

Report to Stronger Communities Committee

Date of meeting: June 2021

Portfolio: Housing Services

Subject: Overview of Social Housing White Paper

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Recommendations/Decisions Required:

That committee notes the contents of the Social Housing White Paper and the potential impact on EFDC going forward.

The committee receives an update in 3 months highlighting the findings of a gap analysis and required actions to meet the standards set out.

Executive Summary

The Social Housing White Paper or “The Charter for Social Housing Residents” was published by the Ministry of Housing Communities and Local Government on 17 November 2020. This briefing summarises the key measures in the paper, details the measures in each chapter and highlights various implications.

The Charter covers seven key themes of greatest importance to the everyday lives of residents, with an emphasis around regulation, engagement, complaints, safety and antisocial behaviour. Headlines include a greater role for the Regulator of Social Housing and the Housing Ombudsman, open publication of performance against standard metrics and “publicity” of landlord complaints.

This paper has been produced to act as a document to inform members as to the contents of the White Paper and the actions which will need to be undertaken to meet the requirements

Report:

What is the Social Housing White Paper?

Following the tragic tower block fire at Grenfell in 2017, an in-depth government review of failings and a wide consultation with the social housing sector revealed five themes for further action. These were published for further consultation in the “A New Deal for Social Housing” green paper:

1. Ensuring homes are safe and decent
2. Effective resolution of complaints
3. Empowering residents and strengthening the Regulator

4. Tackling stigma and celebrating thriving communities
5. Expanding supply and supporting home ownership

Alongside this, Government launched a Call for Evidence about how social housing is regulated. The findings from the consultation and call for evidence suggested that many residents enjoyed positive experiences, but others did not. Emerging themes included concerns about safety and quality; of complaints being handled slowly or poorly; and about residents feeling they were not listened to, or not treated with respect.

The white paper sets out wide ranging and compulsory changes to how social housing organisations operate, and themes from the green paper above have been re-drafted and expanded into seven themes with further specific policies, measures, and an enhanced role for The Regulator for Social Housing and The Housing Ombudsman.

Themes of the Social Housing White Paper

The seven themes of the social housing white paper are broken down as follows.

Chapter 1: To be safe in your home

Chapter 2: To know how your landlord is performing

Chapter 3: To have your complaints dealt with promptly and fairly

Chapter 4: To be treated with respect, backed by a strong consumer regulator for tenants

Chapter 5: To have your voice heard by your landlord

Chapter 6: To have a good quality home and neighbourhood to live in

Chapter 7: To be supported to take your first steps to ownership

Chapter 1: To be safe in your home

This chapter focuses on rebuilding trust in building safety measures and ensuring that every home is safe and secure, and that residents feel safe.

How will this be achieved?

This will be achieved by strengthening the objectives of the Regulator of Housing's consumer regulation to include safety. Building and home safety will become an explicit part of the redesigned consumer regulation standards.

All landlords will need to have a nominated, publicly named person who is responsible for health and safety compliance.

There will be consistency in safety measures across the private and social rented sectors, with a consultation being launched to require mandatory installation of smoke and carbon monoxide alarms, as well as an increased focus on electrical safety.

Landlords will need to engage residents of all tenures on safety issues, to build trust, which is key to 'feeling safe'. The accountable person for every high-risk residential building will be required to produce and action a resident engagement strategy to share safety information and allow safety concerns to be voiced.

Chapter 2: To know how your landlord is performing

This chapter focuses on the performance of Social Landlords and how tenants should be better able to hold their landlords to account.

How will this be achieved?

The Regulator will develop a set of resident experience metrics which landlords will have to gather. They will follow the themes that matter to tenants such as properties being in good repair, building safety, engagement and neighbourhood management, including measures on anti-social behaviour.

Once gathered, landlords will be required to share these metrics with every tenant in a standardised and consistent way. Landlords will need to do this at least annually, but preferably on a continuous basis, using technology. Additionally, information on landlord performance must be easier to access, through a reduced 'freedom of information' request approach.

Responsible neighbourhood management:

Percentage of communal areas meeting the required standard.

Number of complaints relating to communal areas, relative to the size of the landlord.

Tenant satisfaction with landlord actions to keep communal areas clean and safe.

Tenant satisfaction with landlord contribution to the neighbourhood associated with their home.

Number of complaints relating to anti-social behaviour, relative to the size of the landlord.

Tenant satisfaction with landlord's handling of anti-social behaviour.

Overall:

Tenant overall satisfaction with the service their landlord provides.

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The White Paper sets out its draft financial measures as follows:

Executive remuneration:

Chief Executive or equivalent salary, relative to the size of the landlord.

Executive remuneration, relative to the size of the landlord.

Efficiency and effectiveness:

Management costs, relative to the size of the landlord.

Alongside the new KPIs, landlords will also be required to publish expenditure data, and in particular, details of the Chief Executive and Executive Team salaries. Tenants will be able to challenge whether money is being spent on things that matter to them.

Each landlord will need to name a nominated person responsible for consumer standards compliance; someone suitably senior and identifiable to all, including the Ombudsman, the

regulator and residents. These measures aim to provide tenants with greater transparency about their landlord's performance. They will also inform the Regulator about how well the landlord is complying with the consumer standards under a proactive consumer regulation regime.

Chapter 3: To have your complaints dealt with promptly and fairly.

The White Paper sets out its draft tenant satisfaction measures as follows:

Keeping properties in good repair:

Decent Homes Standard compliance.
Responsive repairs completed right first time.
Tenant satisfaction with landlord's repairs and maintenance service.

Maintaining building safety:

Compliance with health and safety obligations:

- Gas safety
- Electrical safety
- Fire safety
- Asbestos
- Water safety
- Lift safety

Tenant satisfaction with the health and safety of their home.

Effective handling of complaints:

Number of complaints relative to the size of the landlord.
Percentage of complaints resolved within agreed timescale.
Tenant satisfaction with landlord's complaints handling.

Respectful and helpful engagement:

Number of complaints relating to fairness and/or respect, relative to the size of the landlord.

Tenant satisfaction that their landlord listens to their views and takes notice of them.

Tenant satisfaction with landlord's engagement with tenants.

This chapter focuses on a strengthened working relationship between the Ombudsman and the Regulator, and the actions landlords must take to increase awareness of residents right to complain. It strives to ensure that tenants complaints are dealt with promptly and fairly and ensure that residents are able to raise concerns without fear and get swift and effective resolution when they do.

The ‘democratic filter’, where residents must go through a “designated person” or wait 8 weeks before taking their complaint to the Ombudsman, is to be removed.

From March 2021, the Ombudsman will publish online reports of complaints handled for each landlord as well as detailing the outcomes. On a quarterly basis they will also publish ‘complaint handling failure orders’ – naming the landlords and reason for failure.

The Regulator, the Ombudsman and the Government will lead a centralised awareness raising campaign of social housing residents’ right to complain and the routes of objection open to them. Landlords will also be required to publish their complaints process both on their website and more widely, as well as raising awareness themselves of the complaints process.

Chapter 4 : To be treated with respect, backed by a strong consumer regulator for tenants

This chapter focuses on the “new” consumer standards, which are still to be written by the Regulator. It also sets out the return to inspections to assess compliance with them, alongside continuing co-regulation.

How will this be achieved?

The Regulator will review the current consumer standards and redraft them, including publishing an accompanying code of practice. This is likely to include requirements for landlords to publish policy on tackling domestic abuse, evidence how they have sought best practice to improve tenant engagement and an objective surrounding greater transparency.

The “serious detriment” threshold for Regulator intervention will be removed and replaced by a four yearly inspection cycle. The inspections will be in the form of an annual desk-top review of the new KPIs and complaints (especially those escalated to the Ombudsman), four yearly inspections based on risk (considering the size of the organisation and those who house the most vulnerable i.e. specialist providers) and reactive investigations where non-compliance is suspected.

Landlords will be required to self-refer any breaches of the consumer standard to the Regulator. The cap on fines which the Regulator can impose will be removed, and Performance Improvement Plans will be introduced for failing landlords.

The notice period the Regulator must give a landlord to survey the condition of their properties will be reduced from 28 to 2 days. Following completion of a survey the Regulator will be empowered to arrange repairs to homes and recoup the costs.

Chapter 5: To have your voice heard by your landlord.

This chapter sets out a requirement for residents to be heard, highlighting the need to tailor engagement opportunities to residents needs and interests, encouraging and supporting greater involvement. Residents who don’t want to attend formal meetings or join a panel should have alternative opportunities to be informed and engaged in an effective way and their voices heard.

How will this be achieved?

The Regulator will review if landlords have “sought out best practice” in resident engagement and involvement, and continually improved how they engage with residents.

Residents who would like to be more involved in formal scrutiny and decision making will be upskilled through a Government-led learning and support programme, which will be made accessible to all residents of social housing.

The Charter explains that Engagement is more than just resident involvement with landlords. It is also about engaging with your neighbours and community. To this end there is an expectation on landlords to tackle loneliness and support people to have meaningful social relationships.

Chapter 6: To have a good quality home and neighbourhood to live in

This chapter sets out how it will ensure good quality, decent homes and neighbourhoods, including access to green space and support for wellbeing.

How will this be achieved?

The Decent Homes Standard will be reviewed by autumn 2021, to decide if it needs to be updated. The review will consider energy efficiency and decarbonisation, access to green spaces and access to communal space.

The Government will clarify the responsibilities of landlords and the police in directly tackling anti-social behaviour, so residents understand where to access support and what to expect in terms of a response, including greater clarity around the availability of Community Trigger or multi-agency ASB Case Review arrangements. Landlords will also be required to have a policy setting out how they will tackle domestic abuse.

Chapter 7 : To be supported to take your first steps to ownership

The final chapter focuses on increasing supply of affordable homes, and in particular, redesigning the shared ownership model and introducing the 'Right to Shared Ownership'.

How will this be achieved?

Half the homes delivered under the Affordable Homes Programme (up to 180,000 homes, scheduled to run until 2028/29) will be for social or affordable rent with the other half affordable homeownership.

The new shared ownership model will reduce the minimum initial stake from 25% to 10%, allowing owners to staircase in increments of 1%. Landlords will also now have to cover repairs for homeowners for the first 10 years.

The new right to shared ownership model will give residents the opportunity to buy a 10% stake in their home and become a shared owner, staircasing as under the main shared ownership model.

Implications of the Social Housing White Paper?

The impact of the Social Housing White Paper should not be underestimated. Not only are operational activities and performance measures under increased scrutiny by the Regulator, there are new requirements for resident engagement and complaints.

The regulator currently has limited interaction with local authorities as they are not subject to the governance and viability standard or the value for money standard. The changes set out to deliver proactive oversight of consumer standards will provide the regulator with greater oversight of the performance of local authorities' landlord function.

There is a greater emphasis on safety, resident voice, performance monitoring and home ownership. And all this is backed up by a risk-based inspection regime from the Regulator of

Social Housing. Non-compliance with a new consumer standard will result in unlimited fines, and reputation-damaging publication of results.

The timescales for implementation of the proposals in the Charter are not yet known, however driving up levels of satisfaction in the areas of Neighbourhoods and Communications will continue to be a key priority for the Property and Housing Service over the coming months. There are also a number of key actions and critical questions that all landlords will need to address in response to the Charter.

The Property and Housing Service has already undergone significant changes since its restructure in February 2020, which sought to put the customer firmly at the centre of everything the Service does and improve performance. It has developed a raft of new initiatives and continues work innovatively to ensure that our customers have access to safe, affordable homes, on great estates where people want to live, mirroring reassuringly the main themes within in Charter.

To move forward it is proposed that the review be carried out against the Paper and a subsequent action plan be created.

Reason for decision:

Members are asked to note the paper, and the recommendations for a further paper which will include an action plan setting out who officers will fulfil the requirements.

Options considered and rejected:

N/A

Consultation undertaken:

N/A

Resource implications:

The implication will not be known until the review is carried out.

Legal and Governance Implications:

The White Paper will become legislation following Royal Assent.

Safer, Cleaner, Greener Implications:

Background Papers: N/A