Social Housing (Regulation) Act 2023 Social Housing White Paper, Hackitt Report, Building Safety Act 2022, Complaints Strengthening and Decent Homes Plus – For Engaged Residents and Staff

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Aim of the session

- Gain a **shared understanding** of the key issues coming from the **Social Housing (Regulation) Act 2023, Social Housing White Paper, Hackitt Report, Building Safety Act 2022, Complaints Handling** and **Decent Homes Plus**
- Consider what **this means for resident engagement**
- Work together to develop an applied **understanding of the issues and implications, agreeing and planning actions**

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Programme

9.30	**Introduction**
9.40	**Setting the context** – Grenfell Tower tragedy and beyond. Presentation and whole group discussion.
	Setting the context – whole group discussion.
	A return to **consumer regulation** and **inspection**– what might this look like? What are the implications for the resident engagement we have now? Presentation and whole group discussion.
	Break
	The increased profile of **safety,** specially **building safety.** Presentation and whole group discussion.
12.30	Break
1.15	A new approach to **complaints** resolution – development of the Regulatory Framework. Presentation and whole group discussion
	Decent Homes 'Plus' – what could the review mean for providers? Presentation and whole group discussion
	Resident engagement – what is the latest thinking? Presentation and whole group discussion.
	Question and answer session
	Break
	Pulling all this together – facilitated group discussion.
	Action planning - arising from the implications Facilitated group discussion.
2.45	Conclusion
3.00	Close

Delegates will

- Understand and consider the context and background leading up to the **Grenfell Tower tragedy**
- Learn about the **Hackitt Review/Building Safety Act 2022** – the findings, recommendations and implications for social housing
- Be provided with an **overview** of the whole **Social Housing (Regulation) Act 2023/Social Housing White Paper** and specifically **focus on the resident engagemen**t aspects
- **Consider the implications** of the Social Housing White Paper **on resident engagement**
- Identify **action points** for the way forward

Setting the context – Grenfell Tower tragedy and beyond



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Setting the context – Grenfell Tower tragedy and beyond

- **Built in 1974** by RB Kensington and Chelsea
- An **£8.6m refurbishment** – part of a wider transformation of the estate – completed by Rydon Construction in May 2016. **Work included new exterior cladding**, replacement windows and a communal heating system
- Also, extensive **remodelling of the bottom four floors**, creating seven additional homes, and improvements to communal facilities
- **Single stairway**
- Rydon said it was "shocked to hear of the devastating fire", adding that the work met **"all required building regulations"**
- Was managed by the Kensington and Chelsea Tenant Management Organisation (**KCTMO**) on behalf of the Council.

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Tragedy

- **72 people died in the fire**, including baby Logan Gomes, who was stillborn in hospital on 14 June after his parents escaped the tower block, and Maria Del Pilar Burton, 74, who died in January 2018
- She had been in hospital since being rescued from the nineteenth floor
- The Metropolitan Police say **350 people should have been in the tower block** on the night of the blaze. 14 residents were not in the building at the time
- **Fire started** by a Hotpoint FF175B model fridge freezer deemed 'low risk'
- Quickly got a **hold of the building**, including its **cladding**

Had there been safety concerns about the tower?

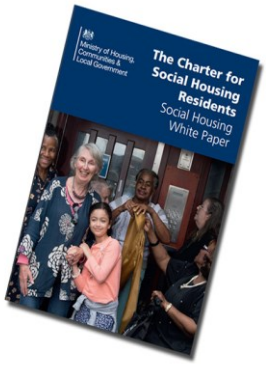
- Grenfell Action Group had claimed, before and during the refurbishment, that **the block constituted a fire risk** and residents had warned that **access to the site** for emergency vehicles was **"severely restricted"**
- February 2013 residents warned fire safety equipment, including fire extinguishers, **had not been tested for 12 months**
- KCTMO said it was **aware that concerns had been raised historically** by residents and they would form part of its investigations
- The tower block was given **a medium fire risk rating** – defined as a **normal** fire risk – in 2016 following completion of the refurbishment by the London Fire Brigade and Kensington and Chelsea Council

Had there been safety concerns about the tower?

- Council insisted the block had been **regularly inspected**
- The fire safety advice for Grenfell Tower residents was to **"stay put"** – unless the fire was affecting their own flat
- This is because tower block flats are built as a **fire-resistant box**, completely surrounded by fire-resisting construction from the rest of the building

Formal matters that followed

- Public Inquiry
- Hackitt Report
- Green Paper
- Building Safety Act 2022
- White Paper
- Social Housing (Regulation) Act 2023



Green Paper: A New Deal for Social Housing (14 August 2018) – proposals consulted upon

- Reviewing the **Decent Homes Standard**
- **Reforming the complaints process** to make it quicker and easier, and with support and advice available to residents
- Requiring RSH to prepare and publish **performance indicators** and league tables for RPs and/or publish a Consumer rating, alongside Governance and Financial Viability ratings
- **Linking Government funding**, for example through the Affordable Homes Programme, **to performance indicators**
- **Strengthening RSH** so that it has more focus on, and power over, the **issues which matter most to tenants**
- **'Professionalisation' of housing management**
- Promoting good design ideas in newly-built social housing as a means of **tackling the stigma of social housing**

So, two major strands

- **Technological** – e.g., building safety, including cladding and other materials, means of escape
- **Social and community** – e.g., relationship between social landlords and their residents and wider communities

Introduction to the Green Paper by the then Prime Minister

- "…many people living in England's four million social homes feel ignored and stigmatised, too often treated with a lack of respect by landlords who appear remote, unaccountable and uninterested in meeting their needs…It's a situation the residents of Grenfell Tower have spoken about in powerful terms, not just in the wake of last year's tragedy but also in the months and years before – only for their voices too often to go unheard."
- She promised that the government's proposals would empower social housing residents, "by giving them greater control over their lives and homes"

The Social Housing White Paper: "The Charter For Social Housing Residents" (Nov 2020)

1. To be **safe** in your home
2. To **know** how your **landlord is performing**
3. To have your **complaints** dealt with **promptly and fairly**
4. To be **treated with respect**, backed by a **strong consumer regulator for tenants**
5. To have your **voice heard by your landlord**
6. To have a **good quality home** and **neighbourhood** to live in
7. To be supported to take your **first step to ownership**

Social Housing (Regulation) Act 2023

- Queen's Speech 10th May 2022
- Completed all Parliamentary stages
- Received Royal Assent as Social Housing (Regulation) Act 2023 on 21st July 2023

Setting the context – whole group discussion



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A return to consumer regulation and inspection – what might this look like?

What are the implications for the resident engagement we have now?



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A return to consumer regulation and inspection

The charter proposes "a similar level of regulatory oversight of both the consumer and economic standards". The approach to **consumer regulation** will be "proactive, proportionate, outcome focused and risk-based"

A return to consumer regulation and inspection – a more '*proactive approach*' will involve...

- **Regular desktop reviews** to identify the providers at greatest **risk of failing the standards**
- **Routine inspections** to obtain assurance from landlords that they are complying with the consumer standards. This will be **based on a risk profile** to ensure that those landlords at greatest risk of failing, or where failure might have the greatest impact on tenants, are **subject to greater oversight**
- The RSH will aim to **inspect those landlords** with over 1,000 homes every four years. It **may carry out inspections at more frequent intervals** where a routine inspection finds a breach or significant risk of a breach of its standards

A return to consumer regulation and inspection – a more '*proactive approach*' will involve ...(cont'd)

- The **RSH will publish its findings** and be open and transparent about the actions it has taken. Landlords who fail the standards will have a **Performance Improvement Plan imposed upon them**
- The RSH will also be empowered to **carry out repairs in an emergency** where there is a clear systemic failure by the landlord. (This is an interesting proposal that could be widely taken up by some disaffected tenants)

A return to consumer regulation and inspection – a more '*proactive approach*' will involve ...(cont'd)

- The RSH is empowered to produce a **Code of Practice** on the consumer standards – to mirror the current Code for the Governance and Financial Viability Standard
- **Removing the current cap on fines** that can be levied (fines do not currently apply to local authorities and the White Paper does not specify whether this will change)
- **Ensuring a level playing field** so that all landlords, whether housing associations, local authorities, ALMOS or TMOs, are subject to the same regulatory regime

Implications for resident engagement we have now? HQN recommended actions – to have your voice heard by your landlord

- Housing Providers to **get better at listening** to residents and giving them useful and timely information
- **Show how residents influence** Housing Provider decisions, e.g., via surveys, focus groups, scrutiny panels
- Improve staff training to get ready for **new qualifications**

Implications for resident engagement we have now? – to have your voice heard by your landlord

- The charter puts a duty on the RSH to require **landlords to show how they have sought out and considered ways to improve tenant engagement**
- There will be a **new opportunities and empowerment programme** open to all social housing residents, to support their effective engagement with landlords
- The programme **will deliver a range of learning and support activities**, as well as providing information. Whether this will involve setting up a new national tenants' body remains to be seen
- The charter also proposes a **review of professional training and development** to consider the appropriate qualifications and standards for social housing staff (a new Competence and Conduct Regulatory Standard)

Social Housing (Regulation) Act 2023 – most aspects take effect on 1 April 2024

- Removal of the "serious detriment" test
- Enhanced focus on transparency and safety
- Addressing gaps and 'vulnerabilities'
- New Consumer Standards and Inspections
- Increased enforcement powers
- 'Professionalism' of the sector
- A more joined up approach informed by lived experience
- Energy efficiency

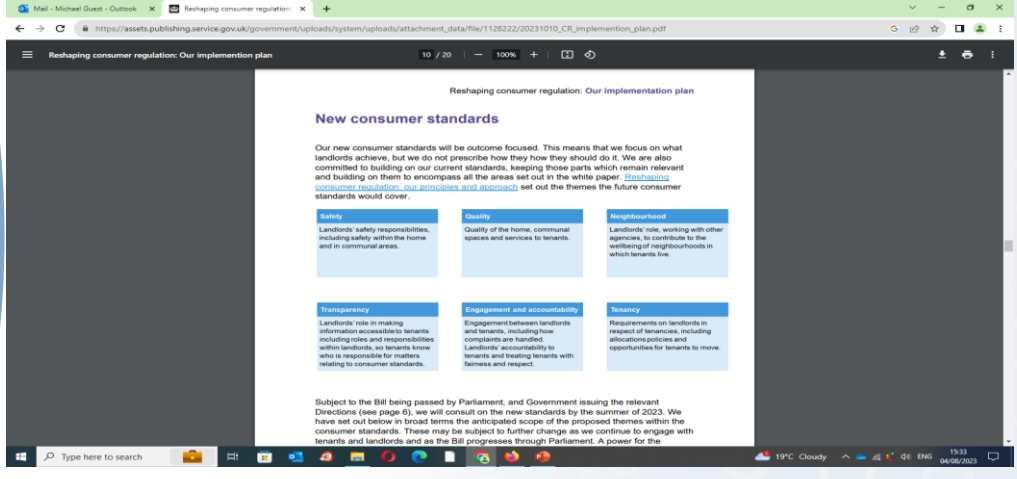
Social Housing (Regulation) Act 2023 – Key Changes

- Strengthening the Regulator of Social Housing to carry out regular inspections of the largest social housing providers and the power to issue unlimited fines to social landlords
- Additional Housing Ombudsman powers to publish best practice guidance to landlords following investigations into tenant complaints
- Powers to set strict time limits for social landlords to address hazards such as damp and mould
- New qualification requirements for social housing managers
- Introducing stronger economic powers to follow inappropriate money transactions outside of the sector.

Draft new Consumer Standards – subject to current consultation. Likely to apply from April 2024

- The Safety and Quality Standard
- The Transparency, Influence and Accountability Standard
- The Neighbourhood and Community Standard
- The Tenancy Standard

Plus, a Code of Practice in relation to the Standards



Consumer Regulations – What's different?

- **Clear and more concise definitions** of what each standard is there to achieve
- **More explicit**, with wider range and context than the existing consumer standards
- Each standard maintains **"required outcome" and "specific expectations" sections**
- **Supported by clear examples** in a newly introduced Code of Practice

The Safety and Quality Standard

- Builds on and replaces the **existing Home Standard**
- Requires landlords to ***"provide safe and good quality homes and landlord services to tenants"***
- Covers a **wider remit than the existing standard** (which only sets requirements on the quality of accommodation and repairs and maintenance)
- **Sets required outcomes** and specific expectations for **stock quality; decency; health and safety; repairs, maintenance and planned improvements; and adaptations**
- Key focus is on the **collection and best use of stock condition data**; **decent homes compliance; H&S management and compliance; efficiency and effectiveness of responsive repairs and planned maintenance services; and assisting tenants with adaptations**.

The Transparency, Influence and Accountability Standard

- Builds on and replaces the existing **Tenant Involvement and Empowerment Standard and the Tenant Satisfaction Measures Standard**
- Requires landlords to ***"be open with tenants and treat them with fairness and respect, so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account"***
- Sets required **outcomes and specific expectations** for fairness and respect; diverse needs; engagement with tenants; information on landlord services; performance information; complaints; and self-referral
- Contains a specific expectation for RPs to meet the Regulator's requirements in relation to the **tenant satisfaction measures** (replaces the TSM Standard)
- Introduces a specific expectation for RPs **to inform the Regulator on <u>all</u> material issues relating to non-compliance or potential non-compliance with the consumer standards**. This mirrors the requirement for self-referral in certain economic standards.

The Neighbourhood and Community Standard

- Builds on and replaces the **existing Neighbourhood and Community Standard**
- Requires landlords to ***"engage with other relevant parties, so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes"***
- Sets **required outcomes and specific expectations** for the maintenance of shared spaces; local co-operation; safer neighbourhoods; and domestic abuse
- Introduces **a required outcome and specific expectations** for domestic abuse, recognising that it needs to be dealt with separately from ASB

The Tenancy Standard

- Builds on and replaces the **existing Tenancy Standard**
- Sets requirements for ***"the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords"***
- Sets **required outcomes and specific expectations** for allocations and lettings; tenancy sustainment and evictions; tenure; and mutual exchange
- Focuses on **RPs knowing their properties**; **understanding local housing needs**; and **making best use of their housing stock**
- Introduces a new requirement for RPs to **prevent homelessness** by **supporting tenants** in maintaining their tenancies.

The Consultation Process and Timetable

Proposed Timings	Anticipated Activity
25 July 2023	Consultation period begins – seeking views on the revised regulatory consumer standards and code of practice (CoP).
17 October 2023	Consultation closes. Responses submitted after this date may not be considered.
Autumn 2023	The Regulator analyses and considers consultation responses. Any drafting changes to the consumer standards and CoP will be made at this stage.
Early 2024	The regulator publishes a decision statement which will summarise the key areas of feedback from the consultation and set out our decision on the final form of the consumer standards, together with a final version of the regulatory documents.
1 April 2024	The revised consumer standards will come into force alongside the new consumer regulatory regime.

Additional Consultation

- Further consultation is expected from Government on powers to set a **"competency and conduct standard"** for housing professionals (and more on the application of **mandatory qualifications**), and **access to information for tenants**.
- The Government is also reviewing the **Decent Homes Standard**, which will require a further review of the decency standard in due course.

Code of Practice

- New guidance to help RPs and tenants understand **what's expected under the revised consumer standards**
- Doesn't cover every single requirement in the consumer standards but **focuses on the areas where the Regulator thinks it helpful to expand on the standards**
- **Not legally binding** but may help RPs think about how they might achieve compliance with the consumer standards
- **The Regulator might refer to the Code of Practice** in deciding whether or not a landlord meets the consumer standards
- **Landlords will be expected to meet all the requirements of the consumer standards**, whether the Code of Practice specifically mentions them or not.

The increased profile of safety, specially building safety



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Hackitt Report – an overview

The **main finding** from the report was that:

> *"...the current system of building regulations and fire safety is not fit for purpose and that a culture change is required to support the delivery of buildings that are safe, both now and in the future."*

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Hackitt Report – findings

- The **roles and responsibilities** of those procuring, designing, constructing and maintaining buildings are **unclear**
- The package of **regulations** and **guidance** can be **ambiguous** and **inconsistent**
- The **processes** that drive **compliance** with building safety requirements are **weak and complex** with poor record keeping and change control in too many cases
- **Competence** across the system is **patchy**
- The **product testing, labelling and marketing** regime is **opaque and insufficient**
- The **voices of residents** often goes **unheard**, even when safety issues are identified

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Hackitt Report – recommendations

- **A new Joint Competent Authority** (JCA) comprising local authority building standards, fire and rescue authorities and the Health and Safety Executive to oversee **better management of safety risks** of high-rise residential buildings
- A set of rigorous and demanding roles and responsibilities for **'duty holders'** (i.e. building owners) to ensure a stronger focus on building safety
- A series of **robust gateway points** that will require duty holders to show to the JCA that their plans are detailed and robust
- **A single, more streamlined, regulatory route** to oversee building standards to ensure that enforcement can and does take place where necessary
- **Clearer rights and obligations for residents** to maintain the fire safety, working in partnership with the duty holder
- Moving towards a system where **ownership of technical guidance rests with industry** as the intelligent lead in delivering building safety
- A **package of regulations that is simpler** to navigate but genuinely reflects the level of complexity of building work
- **Continuous improvement and best practice** learning through membership of an international body

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To be safe in your home – White Paper

- Safety is at the **heart of the charter**
- Proposes that the **consumer standards will be strengthened to include safety**, and landlords will be required to **identify a nominated person** to comply with all health and safety requirements
- **Mirrored the proposals in the then Building Safety Bill** to have a named *accountable person* responsible for higher-risk buildings
- RSH expected to prepare a **memorandum of understanding** with the **Health and Safety Executive** so that information on safety can be shared with the new Building Safety Regulator
- RSH will launch a consultation on **mandatory smoke and carbon monoxide alarms** in social housing

The Building Safety Act 2022 – key provisions

- A new **Building Safety Regulator** within the Health and Safety Executive with tough powers to set safety standards and to issue sanctions against designers, contractors, and owners
- New **stringent standards** for higher risk buildings
- A new framework of **'accountable persons'** (dutyholders) for higher risk buildings
- A New **Homes Ombudsman** scheme
- Removal of the **'democratic filter'** so that social housing residents can contact the Housing Ombudsman directly
- **Reform of Building Control**

The Building Safety Act 2022 – a resident engagement strategy

- Will set out how **safety obligations will be delivered in practice**
- Describe the **opportunities for involvement in decision-making in safety issues** and how residents will be able to access the safety information that they are entitled to see
- **A suitable complaints policy and procedure** will need to be put in place to deal with cases where things go wrong
- **Residents** will also have **increased responsibilities** to maintain and repair "relevant residents' items" and take reasonable care to avoid damage to any "relevant safety item"
- The accountable person **can give residents notice of breach of their duties** and can apply to the County Court for redress. This means that there will be a partnership between landlords and residents on safety issues

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A new approach to complaints resolution – development of the Regulatory Framework



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A new approach to complaints resolution

- White Paper proposed to **strengthen the role of the Housing Ombudsman**
- With **stronger powers** to set timescales for information being provided by landlords and **ensure quicker response times** for dealing with complaints
- The **democratic filter**, which prevented residents going direct to the Housing Ombudsman, **ended**
- Residents will be enabled to **contact the Housing Ombudsman directly** without delay

Complaints resolution – provisions

- **Landlords** required to comply with the Housing Ombudsman's **Complaint Handling Code**, make sure have **good processes** in place to **respond swiftly and effectively** to complaints
- Government has run **an awareness campaign** so social housing residents **know their rights**, are confident in navigating their routes to complain, and **aware of how to escalate** to get redress where needed
- **Relationship** between RSH and the Housing Ombudsman will be **strengthened and formalised**, requiring both to co-operate with each other in **holding landlords to account**
- Housing Ombudsman will become a **statutory consultee** for any changes to the regulatory standards

Housing Ombudsman: Complaint Handling Code July 2020 – key features

- Universal **definition** of complaint
- Providing **easy access** to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
- The structure of the complaints procedure – **only two stages necessary** and clear timeframes set out for responses
- Ensuring **fairness** in complaints handling with **resident-focused** process
- Taking **action** to put things right and **appropriate remedies**
- Creating a **positive complaint handling culture** through learning and improvement
- **Demonstrating learning** in annual reports

Complaints resolution – self-assessment

- Required in order to ensure **landlords are compliant with the new code**, part of the Ombudsman's new powers in the revised Housing Ombudsman Scheme
- Landlords were asked to **complete a self-assessment against the Code** by 31 December 2020
- Landlords will not be required to submit the self-assessment to the Ombudsman, but will be **required to publish their assessment**
- **Non-compliance** could result in the Ombudsman issuing a **complaint handling failure order**

Complaints resolution

To do list:

- **Comply** with the Housing Ombudsman's **complaint handling code** (initial self-assessment was 31 December 2020)
- Improve the speed and effectiveness of complaints handling to be **more responsive to residents** and avoid being named and shamed by the Housing Ombudsman with follow up action from the new arm of the RSH
- Track and implement **good practice** on complaints

Decent Homes 'Plus' – what could the review mean for providers?



Decent Homes Plus – what could the review mean for Providers?

- This section of the Charter acknowledges the importance of **safe and vibrant communal areas and green spaces** for mental health and wellbeing
- Something that has been brought into **sharp focus by the pandemic**
- The key headline in the charter is the proposal to **review the Decent Homes Standard**, which was first put in place in 2000
- It will be reviewed to see if it should be updated to **reflect changes such as climate change and changes in energy sources**

To do

- Plan to finance and deliver the **de-carbonisation** of your homes

Decent Homes Plus – what could the review mean for Providers? ...(cont'd)

- The review is being conducted in **two parts**
- Part 1 will run from Spring to Autumn 2021 and will seek to **understand the case for change to criteria within the Decent Homes Standard**
- **If the case for change is made**, part 2 will run from Autumn 2021 to Summer 2022 and will consider **how decency should be defined**
- The main outcome will be **a refreshed Decent Homes Standard**

Decent Homes Plus – what the review might mean for Providers?
...(cont'd)

- The White Paper mentions how the Decent Homes Standard can **"better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces"**
- It notes that "during our consultation events, we heard that the Decent Homes Standard is no longer fully effective and **does not reflect present day concerns, including on energy efficiency or safety**"
- The Decent Homes Standard review will also consider how **improvements to communal space around social homes could make places more liveable, safe and comfortable**
- The White Paper says this will "build on the Regulator's existing Neighbourhood and Community Consumer Standard requiring landlords, working with other agencies, to keep the **neighbourhood and communal areas associated with the homes they own clean and safe, and to promote social and environmental wellbeing**"
- Linked to the Decent Homes Standard is the **provision of green spaces**

Resident engagement – what is the latest thinking?



Resident engagement – what is the latest thinking?

To have your voice heard by your landlord:

- The charter puts a duty on the RSH to require landlords to show **how they have sought out and considered ways to improve tenant engagement**
- There will be a **new opportunities and empowerment programme** open to all social housing residents, to support their **effective engagement with landlords**
- The programme will deliver **a range of learning and support activities**, as well as providing information
- Whether this will involve setting up a **new national tenants' body** remains to be seen

Resident engagement – what is the latest thinking? ...(cont'd)

To do:

- Get **better at listening to residents** and giving them useful and timely information
- **Show how residents influence your decisions**, e.g. via surveys, focus groups, scrutiny panels, and board membership

Resident engagement – what is the latest thinking? ...(cont'd)

Menu of engagement, to include:

- **Consultation** panel – emails
- **Dedicated** groups – e.g., policy review, reading panels...
- **Local** groups – e.g., resident associations, local forums...
- **Surveys** – e.g., email, post, telephone, in person
- **Mystery shopping**
- Estate **inspections**
- Resident **inspection and scrutiny**
- **Overall** groups – e.g., resident councils
- Participation in **housing provider's scrutiny** arrangements
- Measuring the **impact**

Tenant Satisfaction Measures – TSMs
Overall Satisfaction

Overall satisfaction		
TP01	Overall satisfaction	Measured by doing tenant perception survey

- Measures the proportion of respondents who report that they are **satisfied with the overall service** from their landlord
- This **must** always be the **first question**
- There is no change from draft TSMs

Keeping properties in good repair – related commitments in the Social Housing White Paper

- Removal of the Serious Detriment test
- Introduce **Performance Improvement Plans** for landlords failing to comply
- Reduce the notice period for **surveys on the condition of properties** from 28 days to **2 days**
- Introduce a **new power to arrange emergency repairs** if needed where a survey uncovers evidence of systemic landlord failures
- **Review** the **Decent Homes Standard** and consider whether it needs to be updated to ensure it is delivering what is needed for safety and decency now

Keeping properties in good repair

Keeping properties in good repair		
RP01	Homes that do not meet the Decent Homes Standard	Measured by landlords directly
RP02	Repairs completed within target timescale	Measured by landlords directly
TP02	Satisfaction with repairs	Measured by doing tenant perception survey
TP03	Satisfaction with time taken to complete most recent repair	Measured by doing tenant perception survey
TP04	Satisfaction that the home is well-maintained	Measured by doing tenant perception survey

Things to note:

- These measures will **not apply** to **shared ownership** properties
- It is **accepted** that landlords will **have different timescales for repairs** so the measure will not be helpful for direct comparison of performance between landlords
- It is also acknowledged that **some landlords** have **moved away from setting timescales** for repairs and base performance on the arrangement of **mutually agreed appointment times** – the TSM isn't designed to stop this happening but expects all providers to have established and published timescales

Keeping properties in good repair ...(cont'd)

Changes from original proposals:

- RP02: Change to definition to include emergency as well as non-emergency repairs, and clarification of definition of responsive repairs
- The perception measure **TP04: Satisfaction that the home is well-maintained** is now standalone – previously it was combined into one TSM: **Satisfaction that the home is well maintained and safe to live in**

Maintaining Building Safety

Related commitments in the Social Housing White Paper:

- Legislate to strengthen the Regulator of Social Housing's **consumer regulation** objective so that it **explicitly includes safety**
- Legislate to require social landlords to identify a **nominated person** responsible for **complying** with their **health and safety requirements**
- Expect the **Regulator** of Social Housing to prepare a **Memorandum of Understanding with the Health and Safety Executive**, once the national **Building Safety Regulator** is created, to ensure effective sharing of information

Maintaining Building Safety ...(cont'd)

Maintaining building safety		
BS01	Gas safety checks	Measured by landlords directly
BS02	Fire safety checks	Measured by landlords directly
BS03	Asbestos safety checks	Measured by landlords directly
BS04	Water safety checks	Measured by landlords directly
BS05	Lift safety checks	Measured by landlords directly
TP05	Satisfaction that the home is safe	Measured by doing tenant perception survey

Things to note:

- The TSM **will not incorporate remedial actions** as obligations relating to remedial actions can be complex and the reporting approach. Example on prioritisation of actions, varies widely across providers
- However, **landlords must comply with all health and safety obligations** and to inform the regulator of any significant health and safety compliance issues (including any relating to outstanding remedial actions) in real time
- The is currently no TSM on Electrical Safety Checks as government are awaiting the finalisation of government policy following the consultation earlier this year

Maintaining Building Safety ...(cont'd)

Changes from original proposals:

- TSMs BS01-BS05 remain unchanged – clarity on definition
- The perception measure **TP05: Satisfaction that the home is safe** is now standalone – previously it was incorporated into **TP04: Satisfaction that the home is well maintained and safe to live in**

Respectful and helpful engagement

Related commitments in the Social Housing White Paper

- Expect the **Regulator** of Social Housing to require landlords to **seek out best practice** and consider how they can continually improve the way they engage with social housing tenants
- Deliver a **new opportunities and empowerment programme for social housing residents**, to support more effective engagement between landlords and residents, and to give residents tools to influence their landlords and hold them to account
- Review **professional training and development** to ensure residents receive a high standard of customer service. Improving landlord engagement. (Concluded Oct 2022)

Respectful and helpful engagement ...(cont'd)

Respectful and helpful engagement		
TP06	Satisfaction that the landlord listens to tenant views & acts upon them	Measured by tenant perception survey
TP07	Satisfaction that the landlord keeps tenants informed about things that matter to them	Measured by tenant perception survey
TP08	Agreement that the landlord treats tenants fairly and with respect	Measured by tenant perception survey

Things to note:

- This TSM is entirely measured by the perception survey
- It will be important to **drill down to understand responses** as they are likely to be very subjective
- There may be a **new measure on competency and conduct** as a result of the review of professionalisation (not announced)

Respectful and helpful engagement ...(cont'd)

Changes from original proposal:

- TP06 and TP07: minor changes to survey wording

Effective Handling of Complaints

Related commitments in the Social Housing White Paper:

- Introduction of the Housing Ombudsman's **Complaints Handling Code** (introduced July 2020/updated April 2022)
- Support improved complaint handling by landlords and hold them to account through **stronger action by the Housing Ombudsman**.
- Run an **awareness campaign** so social housing residents know their rights, are confident in navigating their routes to complain, and are aware of how to escalate to get redress where needed
- **Formalise and strengthen the relationship between the Regulator of Social Housing and the Housing Ombudsman** by introducing a statutory requirement for both bodies to co-operate with each other in undertaking their responsibilities in holding landlords to account.
- Make the **Housing Ombudsman a statutory consultee** for any proposal concerning changes to the Regulator of Social Housing's economic and consumer standards.
- Make the **Regulator of Social Housing a statutory consultee** for any changes to the Housing Ombudsman Scheme

Effective Handling of Complaints ...(cont'd)

Effective handling of complaints		
CH01	Complaints relative to the size of the landlord	Measured by landlords directly
CH02	Complaints responded to within Complaint Handling Code timescales	Measured by landlords directly
TP09	Satisfaction with the landlord's approach to handling complaints	Measured by tenant perception survey

Things to note:

- The regulator recognises that the number of complaints received by a landlord is **not necessarily an indicator of poor performance**
- Measures will be looked at in the round including the tenant perception measure

Effective Handling of Complaints ...(cont'd)

Changes from original proposal:

- The perception measure relating to tenants' knowledge of how to make a complaint has been removed
- CH01 and CH02: clarity of definition
- A filter question has been added to TP09: Satisfaction with the landlord's approach to handling complaints enable responses only from those who have made a complaint in the previous 12 months

Responsible Neighbourhood Management

Related commitments in the Social Housing White Paper

- **Review the Decent Homes Standard** to consider if it should be updated, including how it can better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces
- **Clarify the roles of agencies** involved in tackling anti-social behaviour and signpost tenants to those agencies who can give them the most appropriate support and assistance when faced with antisocial behaviour
- Consider the results of the allocations evidence collection exercise findings to ensure that **housing is allocated in the fairest way possible** and achieves the best outcomes for **local places and communities**

Responsible Neighbourhood Management ...(cont'd)

Responsible neighbourhood management		
NM01	Anti-social behaviour cases relative to the size of the landlord	Measured by landlords directly
TP10	Satisfaction that the landlord keeps communal areas clean and well-maintained	Measured by tenant perception survey
TP11	Satisfaction that the landlord makes a positive contribution to neighbourhoods	Measured by tenant perception survey
TP12	Satisfaction with the landlord's approach to handling anti-social behaviour	Measured by tenant perception survey

Things to note:

- There is no filter question that asks if tenants have reported ASB in last 12 months (like there is for repairs and complaints).
- Be mindful that you **may therefore receive responses from residents who haven't either experienced or reported ASB included**
- An additional question **could be helpful to understand the level of residents** who have experienced ASB in last 12 months

Responsible Neighbourhood Management ...(cont'd)

Changes from original proposal:

- NM01: Domestic abuse cases have now been excluded from this; hate incidents are still included

National Housing Federation Code of Governance 2020

- The views and needs of their **residents and other customers** are at the **heart of strategic decision-making**
- That there is robust oversight of measures to **keep residents, other customers and staff safe.**
- That boards exert a firm grip of risk, including thoroughly testing the impact of potential **risk scenarios on the organisation's future plans.**

Therefore, emphasis on

- **Accountability to stakeholders**, including residents, local authorities, other customers and staff
- **Equality, diversity and inclusion** in governance
- **Sustainability**
- **Organisational culture**

National Housing Federation – Together with Tenants - 20 October 2020

A **four-point plan**

- A new requirement in the National Housing Federation Code of Governance for **boards to be accountable to their residents**
- A new **Together with Tenants charter**
- **Resident oversight and reporting** of progress against the charter
- Giving residents **a stronger collective voice** with the regulator

The Together with Tenants Charter – Six Commitments

1. Relationships
2. Communication
3. Voice and influence
4. Accountability
5. Quality
6. When things go wrong

Pulling all this together – whole group discussion



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Action planning arising from the implications – whole group discussion



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Conclusion

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Joint NHF and CIH action plan in response to the Better Social Housing Review – May 2023

1. Every housing association, and the sector as a whole, should refocus on their core purpose and deliver against it
2. Housing associations should work together to conduct and publish a thorough audit of all social housing in England
3. Housing associations should partner with residents, contractors and frontline staff to develop and apply new standards defining what an outstanding maintenance and repairs process looks like
4. CIH should promote the traditional housing officer role as a supported and valued employment opportunity with a Chartered Institute of Housing recognised programme of training and continuing development
5. Housing associations should work with all residents to ensure that they have a voice and influence at every level of decision making across the organisation, through both voluntary and paid roles
6. Housing associations should develop a proactive local community presence through community hubs which foster greater multi-agency working
7. Housing associations should support residents and frontline staff to undertake an annual review of the progress each organisation is making in implementing this review's recommendations

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Social Housing (Regulation) Act 2023 Social Housing White Paper, Hackitt Report, Building Safety Act 2022, Complaints Strengthening and Decent Homes Plus – For Engaged Residents and Staff

Michael Guest

8 January 2024

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