



## Tenancy Services

# Investigations Policy

<b>Regulation &amp; Legislation</b>	Regulation of Investigatory Powers Act 2000 (RIPA)
<b>Approved by</b>	Director of Customer Operations – 25 May 2021
<b>Supporting documents</b>	Anti-Social Behaviour Policy; Domestic Abuse Policy; Hate Incidents Policy; Tenancy Fraud Policy, CCTV Policy
<b>Scope</b>	This policy outlines how Orbit approaches and manages investigations undertaken and managed by our Community Safety and Anti-Fraud teams.
Reference to “Orbit” means Orbit Group which consists of Orbit Group Limited, Orbit Housing Association Limited, Orbit Homes (2020) Limited, Orbit Treasury Limited and Orbit Capital Limited.	

## 1. Introduction

- 1.1 This policy demonstrates our strong commitment and outlines our approach to undertaking effective, legitimate and proportionate investigations in our role as a Registered Provider.
- 1.2 This policy is part of a suite under the umbrella of Tenancy Management and covers how we will conduct investigations in respect of:
  - Anti-Social Behaviour
  - Domestic Abuse
  - Hate Incidents
  - Tenancy Fraud

## 2. Policy Statement

- 2.1 We define an investigation as the gathering of all relevant information and evidence in order to determine and pursue a course of action. All investigations will be undertaken and managed by members of our CSAF teams, who are appropriately trained to manage cases that fall under the Community Safety and Anti-Fraud umbrella. Our Tenancy Management Triage team will also conduct initial enquiries to assist the CSAF team with their investigations or to resolve the matter at the earliest opportunity.
- 2.2 When conducting investigations, we will adhere to relevant policies including Health and Safety Policy and Personal Safety Procedure.

- 2.3 We may undertake directed surveillance e.g. person specific which includes the use of various methods including CCTV and observations if absolutely necessary and only if it is legitimate and proportionate to do so. Whilst we are not required to, any such surveillance will be in adherence with the principles of the Regulation of Investigatory Powers Act 2000 (RIPA).
- 2.4 We may also use the services of professional witnesses to assist us in securing evidence. In such situations, the request for a professional witness will need to be put to the Tenancy Services Team Manager for the area. If approved, the Tenancy Services Officer will give them a clear brief and purpose before beginning any observations. The approved request will be saved to EDRM
- 2.5 Where the use of surveillance (overt or covert) this must be authorised by the Head of Tenancy Management in line with the CCTV Policy, or their designated deputy being a person not directly connected with the investigation.
- 2.6 We may use open source data such as Facebook and other social media applications to access relevant information to investigate allegations and manage cases. Where we conduct National Anti-Fraud Network (NAFN) searches, these must be authorised by the Senior Triage Officer or the Tenancy Services Team Manager.
- 2.7 All cases that are investigated will be logged and information or evidence gathered, recorded on our chosen case management system.
- 2.8 The decision to carry out or act on any information or evidence gathered is a decision that rests solely with Orbit.

#### **Legal action**

- 2.9 Legal action will be taken in line with our Legal Action Procedure.

### 3. Roles and Responsibilities

3.1

Role	Responsibility
<b>TSO Triage Officer</b>	Compliance with this policy and associated procedures Case management
<b>TSTM Senior Triage Officer</b>	Approval for action Case Audits
<b>Head of Tenancy Management</b>	Final approval of legal Approval for Action Approval of legal budget spend

### 4. Performance Controls and Business Risk

- 4.1 Compliance with this policy will be monitored by monthly reporting and case audits
- 4.2 Monitoring of live cases will be monthly by the relevant Tenancy Services Team Manager and measured against Key Performance Indicators and the Customer Promise.
- 4.3 Performance will be formally reported by the Head of Tenancy Management every April to the Customer Services Senior Management team.
- 4.4 Orbit will carry out a fundamental review of this policy every three years or sooner subject to legal, regulatory changes or if internal changes require it.

### 5. Essential information

- 5.1 All Orbit policies and procedures are developed in line with our approach to the following, Data Protection statement, Equality Diversity and Inclusion approach, Complaints Policy and our regulatory and legal obligations to ensure we deliver services in a lawful manner and treat people equally and fairly. Details of these are found on the declaration document for Strategy Policy and Procedure summary and have been an integral part of the formulation of this document. Orbits privacy policy can be accessed on our website. [www.orbit.org.uk/privacy-policy/](http://www.orbit.org.uk/privacy-policy/).

<b>EA</b>	Equality Analysis was completed in ----- and is available to view.
<b>DPIA</b>	Separate DPIAs have been completed on the individual procedures associated with the policy and are available to view.
<b>Consultation</b>	<b>Internal:</b> Independent Living, Leasehold Services, Tenancy Services
	<b>External:</b>
<b>Applies to</b>	Tenancy Services

## Document control

Status	Date Issued	Version	Revision
Approved	01 June 2021	v2.2	

Uncontrolled if Printed

Title	Investigations Policy	ID295
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Circulation	All Departments	Classification Public

Doc Level 3

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Directorate Customer Services

		Date
Approved by	Customer and Communities Board	May 2018
Last review		March 2021
	<b>Next Review</b> (or sooner if changed)	March 2024

## Revision History

Version Number	Date	Comments / Reason for revision
v1.1	Dec 2019	Statement on Commitment to refer added.
v2.0	May 2021	Three-year review – minor changes: 2.6 – reference to NAFN added 2.9 – wording amended for consistency with other policies
v2.2	Aug 2022	Minor amendments to reflect new structure: new legal and triage teams