

# Regulatory standards compliance – lessons from our work with providers

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## About the author

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**Damian Roche** is a director at HQN. With over 20 years' experience at senior level in ALMOs and housing associations, Damian brings a wealth of relevant experience. After a grounding in homelessness and housing advice in Midlands and London local authorities, Damian held senior posts in two ALMOs as well as spending time seconded to the Office of the Deputy Prime Minister where he successfully co-ordinated the work of the ALMO Review Group, which was looking at the long-term sustainability of ALMOs.

Between 2008 and 2013, Damian was Operations Director for HQN, where he led on the delivery of HQN's resident engagement and resident scrutiny frameworks and supported a variety of local authorities, ALMOs and HAs and their customers on various projects, including procurement and service improvement.

More recently, Damian was Director of Customer Experience for Accent Housing, where he was responsible for all customer facing services to 4,700 homes, including housing management, repairs and maintenance and resident engagement, while also a member of the leadership team. Damian returned to HQN in 2022 and has supported a range of organisations, both big and small, on a variety of projects, including supporting providers to meet the challenges of the regulatory framework and carrying out reviews across a range of services including complaints management and resident engagement. Damian is also the Chair of the Board of trustees of a homelessness and debt advice charity.



## Introduction

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By now, I'm sure we all know the consumer standards inside and out and understand the expectations of the Regulator of Social Housing (RSH). We know that the RSH is keen to be assured, among other matters, that you know your stock, inside and out and that you know who's behind every door. We know that we're expected to marry up the two sets of data and use it intelligently. We also know that they want assurance around Decent Homes, compliance and health and safety in general.

So, how can you gain some confidence that you're in a decent place, when you get the notification from the RSH that they'll be paying you a visit? Or, if you aren't in a decent place, how can you be assured you're at least travelling in the right direction? Clearly there are some dealbreakers – no up-to-date asset management strategy; no up-to-date, reliable household data; no up-to-date, reliable stock condition data; lack of assurance against the 'big six' of compliance (and beyond).

You know all that. If you're confident that you have a decent handle on the big-ticket issues, what else should you be doing? What else should you be looking at or for to ensure you're achieving or moving towards compliance (and, therefore, hopefully delivering good services to your tenants and residents)? Well, here at HQN, we're working with a range of providers, helping them on their journey and we thought we'd share a few of our experiences – both positive and less so – to help you on your way.

## Know thyself

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Perhaps the best piece of advice we can give you from our experience of working with our members is to ensure you have self-assessed your service and performance against the consumer standards. You need to be able to demonstrate that you comply with them or are at least working towards compliance. Besides, they're also about good service, so why wouldn't you want to comply?

The following are our top tips for completing a comprehensive self-assessment:

- Don't do it on your own – the housing director may be the key person to start any assessment around compliance on, say, neighbourhood management. But it's essential that they involve operational colleagues, including customer-facing colleagues. Equally important are colleagues from data, performance and governance teams. Make it a team effort
- Have one author for the assessment document. Different colleagues may lead on different sections but get your best wordsmith to set it out into a single, logical, joined-up piece of work
- Construct a compelling 'story' that demonstrates you have a firm grip of each of the standards (and the elements within them). As my colleague is accustomed to say, *"answer the questions the regulator hasn't yet thought to ask"* and (as long as it's justified and honest) provide the reassurance that helps them determine 'there's nothing to see here' and so they're satisfied. That's what the Regulator wants after all – (re)assurance
- Use the self-assessment, not to tell the Regulator what you know, but to prove what you know. And don't do it by spreadsheet. If you're using a myriad of spreadsheets to manage and deliver services, then expect problems, big problems, with the Regulator
- Data is critically important – use this to demonstrate your challenges, the decisions you have made and your successes
- Precision – don't just make reference to policies and procedures or initiatives – though these are all important. But provide facts, figures, examples of outcomes and what has been achieved or changed
- Provide the evidence of the outcomes
- Test it out with your residents – get their views. How does that differ from your impression of the delivery of the service?
- Test it on your colleagues. If you followed the first bullet point, this may not be necessary. But we have read self-assessments and been completely underwhelmed. We've then facilitated workshops to assess compliance with the standards and been impressed with what's happening on the ground. The self-assessment had missed the opportunity to tell the full story

- Test it on outsiders. Some people think they know the consumer standards inside out and back to front (I can't think who I'm thinking of here) and can, therefore, assess a relevant service to the nth degree. I asked a colleague, who has had little involvement with the consumer standards, to review an assessment we had done on a provider and they asked great questions and made excellent challenges based on their ignorance of the detail
- Demonstrate how you're getting assurance – how you're triangulating
- Where are there gaps? Have a SMART action plan to address them
- You can't do it all and the standards aren't all equal – risk assess and use this to prioritise completion of the self-assessment and the action plan. Show you're using your resources wisely
- Good housekeeping is important – evidence neatly labelled and filed in one place. One up-to-date version of the truth – policies, procedures, etc.

Governance applies to every organisation – you just have different arrangements in place. Ensure you're reporting sufficient information to your governing body, so that they can be assured of your position and influence accordingly. The regulator expects governing bodies to be on top of things.

Providers come in many different shapes and sizes. Make it easy for the Regulator when they come in to understand any complexities in your structure and operations. Be clear about who does what and what gets reported where. Set it out on one sheet of paper:

- What gets reported and how frequently, where decisions are made and risks considered/mitigated
- How residents' views are taken on board
- How the main governing body retains oversight
- The operations – who does what and where does responsibility rest?

The TSMs – how have you performed? Where do you need to prioritise for improvement? Ensure you can analyse your data so that you can identify any areas to prioritise – is performance/satisfaction lower in a particular geographical location? If so, do you know why? What are you doing about it? Is satisfaction lower for different age groups? For black and brown tenants? If so, what are you doing about that?

Remember there are/will be five standards – don't forget the professionalism standard. It's not set in stone yet but what are you doing to prepare for it?

## Beyond the big six

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When we're working with clients, we home in on the 'big six' compliance issues – gas, electric, water, fire, lifts and asbestos. Of course, these are the big-ticket issues and the ones the Regulator will probably look at first. But the Regulator – and your tenants – expect you to have a laser focus on safety across the board. We often look at almost 30 different aspects when it comes to health and safety and look for assurance that you can evidence you're on top of them all. What assurance do you have that no child is going to cut themselves on rusty playground swings? Or that no resident in an independent living scheme is going to fall after using a loose grab rail to support themselves?

So, make sure you have all areas of health and safety covered. Your tenants will appreciate it and your legal and insurance colleagues can sleep at night.

## Read what you have written

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When you've written your self-assessment, do make sure it's accurate and can be evidenced. I've lost count of the number of times I read such and such a policy can be found on our website, only to spend the next three days searching and searching to no avail and, of course, avoid exaggeration at all costs.

Don't make statements that may cause alarm to the Regulator, especially if they are incorrect. One provider wrote "*XXXX (place name) gets a more limited repairs service*". In fact, that town didn't get a more limited service – it was just delivered in a different way.

## What difference does it make?

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We see lots of interesting initiatives designed to improve circumstances for tenants. These may be around tenancy sustainability, supporting residents through the cost-of-living crisis, or enhanced communal areas. But we often do not see continuous assessment of such initiatives (the 'why are we doing this' question) so that you can decide whether to continue or stop doing something, or whether to do more of something.

For example, we worked with a provider which had introduced an income maximisation specialist, with the aim of bringing in more income for tenants. They were bringing in additional income which equated to far more than their salary and oncosts and could evidence positive outcomes around reduction in evictions and vacant properties. But capacity issues meant the provider was only able to meet 50% of the demand. So, there was clear evidence to support consideration of an additional post.

## Read what you have written (part two)

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We all do it, right? When we're putting our name at the bottom of a letter, we always proof the letters? And managers are checking that these letters portray the organisation in a good light, aren't they? As well, of course, as being customer-focussed? If only it were so, I wouldn't have seen the following in formal complaints responses:

- Beware the embarrassing typo – one letter we came across contained this memorable mistake: “we plan to visit to pick up any *shagging* works required”. While this may be taking customer service way too far, we were intrigued by the following sentence in the same letter: “it is noted *eternal* flooring in the garden has started to go down already. This requires consent”
- Is sarcasm the lowest form of wit? I often argue otherwise, but I would not use it in a formal complaint response. One provider, in response to a tenant's complaint that an agreement to lay a new driveway included the jet washing of it, responded:

*“We will happily brush it and use a bit of water to wash it down but we will not jet wash. We have spoken to the operative regarding this comment and advised he should not say the comment as this would've needed to be agreed by management as he does not have authority to agree to work.”*

This response is wrong on so many levels – it's practically a skyscraper.

## This is the modern world

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I know we're all very busy and we need to prioritise, but don't think it's OK to provide the Regulator with a copy of your ASB policy that is dated 1984. It might be good enough for George Orwell's Winston Smith, but it probably will not cut the mustard with the Regulator. If you have policies that are out of date, prioritise them for review. I'm sure the Regulator will understand the conflicting pressures you're challenged with, but you still need a plan to review and ensure your policies are up to date. Oh, and when you've done that, please put them in an obvious place on your website so this poor soul (and your tenants of course) can find them!

HQN has a range of resources to help you with these issues:

- Our consumer standards compliance toolkit is currently being updated with all the latest requirements. [See our earlier version](#)
- Our [guide to board effectiveness](#) – includes all you need to know on governance
- Our [briefing on the new conduct and competency requirements](#)
- Our [briefing on the Ombudsman's report Insight on data and Individual Cases](#).

## Fast, practical guidance on everything to do with housing

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HQN provides high-quality advice, tailored support and training to housing associations, councils, ALMOs and other housing providers.

Find out more about HQN and our network membership by visiting [hqnetwork.co.uk](http://hqnetwork.co.uk) or call us on +44 (0)1904 557150.



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