

Date: 27/02/19  
Our Ref: RFI2621  
Your Ref: FOI Request – Company Policy  
Tel: 0300 1234 500  
Email: foi@homesengland.gov.uk



Homes  
England

██████████  
By Email Only

Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Dear ██████████

**RE: Request for Information – RFI2621**

Thank you for your recent email, which was processed under the Freedom of Information Act 2000 (FOIA). For clarification, you requested the following information:

- 1) Are there any circumstances whereby Homes England/HCA would deem it appropriate to lease a property to a third party without entering into a signed lease agreement?*
- 2) If there are any circumstances, does Homes England/HCA carry out any form of risk assessment to ensure their assets and responsibilities are not compromised?*

Clarified on 26th February 2019 with:

*Does the HCA/Homes England have a written document in respect of their policies/responsibilities for leasing commercial properties (either owned or leased by the HCA/Homes England) to third parties? If there is a written document, can I have a copy of it? If I cannot have access to it, does the document permit the HCA/Homes England to lease properties without any form of written agreement? If it does, what circumstances (as detailed within the document) would it be appropriate for the HCA/Homes England to lease a commercial property to a third party without any form of written agreement?*

- 3) Is there an existing risk assessment policy? If so, when was it last updated and what amendments were made?*

Clarified on 26<sup>th</sup> February 2019 with:

*At this stage, can you please confirm whether a risk policy exists? If it does, can you also confirm when it was created and the dates any amendments were made to it?*

**Response**

We will address each of your questions below in turn;

- 1) We are able to confirm that we do not hold a written document surrounding how we lease land for commercial properties however Homes England can confirm that a lease agreement or a similar binding legal document would be required when leasing land.
- 2) We are able to confirm that we do not hold the information that you have requested and that this question is not applicable given our response above.
- 3) We are able to confirm that we do not hold a document titled Risk Policy however we do hold a number of policies surrounding risk factors within Homes England.

Date: 27/02/19  
Our Ref: RFI2621  
Your Ref: FOI Request – Company Policy  
Tel: 0300 1234 500  
Email: [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

Homes England manages risk through our Financial Crime Compliance Framework (updated in June 2018). This framework is made up of several policies relating to;

- anti bribery & corruption
- anti fraud
- anti money laundering & counter terrorism
- declarations of interest
- gifts and hospitality policy
- market abuse policy
- modern slavery
- whistleblowing

Homes England also has a Site Inspection and Maintenance Policy which was approved in July 2018 which covers elements of risk. This policy relates to how our sites are managed and maintained to reduce safety, health and environmental risks and not necessarily manage landlord and tenant risk, although it does clarify the safety responsibilities of Homes England in respect of tenanted property under leases.

### **Right to Appeal**

If you are not happy with the information that has been provided or the way in which your request has been handled you may request an internal review by writing to;

The Information Access Team  
Windsor House  
50 Victoria Street  
London  
SW1H 0TL

Or via email to [foi@homesengland.gov.uk](mailto:foi@homesengland.gov.uk)

You may also complain to the Information Commissioner however, the Information Commissioner does usually expect the internal review procedure to be exhausted in the first instance.

The Information Commissioner's details can be found via the following link

<https://ico.org.uk/>

Please note that the contents of your request and this response are also subject to the Freedom of Information Act 2000. Homes England may be required to disclose your request and our response accordingly.

Yours sincerely,  
**Information Access Team**  
for Homes England.