

# Customer Access Review – Full Assessment

<b>Assessment details</b>	
<b>Assessment area</b>	<b>Demoted Tenancy Policy</b>
<b>Date of assessment</b>	February 2026
<b>Directorate and Service</b>	Housing & Public Protection, Housing Services
<b>Manager</b>	Tenancy Services Manager
<b>Officer conducting assessment</b>	Senior Housing Policy & Performance Officer
<b>Step 1: Scoping the assessment</b>	
<b>1. What are the aims and objectives of the activity or proposal?</b>	<p>The Demoted Tenancy Policy is an existing policy that outlines Dartford Borough Council’s approach to the use of demoted tenancies.</p> <p>Demoting tenancies is a tool to tackle anti-social behaviour where the Council, as a social housing landlord, can apply to the Court to end a secure tenancy and replace it with a demoted form of tenancy for 12 months. The tenant has reduced security of tenure, and demotion removes a number of tenancy rights, thereby acting as a positive incentive to the tenant to change their behaviour. If the behaviour improves, the demoted tenancy will revert to a secure tenancy after the 12-month demotion period. If the behaviour does not improve or worsens, swift action can be taken to end the tenancy through possession proceedings.</p> <p>The aims of the policy are to:</p> <ul style="list-style-type: none"> <li>• Encourage and support tenant’s awareness of their obligations and responsibilities as detailed in the current secure Tenancy Agreement and to make clear that breaches of the Agreement may result in a demotion order being sought by the Council</li> <li>• Provide a procedure that outlines how the Council can apply for a demotion order and how to end a demoted tenancy to ensure that cases are not dismissed from court because applications have been incorrectly issued</li> <li>• Offer an alternative option to requests for possession orders in cases of anti-social behaviour</li> <li>• Administer the use of demotion orders in a fair and consistent manner</li> <li>• Contribute towards promoting safe and sustainable communities within the Borough</li> </ul>

# Customer Access Review – Full Assessment

<b>Step 1: Scoping the assessment</b>	
	<p>The policy has been reviewed to ensure it remains up to date and this assessment has been carried out in conjunction with the review. The main proposed updates to the policy include the following:</p> <ul style="list-style-type: none"> <li>• Updated reference to relevant legislation and regulations</li> <li>• Updated reference to relevant Council policies and documents</li> <li>• Updated Tenancy Agreement conditions</li> <li>• Addition of explanation of the Pre-Action Protocol for Possession Claims by Social Landlords process used when issuing possession proceedings</li> <li>• Addition of a complaints section</li> <li>• Addition of a data protection section</li> <li>• Addition of an equality and diversity section</li> <li>• Amendment of the policy review frequency from 'regular review' to every three years</li> </ul>
<b>2. Who will be affected by the activity or proposal?</b>	<p>The Demoted Tenancy Policy will affect secure tenants of Dartford Borough Council.</p>
<b>3. How does the activity or proposal contribute to:</b> <b>a) any key performance indicators?</b> <b>b) policies, values or objectives of Dartford Borough Council?</b>	<p>a) The Demoted Tenancy Policy contributes to the following Corporate Plan 2024-2027 performance indicators:</p> <ul style="list-style-type: none"> <li>• Number of reported anti-social behaviour incidents in the Borough by the Police.</li> <li>• Number of Community Protection Warnings issued.</li> <li>• Number of Community Protection Notices issued.</li> </ul> <p>The policy also contributes to the following Tenant Satisfaction Measures collected by the Housing Service:</p> <ul style="list-style-type: none"> <li>• Satisfaction with the approach to handling anti-social behaviour.</li> <li>• Number of anti-social behaviour cases opened per 1,000 homes.</li> <li>• Number of anti-social behaviour cases that involve hate incidents opened per 1,000 homes.</li> </ul> <p>b) The policy contributes to the following Corporate Plan safety and housing objectives to:</p> <ul style="list-style-type: none"> <li>• Utilise the tools and powers available to the Council to tackle anti-social behaviour.</li> <li>• Provide a high quality and responsive housing service that's built on respect for aspiring and existing tenants. We want to be practical, honest and straightforward in all the information and advice we give.</li> <li>• Strive for full compliance with the Regulator of Social Housing's consumer standards in delivering good quality homes and services to the tenants that live in our homes.</li> </ul>

# Customer Access Review – Full Assessment

<b>Step 1: Scoping the assessment</b>	
<p><b>4. Which aspects of the activity or proposal are dictated by legislation/regulation and where do we have discretion in how they are delivered?</b></p>	<p>The Demoted Tenancy Policy and its delivery is intended to be compatible with the Council’s obligations consequent to all relevant legislation and regulations including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Anti-social Behaviour Act 2003</li> <li>• Housing Act 1985</li> <li>• Housing Act 1996</li> <li>• Demoted Tenants (Review) Regulations 2004 – Statutory Instrument 2004 No. 1679</li> <li>• Part 55 and Part 65 of the Civil Procedure Rules</li> <li>• Pre-action Protocol for Possession Cases by Social Landlords</li> <li>• Neighbourhood and Community Standard</li> <li>• Equality Act 2010</li> <li>• Anti-Social Behaviour, Crime and Policing Act 2014</li> <li>• Care Act 2014</li> <li>• Human Rights Act 1998</li> <li>• Data Protection Act 2018</li> <li>• UK GDPR</li> </ul> <p>Discretion is exercised in many of the powers and tools that the Council can choose to use to tackle anti-social behaviour, including the use of demoting tenancies. The Council’s response to reports of anti-social behaviour are based upon what is considered to be proportionate and appropriate. Action taken by the Council will be specific to each situation based on the circumstances. The procedures contained in the Demoted Tenancy Policy are largely prescribed by legislation, statutory guidance and court procedures.</p>
<b>Step 2: Information collection</b>	
<p><b>5. What do you know about the groups of people who will be affected?</b> (i.e. demographic information in relation to the protected characteristic groups of age, disability, pregnancy and maternity, religion or belief, race,</p>	<p><b><u>HOUSING SERVICE – PROFILE OF TENANTS</u></b></p> <p><b>Tenant profile</b> – The Council owns and manages a housing stock of 4,194 properties. Information in relation to profile of Council tenants (Tenant 1 data) is captured by the Housing Service, as follows:</p>

# Customer Access Review – Full Assessment

Step 2: Information collection				
sex, sexual orientation, gender reassignment, marriage and civil partnership)	<b>Age</b>	Under 25	2.09%	
		25 to 35	11.59%	
		36 to 45	17.94%	
		46 to 55	17.99%	
		56 to 65	21.30%	
		66 to 74	15.27%	
		75 and over	13.54%	
		Unknown	0.29%	
	<b>Sex</b>	Male	33.37%	
		Female	66.63%	
	<b>Race</b>	White	54.80%	
		Mixed	1.88%	
		Asian or Asian British	1.35%	
		Black or Black British	1.44%	
		Chinese or other Ethnic Group	0.17%	
		Unknown/prefer not to say	30.37%	
	<b>Disability</b>	No disability/vulnerability/support need	74.44%	
		Disability/vulnerability/support need	25.56%	
	<b><u>HOUSING SERVICE – ANTI-SOCIAL BEHAVIOUR CASE LOAD</u></b>			
	<b>Year</b>		<b>Number of anti-social behaviour cases</b>	
	2022-23		443	
	2023-24		148	
2024-25 (Q1 – Q3)		286		
<b>Year</b>		<b>Number of anti-social behaviour cases that involve hate incidents</b>		
2022-23		1		
2023-24		0		
2024-25 (Q1 – Q3)		3		

# Customer Access Review – Full Assessment

Step 2: Information collection																						
	<p><b><u>HOUSING SERVICE – TENANT SATISFACTION MEASURES</u></b></p> <table border="1" data-bbox="663 316 2121 424"> <thead> <tr> <th>Year</th> <th>Number of anti-social behaviour cases opened per 1,000 homes</th> </tr> </thead> <tbody> <tr> <td>2023-24</td> <td>35.1</td> </tr> <tr> <td>2024-25 (Q1 – Q3)</td> <td>68.2</td> </tr> </tbody> </table> <table border="1" data-bbox="663 461 2121 604"> <thead> <tr> <th>Year</th> <th>Number of anti-social behaviour cases that involve hate incidents opened per 1,000 homes</th> </tr> </thead> <tbody> <tr> <td>2023-24</td> <td>0</td> </tr> <tr> <td>2024-25 (Q1 – Q3)</td> <td>0.7</td> </tr> </tbody> </table> <table border="1" data-bbox="663 641 2121 785"> <thead> <tr> <th>Year</th> <th>Satisfaction with the approach to handling anti-social behaviour</th> </tr> </thead> <tbody> <tr> <td>2023-24</td> <td>51.1%</td> </tr> <tr> <td>2024-25</td> <td>54.8%</td> </tr> <tr> <td>2025-26</td> <td>57.5%</td> </tr> </tbody> </table>		Year	Number of anti-social behaviour cases opened per 1,000 homes	2023-24	35.1	2024-25 (Q1 – Q3)	68.2	Year	Number of anti-social behaviour cases that involve hate incidents opened per 1,000 homes	2023-24	0	2024-25 (Q1 – Q3)	0.7	Year	Satisfaction with the approach to handling anti-social behaviour	2023-24	51.1%	2024-25	54.8%	2025-26	57.5%
Year	Number of anti-social behaviour cases opened per 1,000 homes																					
2023-24	35.1																					
2024-25 (Q1 – Q3)	68.2																					
Year	Number of anti-social behaviour cases that involve hate incidents opened per 1,000 homes																					
2023-24	0																					
2024-25 (Q1 – Q3)	0.7																					
Year	Satisfaction with the approach to handling anti-social behaviour																					
2023-24	51.1%																					
2024-25	54.8%																					
2025-26	57.5%																					
<p><b>6. What consultation has taken place with affected groups? Please describe who was consulted and the key findings</b></p>	<p>Consultation will be carried out to inform the review of the Demoted Tenancy Policy, as set out below in question 7.</p>																					
<p><b>7. Are there any gaps in information? If so, what additional research and/or consultation is needed to ensure that affected groups needs and views are taken into account?</b></p>	<p><b>Internal consultation</b> – Council officers will be consulted in the review of the Demoted Tenancy Policy.</p> <p><b>Tenant consultation</b> – The Council is committed to ensuring the voice of residents is heard on matters that affect them. The Regulator of Social Housing places a requirement on social housing landlords to comply with the Transparency, Influence and Accountability Standard 2024, by ensuring that residents are given a wide range of opportunities to influence and be involved in the formulation of their landlord’s housing-related policies and strategies. Consultation with Council tenants will be undertaken, as follows:</p> <ol style="list-style-type: none"> <li>1. All Council tenants will be invited to comment on the proposed updated Demoted Tenancy Policy.</li> <li>2. The Dartford Tenants’ and Leaseholders’ Forum (DTLF) will be invited to comment on the proposed updated Demoted Tenancy Policy. The DTLF aims to ensure that the services delivered by the Council are accessible to all.</li> </ol>																					

# Customer Access Review – Full Assessment

Step 2: Information collection	
	<p>3. The Forum works as a group to ensure that the views and housing needs of residents are recognised and addressed by the Council, and that those needs and views are placed at the centre of housing services delivery.</p> <p>4. The Housing Advisory Board (HAB) will be invited to comment on the proposed updated Demoted Tenancy Policy. The HAB considers reports on proposed policy, strategy and performance in relation to housing issues and makes recommendations to Cabinet as appropriate. The HAB includes representation from Council officers, elected Members and DTLF members.</p> <p><b>Wider public and external agency consultation</b> – Members of the wider public and external agencies will have the opportunity to provide feedback on the draft Demoted Tenancy Policy through the dedicated consultation webpage on the Council’s website.</p>

## Step 3: Assessing the equality impact

<p><b>8. Consider whether the activity or proposal has or will have any positive or negative equality impacts on the protected characteristic groups in relation to the following aims of the Public Sector Equality Duty:</b></p> <p><b>a) tackling unlawful discrimination</b>  <b>b) promoting equality of opportunity</b>  <b>c) promoting good relations</b></p> <p><u>NOTES:</u></p> <ul style="list-style-type: none"> <li>• The Initial Screening will have identified which aims of the Public Sector Equality Duty are relevant to the activity or proposal for consideration</li> <li>• For existing activities, consider how they are working in practice for each relevant protected group</li> <li>• For new proposals, consider whether there is anything that could give rise to positive and negative equality impacts for each relevant protected group</li> <li>• If there is no identified equality impact, please tick the ‘No Impact’ box and explain why in question 9</li> <li>• If the equality impact is unclear, please tick the ‘Unknown’ box and explain why in question 9</li> </ul>
--

## Customer Access Review – Full Assessment

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
<b>Age</b>	<p>Careful assessment will be made to the suitability of demotion, particularly where the tenant causing the anti-social behaviour is vulnerable (for example, vulnerable due to age). This includes considering any involvement with other agencies in terms of referrals, for example, to social services, mental health services, education, and youth offending services. The Council will liaise with the tenants' support networks or connect them to support services if they are not already engaged.</p> <p>Where possession proceedings are being considered after demotion due to further breaches of the Tenancy Agreement, the Council will follow the Pre-Action Protocol for Possession Claims by Social Landlords. This includes that:</p> <ul style="list-style-type: none"> <li>• where the Council is aware that the tenant has difficulty in reading or understanding information given, it should take reasonable steps to ensure that the tenant understands any information given and be able to demonstrate this.</li> <li>• if the Council is aware that the tenant is particularly vulnerable, it will consider at an early stage: whether or not the tenant has the mental capacity to defend possession proceedings and the extent to which CPR 21 applies; whether or not any issues arise</li> </ul>		<input type="checkbox"/>	<input type="checkbox"/>

## Customer Access Review – Full Assessment

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>under the Equality Act 2010; and whether or not there is a need for a community care assessment in accordance with the Care Act 2014.</p> <p>If the Council decides to start possession proceedings and serves a Notice of Possession Proceedings, the demoted tenant has a right to an internal review of the Council’s decision to serve the Notice. To ensure impartiality and fairness, the review is carried out by a senior officer who has not been involved in the case.</p> <p>The Council recognises that it is important that people with specific communication needs can obtain support for this when accessing services. In accordance with the Council’s Equality &amp; Diversity Document Framework, information can be provided in alternative formats to people with sensory needs including, Braille, audio tape and large print versions of documents, and British Sign Language interpreting. Calls can be received via Relay UK.</p>			
<b>Disability</b>	Careful assessment will be made to the suitability of demotion, particularly where the tenant causing the anti-social behaviour is vulnerable (for example, vulnerable due to disability). This includes considering any involvement with other agencies in terms of		<input type="checkbox"/>	<input type="checkbox"/>

## Customer Access Review – Full Assessment

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>referrals, for example, to social services, mental health services, education, youth offending services. The Council will liaise with the tenants' support networks or connect them to support services if they are not already engaged.</p> <p>Where possession proceedings are being considered after demotion due to further breaches of the Tenancy Agreement, the Council will follow the Pre-Action Protocol for Possession Claims by Social Landlords. This includes that:</p> <ul style="list-style-type: none"> <li>• where the Council is aware that the tenant has difficulty in reading or understanding information given, it should take reasonable steps to ensure that the tenant understands any information given and be able to demonstrate this.</li> <li>• if the Council is aware that the tenant is particularly vulnerable, it will consider at an early stage: whether or not the tenant has the mental capacity to defend possession proceedings and the extent to which CPR 21 applies; whether or not any issues arise under the Equality Act 2010; and whether or not there is a need for a community care assessment in accordance with the Care Act 2014.</li> </ul>			

# Customer Access Review – Full Assessment

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	<p>If the Council decides to start possession proceedings and serves a Notice of Possession Proceedings, the demoted tenant has a right to an internal review of the Council’s decision to serve the Notice. To ensure impartiality and fairness, the review is carried out by a senior officer who has not been involved in the case.</p> <p>The Council recognises that it is important that people with specific communication needs can obtain support for this when accessing services. In accordance with the Council’s Equality &amp; Diversity Document Framework, information can be provided in alternative formats to people with sensory needs including, Braille, audio tape and large print versions of documents, and British Sign Language interpreting. Calls can be received via Relay UK.</p>			
<b>Sex</b>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Gender reassignment</b>			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Race</b>	<p>The Council recognises that it is important that people with specific communication needs can obtain support for this when accessing services. In accordance with the Council’s Equality &amp; Diversity Document Framework, information can be provided in alternative formats to people where English is not their first language including, documents translated into other</p>		<input type="checkbox"/>	<input type="checkbox"/>

# Customer Access Review – Full Assessment

Step 3: Assessing the equality impact				
PROTECTED CHARACTERISTIC	POSITIVE IMPACTS	NEGATIVE IMPACTS	NO IMPACT	UNKNOWN
	languages and telephone and face-to-face language interpreting.			
Religion/Belief			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual Orientation			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy/Maternity			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage and Civil Partnership*	This assessment does not apply in the context of employment, therefore the protected characteristic group of marriage and civil partnership has not been subject to this assessment.	This assessment does not apply in the context of employment, therefore marriage and civil partnership has not been subject to this assessment.	<input type="checkbox"/>	<input type="checkbox"/>

\* Regarding the protected characteristic of Marriage and Civil Partnership – public bodies need to comply with the first aim of the Public Sector Equality Duty and only in the context of employment.

Step 3: Assessing the equality impact	
9. If 'no impact' or 'unknown' was selected, please explain	There are no known circumstances where the policy will have relevance to or a disproportionate equality impact on the protected characteristic groups of sex, gender reassignment, religion/belief, sexual orientation, and pregnancy/maternity.
10. If Dartford Borough Council works with partners to deliver the activity or proposal, please describe any circumstances that could give rise to positive or negative equality impacts between different groups	The Council's Housing Service works in partnership with various internal departments, statutory agencies and voluntary third sector agencies to tackle anti-social behaviour. However, the decision to apply for a demotion order is at the discretion of the Housing Service.
11. Any other comments	<b>Proportionality test</b> - If the Council is considering issuing possession proceedings regarding a Council tenancy, a proportionality test will be carried out to ensure that in cases where human rights, public law or equality law matters are or may be raised, the necessary information is before the court

# Customer Access Review – Full Assessment

Step 3: Assessing the equality impact	
	<p>at the first hearing so that issues of proportionality may be dealt with summarily, if appropriate, or that appropriate directions for trial may be given.</p> <p><b>Right to review a decision to end a demoted tenancy-</b> If a Notice of Possession Proceedings is served the tenant has a right to an internal review of the Council’s decision to serve the Notice as contained in Section 143F of the Housing Act 1996. The regulations governing the review procedure are set out in the Demoted Tenants (Review of Decisions) Regulations 2004 – Statutory Instrument 2004 No. 1679.</p> <p><b>Complaints process</b> - Any person who is not satisfied with the service they have received regarding the application of the Demoted Tenancy Policy or who believes they have been discriminated against can make a formal complaint to the Council using the corporate complaints process.</p> <p><b>Conclusion</b> - Overall the Demoted Tenancy Policy aims to have a positive impact on tenants and residents by providing a transparent, proportionate, fair and consistent approach to the use of demoting tenancies. The policy aims to raise awareness and understanding of how the Council can use powers available to demote tenancies due to anti-social behaviour. This includes setting out a clear explanation of when demotion will be used, the impact of demotion on tenants, each step of the process to obtain a demotion order and, where appropriate, to gain possession of the property for breach of the demotion order.</p> <p>The policy supports the Equality Act 2010 aim to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act, which includes conduct that is personal in which the behaviour is motivated by the perpetrator’s hostility or prejudice against an identifiable group of people as a factor in determining who is victimised.</p> <p>The policy also supports the Equality Act 2010 aim to foster good relations between tenants to address behaviour that has caused, or is likely to cause, harassment, alarm or distress to any person to contribute towards promoting safe and sustainable communities within the Borough.</p>

# Customer Access Review – Full Assessment

## Step 4: Action plan

12. Based on the information in Steps 1 to 3, please list the actions that will be taken to address:  
 a) any gaps in information and consultation  
 b) how any negative impacts on equality will be mitigated or eradicated

a) If additional information and/or consultation is required or the impact is still unclear, what actions will you put in place to gather the information you need?

Information needs	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer
Views from all Council tenants on the draft Demoted Tenancy Policy	Invite views on the draft policy from all Council tenants	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	10 April 2026	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Dartford Tenants' and Leaseholders' Forum on the draft Demoted Tenancy Policy	Invite views on the draft policy from the Dartford Tenants' and Leaseholders' Forum	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	10 April 2026	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer
Views from the Housing Advisory Board on the draft Demoted Tenancy Policy	Invite views on the draft policy from the Housing Advisory Board	Feedback will, at a formative stage, inform any further changes that may be required to the draft policy in advance of seeking approval for the policy	10 April 2026	Details of the consultation and any amendments made to the draft policy as a result of the consultation will be included in the Cabinet report	Senior Housing Policy & Performance Officer

# Customer Access Review – Full Assessment

**b) If any negative impacts on equality were found, what actions will you put in place to mitigate or eradicate these impacts?**

Identified impacts (and who is affected)	Action	Intended outcome	Date for completion	How this will be monitored	Responsible officer

Step 5: Decision making and future monitoring	
<b>13. Which decision making process does this Customer Access Review need to go through? i.e. who does this need to be approved by?</b>	Head of Legal Services and Director of Housing & Public Protection
<b>14. Is the subject of the Customer Access Review going to committee? If yes, include your findings in the committee report and attach this assessment to the report</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>15. How will you continue to monitor the activity or proposal on protected characteristic groups?</b>	<p>The Demoted Tenancy Policy explains that monitoring records will be kept on the following:</p> <ul style="list-style-type: none"> <li>• Number of Notice before Proceedings for a Demotion Order that have been served</li> <li>• Number of Demotion Orders granted</li> <li>• Number of Notice of Possession Proceedings that have been served</li> <li>• Number of demoted tenancy reviews following service of a Notice of Possession Proceedings and their outcomes</li> <li>• Number of evictions granted following a review where the outcome was to uphold the decision to terminate the tenancy</li> <li>• Number of anti-social behaviour incidents reported</li> </ul>
<b>16. When will you review this Customer Access Review?</b>	The Demoted Tenancy Policy will be reviewed every three years or earlier to address legislative, regulatory, best practice or operational issues. New assessments will be undertaken every three years in conjunction with the review of the policy.

# Customer Access Review – Full Assessment

## Step 6: Final steps

17. Once this Customer Access Review has been approved, send this assessment to the Policy & Projects Officer
18. Implement the actions identified from this Customer Access Review and ensure progress is monitored and recorded

### Reviewed by Legal Services:

J. Wenham

04.03.2026

### Reviewed by Director of Housing & Public Protection:



16.02.2026