

Succession Policy

Policy Owner	Stuart Middleton, Head of Housing & Communities
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Next Review Date	September 2029
Version	Version 2
Approved by	Emma Morgan, Director for Customers, Support & Improvement

Version Control
Version 1 - December 2022
Version 2 - September 2026

Changes Made	Section	Date
New overarching policy and procedure	all	December 2022
Changed from 'Death & Succession' to 'Succession'	Title	September 2026
New Introduction	Introduction	September 2026
New Scope of policy	Scope	September 2026
New Aims of policy	Aims	September 2026
Expanding definitions	Definitions	September 2026

Our Values

In applying this policy, we will be guided by our values. Our values determine how we behave towards our customers, our colleagues, our partners and our work:

Kind - We recognise that relationships are at the heart of everything we do, at the heart of good relationships is kindness.

Innovative - We continuously strive to be the best we can whilst seeking creative ideas to improve and grow.

Trusting - We trust people to do the right thing, because good relationships are built on mutual trust and respect.

Accountable - We accept the responsibilities of our role and are accountable for our actions and for doing what is right.

Introduction

This policy explains how Caredig will manage succession requests when a tenant dies and someone else may have the right to take over their tenancy. We are committed to dealing with succession requests fairly, consistently and sensitively, while ensuring we meet our legal responsibilities under the Renting Homes (Wales) Act 2016.

We recognise that the death of a tenant can be a difficult and emotional time for family and household members. This policy sets out the rights of potential successors, the responsibilities of Caredig, and the process we will follow when considering and making succession decisions.

The Scope

This policy applies to all tenancies managed by Caredig where succession rights may arise following the death of a contract-holder and does not include licences agreements.

It applies to:

- All employees involved in managing succession cases.
- Household members and other individuals who may be eligible to succeed to a tenancy.
- Cases involving priority and reserve successors as defined by legislation.

This policy should be read alongside Caredig's policies and procedures relating to ending contracts, tenancy management, allocations and safeguarding.

The Aim

The aims of this policy are to:

- Ensure succession requests are managed fairly, consistently and in line with the law.
- Provide clear guidance on who may be entitled to succeed a tenancy.
- Support eligible household members to remain in their home where succession rights exist.
- Ensure decisions are made in an open, transparent and sensitive way.
- Balance the rights of potential successors with the effective management of Caredig's homes.
- Provide a clear process for assessing, recording and communicating succession decisions.
- Ensure all staff understand their roles and responsibilities when managing succession cases.

Definitions

- **'Tenant'** is used to describe the contract holder
- **'Tenancy'** is used to describe an Occupation Contract
- **'Authorised Persons'** is used to describe an individual who has the legal authority to act on behalf of a deceased tenant's estate or tenancy affairs. This may include the executor named in a will, an administrator appointed to manage the estate where there is no will, a person holding legal authority through a grant of probate or letters of administration, or another individual whom Caredig is satisfied has the authority to deal with the deceased tenant's affairs. Authorised persons may provide information, sign tenancy termination documentation, arrange the return of keys, and communicate with Caredig regarding the tenancy following the tenant's death

Rights to Succession

When a sole tenant dies, certain people may have the right to take over the tenancy. This is known as succession. Succession rights are set out in the Renting Homes (Wales) Act 2016 and apply to eligible tenancies

A person may qualify as either a Priority Successor or a Reserve Successor. A Priority Successor is usually the tenant's spouse, civil partner or partner who was living with them at the time of death. If there is no eligible Priority Successor, a family member or, in some circumstances, a carer may qualify as a Reserve Successor if they meet the legal eligibility and residency requirements.

Anyone applying to succeed to a tenancy must provide evidence that the property was their only or main home and that they meet the relevant legal criteria.

Caredig will consider all succession requests fairly, consistently and in line with the law. In most cases, there can be no more than two successions to a tenancy.

Roles and Responsibilities

- Operational Managers, Community Housing Officers, Service Coordinators, Team Leaders and Extra Care Managers are responsible for the decisions and actions.
- The Head of Housing & Communities, Head of Specialised Housing & Support, Operational Managers for Housing Management, Supported Living and Extra Care are responsible for the overall performance management.
- The Head of Housing & Communities has overall responsibility for this area including review and monitoring.
- The Director for Customers, Support & Improvements has overall responsibility for the policy area.

Resident Engagement & Legal Framework

The Succession policy has undergone consultation with staff and tenants and is informed by, and will be implemented in line with, relevant Welsh and UK legislation, including but not limited to the Renting Homes (Wales) Act 2016, Housing (Wales) Act 2014, Equality Act 2010, Human Rights Act 1998, and associated safeguarding and data protection legislation.

Equal Opportunities

Caredig is committed to ensuring that its policy and procedures are nondiscriminatory and that all tenants can access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010

An Equality Impact Assessment has been undertaken and as a result, we will ensure we take account of individual circumstances both in term of how we communicate and manage tenancies and support provision.

References to other relevant policies and procedures

- Death of a Tenant or Resident Procedure (immediate staff response)
- Abandonment of properties
- Ending occupation contracts
- Complaints and Concerns