is a top concern for them and it is widely acknowledged by multiple recent studies that housing costs are becoming unaffordable for households.

- **Housing affordability:** has worsened over the last two decades, particularly in London. Driven by house prices increasing faster than earnings, the average lower quartile home in the borough costed £475,000 in 2021 and the median house price was 14.73 times average earnings in 2021. For households receiving Universal Credit, welfare reform changes introduced in 2011 and ongoing with the local housing allowance rate freeze make the private rented sector in Islington further unaffordable with the consistent reduction in the number of claimant households suggesting that the private rented sector is out of reach for many claimants.
- **Affordable housing:** is roughly defined as accounting for 30% of an individual's net income. Across inner London, median rent was £1,650 in 2021 and median rent for a 2 bedroom property in Islington was £1,880, the 4th most expensive in London and over 50% of monthly gross earnings.
- **Temporary accommodation:** the unavailability of affordable housing in the borough leads to a considerable number of households living in unsuitable or temporary housing and unmet demand for social housing as characterised by a council waiting list in 2021-22 of over 14,500 households with only 1089 properties, housing just 7% of people on the housing register. Over 40% of these re-let homes were studios or one-bedroom properties.

Related housing policies

The Tenancy Strategy provides additional guidance on the types of tenancy and rent levels for Registered Providers developing in Islington. It is aligned with our **Allocations Policy** which sets out how we prioritise who can be offered a social housing tenancy and our **Homelessness Prevention and Rough Sleeping Strategy** which sets out our approach to the prevention and tackling of homelessness and rough sleeping in Islington.

The Strategy is aligned with local strategies including the **Islington Corporate Strategy** that determines the council's priorities and the **Homes and Neighbourhoods Housing Strategy** that sets out the council's priorities for housing in the borough.

islington.gov.uk/housing

Tenancy Strategy: **Islington approach**

This section sets out the type of tenancies that Islington Council wishes to promote, our guidance on affordability and what we expect social housing providers to have regard to in their landlord policies on tenure.

Tenancy framework

Tenancy type

We support lifetime secure tenancies for all new social rented tenancies. To make access to social housing fairer, consistent and easier to understand for existing and potential new tenants. It will also help promote mobility amongst existing tenants, increasing. The council does not support fixed term tenancies as the universal tenure for new tenants of social housing and wishes to see all social housing continue to be offered on lifetime tenancies in line with the Council's preferred approach.

Tenancy length

We support lifetime secure tenancies for all new social rented tenancies.

Our strong preference is to see a level playing field for all social housing tenants in the borough through provision of lifetime tenancies, where RPs are considering introducing fixed term tenancies, we would wish to see that costs and risks associated with not providing longer term tenancies are taken into account including:

- Tenancy reviews
- Possession proceedings
- Increased void periods and re-letting provision of advice and assistance
- Condition of homes – tenants often invest in maintenance and improvement
- Impact on the social capital and community engagement.

Where, having had due regard to the Islington strategic policy on tenure an RP does propose to use fixed term tenancies, we would recommend a minimum of a 10 year fixed term should be offered, with lifetime tenancies for families and other vulnerable households. All fixed term tenancies should have a reasonable built in review timeline period that is part of an open, transparent and fair process (see below).

We believe that where registered providers opt for fixed-term tenancies, families and vulnerable households that have a continuing long-term need for support or care should continue to be offered lifetime secure social tenancies as their circumstances are unlikely to change over the period of a fixed term tenancy and they and their local communities are most likely to benefit from their being afforded a secure and stable home. Vulnerable tenants are likely to include: older tenants in general needs housing as well as those living in sheltered housing or extra care housing, tenants with a learning disability or enduring mental health issues, and/or people with a physical disability.

In any event we would expect RPs to reflect the needs of all members of local communities in their landlord policy on tenure with their position supported by a robust equality impact assessment.

Introductory or Probationary Tenancies

The Council is aware that a number of RPs have or will be introducing probationary tenancies prior to the allocation of a fixed-term (or new lifetime) tenancy. The Council itself has reviewed its position with regard to the use of introductory tenancies and has consulted with our tenants on whether we should introduce for new council tenants in Islington. This has been supported, particularly in assisting in mitigating the impact of anti-social behaviour. In adopting introductory tenancies we do, however, not expect these to last longer than 12 months.

Review process

Where fixed term tenancies are offered by social housing providers the Council would expect that these would be renewed on the same terms as previously granted where the circumstances of the tenant has not materially changed and/or they have expressed a wish to remain in their home. A new tenancy should be granted and no tenant should be left without a suitable tenancy at the end of a fixed term period. In determining suitability relevant factors would include being able to retain roots in the local community as well as availability of alternative affordable housing options in their preferred area that would provide a safe and secure future for local families.

RPs should communicate very clearly at the outset the basis on which they will decide whether to renew a fixed term tenancy so that new residents can feel settled in their new home and start connecting with their local area.

Prior to any tenancy sign up, we would expect RPs to undertake an affordability assessment as part of the tenancy review process. This would help ensure tenancies are sustainable and ensure landlords are able to advise and signpost households to the most appropriate housing solution. It is also important that tenants are offered help to access benefits and manage their household budget and paying bills in relation to the costs of their home.

The Council is very clear that the review process should not be used as a tool to deal with issues that could be addressed through effective housing management and/or tenancy support at an earlier stage. In other words, a failure to tackle problems of rent arrears and ASB should not automatically result in a tenancy not being renewed upon the expiry of the fixed term.

The Council may introduce changes as part of the review of the Allocations Scheme. We would expect RPs to have due regard to any changes that may be agreed to ensure their landlord policy on tenure remains consistent with the Allocations Scheme.

We would strongly discourage RPs from using income as the sole reason for a tenancy to not be renewed. Our view is that information on household income will be difficult to gather and monitor effectively by social housing landlords, and disregards all other options available to higher earning households.

Should an RP decide to include income as a relevant consideration in determining whether to renew a fixed term tenancy then income thresholds should have regard to the affordability and sustainability of alternative suitable housing, including private sector and low cost homeownership opportunities and their availability in the borough. Affordability should take into account the percentage of net income that would be required to meet housing costs, with levels above 35% generally considered to be unaffordable. They should take into account likely future income as well as previous earnings to ensure other housing options, other than Affordable Rent, are sustainable.

There are often other factors that need to be taken into account in determining the suitability and affordability of private sector housing options but even those on higher incomes could find it difficult to afford private sector rents or purchase their own home in Islington and may be forced to move elsewhere away from their family, community and other support networks.

The following factors may be considered relevant in the review and where the tenancy will not normally be renewed:

- The tenant or household has been convicted of criminal activity related to their property
- There has been a serious breach of the terms of their tenancy, noting our view about effective housing management
- The property is under occupied by one bedroom or more. The tenant should be provided with an option to move to smaller accommodation appropriate to their household size if they find themselves in a property that is too big for their needs in an area of their choice, including being able to remain in the local community

- The property has been extensively adapted for someone with a disability who no longer lives there. This allows the property to be released for someone who will benefit from the adaptations.

There may be circumstances where, even if the above criteria applied, that it would be unreasonable to expect tenants to move. These include:

- Tenant or member of household suffering from a terminal illness
- Tenant or member of the household has a disability (to be verified by occupational therapy/ community care assessment)
- Tenant has children attending a local school
- Tenant is a foster carer and the tenancy enables them to continue in this role
- The tenant is a care leaver and is still receiving support from Adult Social Care
- Tenant is participating in a Family Intervention Project programme

Tenancy termination

Housing reviews undertaken at the end of a fixed term tenancies should be used as a positive, supportive process for social housing tenants. Our expectation is that tenancies will be renewed in most cases unless there are exceptional reasons for not doing so or because the tenant has expressed a wish to explore alternative housing options.

The review process should be conducted at a sufficiently early stage, not less than six months before the expiry of the fixed term to allow alternative options to be considered and identified before the end of the tenancy.

The tenant will need to be provided with written notice containing the reasons for the decision and informing them of their right to appeal and explaining the appeal process. Notice should be served at least two months before the end of the fixed tenancy term in accordance with the requirements set out in the Localism Act 2011.

Advice and assistance

It is essential that should a review end with a decision that the tenancy should not be renewed, proactive support and assistance is put in place to enable the tenant to search for and secure suitable and affordable alternative housing options in Islington and/or their other areas of choice.

The council would also expect to be notified about any potential non-renewal cases and details of the advice and assistance that has been offered by the RP to help the tenants find a new home.

RPs should be aware of their obligations to assist local authorities in exercising their duties towards those who are homeless or threatened with homelessness. We would, therefore, expect to see an emphasis on reducing the risk of homelessness when decisions are made not to renew tenancies and a robust housing options process in place to ensure that all available options are considered with the affected tenant at an early stage in the review process.

If the tenant moves to a private rented property, the new tenancy should be for a minimum of 12 months to provide stability to the household and minimise the risk of future homelessness.

Tenancy succession

The Localism Act introduced changes to succession rights for tenancies starting after 1 April 2012.

The council's policy on succession is set out in our Allocation Scheme 2024:

islington.gov.uk/housing/finding-a-home/council-housing/how-we-allocate-housing

Rent levels

The majority of housing need in Islington is for affordable housing, in particular, social rented accommodation.

Islington's approach to delivering affordable housing is set out in our Local Plan which provides the borough's foundation for planning decisions and future developments in Islington. Islington's current Local Plan was adopted in September 2023.

The tenure of affordable housing must be genuinely affordable and address the needs identified in local evidence, which suggests that the majority of Islington's housing need is for rented accommodation at or below social rents. One of the key statistics from this local evidence is that almost half of Islington households cannot afford target rent. A quarter of households can afford target rent based on this income/rent ratio, and only approximately a fifth of households can afford 80% of market rent or market rent. Therefore, maximising the delivery of social rented homes is the Council's absolute priority. Around two thirds of council tenants are in receipt of housing benefit (full or partial). We would wish to see more residents able to secure and be able to sustain employment which means rent levels should remain genuinely affordable.

We would wish to ensure that housing costs are affordable to those whose net income, whether through earned income or benefits or a combination thereof, is no more than the benefit cap levels. In assessing affordability we would expect that no more than 35% of net income should be used towards housing costs. As we have higher demand from single people for housing in the borough, we would expect smaller one bed homes to be available to and affordable by single person households.

Monitoring and review

The Localism Act requires that: **“A local housing authority must keep its tenancy strategy under review, and may modify or replace from time to time”.**

The Tenancy Strategy will be kept under review so that it remains responsive to changing housing needs. The impact of the strategy will be managed in consultation with key stakeholders including Registered Providers, other council departments and by engaging with our residents.

Excerpt from the Regulatory Framework for Social Housing in England

Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud.

We expect that social housing landlords will consult widely with their tenants and other key stakeholders, including local authorities, and to be able to fully demonstrate that they have had due regard to our tenancy strategy on developing and reviewing their landlord policy. A copy should also be made available on their website and hard copies provided free of charge upon request.

Individual social housing landlord policies will also need to pay due regard to the London specific housing and planning policies.

Do you need this information in another language or reading format such as Braille, large print, audio or Easy Read? Please contact 020 7527 2000.

To find out more information please contact:

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