



CABINET

13 October 2021

A meeting of the CABINET will be held on Thursday, 21st October, 2021, 6.00 pm in Council Chamber, Marmion House, Lichfield Street, Tamworth, B79 7BZ

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of Previous Meeting (Pages 3 - 6)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 Question Time:

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules

6 Modern Slavery and Human Trafficking Statement 2020/21 (Pages 7 - 16)
(Report of the Portfolio Holder, Regulatory and Community Safety)

7 Council Housing Annual Report 2020/2021 (Pages 17 - 100)
(Report of the Portfolio Holder for Social Housing and Homelessness Prevention)

8 South Staffs Legal Service (Pages 101 - 104)

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal line extending to the right.

Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: J Oates, R Pritchard, M Bailey, D Cook, S Doyle and A Farrell.



**MINUTES OF A MEETING OF THE
CABINET
HELD ON 30th SEPTEMBER 2021**

PRESENT: Councillor J Oates (Chair), Councillors R Pritchard (Vice-Chair), M Bailey, D Cook, S Doyle and A Farrell

The following officers were present: Andrew Barratt (Chief Executive) and Tracey Pointon (Legal Admin & Democratic Services Manager)

Guest Councillor Thomas Jay

52 APOLOGIES FOR ABSENCE

There were no apologies for absence

53 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 9th September 2021 were approved and signed as a correct record

(Moved by Councillor R Pritchard and seconded by Councillor A Farrell)

54 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

55 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1 Under Schedule 4, 13, Mr H Loxton will ask the Portfolio Holder for Economy & Waste Councillor D Cook, the following question:-

I noticed with interest that the recycling credit paid to the council for green waste is £32.08 per tonne in the year 2021/22, and this will reduce to £25.58 per tonne in 2022/23.

Could you please confirm what the recycling credit amounts have been each year since 2016/17 and how much has been sent for recycling in each of those years?

Councillor Daniel Cook gave the following reply:-

Thank you Mr. Loxton for your question.

All tonnages are verified from the waste dataflow system. I will of course E-mail you these figures as well.

In 2016/17 the council collected 8477.16 tonnes of dry recyclates, and 6060.76 tonnes of organic waste. It received recycling credits of £50.18/tonne for the dry and £49.10 for the organic.

In 2017/18 the council collected 8342.93 tonnes of dry recyclates, and 5425.82 tonnes of organic waste. It received recycling credits of £51.69/tonne for the dry and £50.08 for the organic.

In 2018/19 the council collected 8114.56 tonnes of dry recyclates, and 3467.65 tonnes of organic waste. It received recycling credits of £53.24/tonne for the dry and £51.58 for the organic.

In 2019/20 the council collected 7774.21 tonnes of dry recyclates, and 3763.39 tonnes of organic waste. It received recycling credits of £54.84/tonne for the dry and £45.08 for the organic.

In 2020/21 the council collected 8305.10 tonnes of dry recyclates, and 4117.16 tonnes of organic waste. It received recycling credits of £56.49/tonne for the dry and £38.58 for the organic.

Please recall we receive these payments as we are the Collection authority, but not the disposal authority which is Staffordshire County Council, but under agreement we sort end to end disposal of the waste.

Mr Hoxton asked the following Supplementary Question:

If you had known at the time, would you have introduced the green bin charge when you did, if you knew the recycling credits were to stay as high as there were would you still have done it and has anything been done to look at setting up your own company to make a profit of sending our own waste during the 3 years we have had that contract.

Councillor Daniel Cook gave the following reply:-

Mr Loxton is correct, we introduced the green charge in 2018 £36.00 per bin per year at the time the County Council were paying us £51.00 a tonne as a recycling credit to dispose of green waste. County council are the disposal Authority the Borough Council is the collection authority. Ten years before that a deal had been struck between County Councils and Borough Councils in Staffordshire to say the county council saw no reason for two sets of councils to be involved in this process and if districts could arrange to dispose of their own

waste they would pay a credit to ensure it was taken care of properly. The District Council's spent 10 or 11 years and credit to Mr Barratt who was part of that process, making it as efficient as we could finding better contracts and better ways to do it and it was the fundamental work of Waste officers at district level. By 2018 the County Council had become aware that it was costing us around £25.00 a tonne to dispose of green waste whilst we were getting £51.00 a tonne. The County of course then wanted the difference they wanted to only pay for the cost of the service. We were arguing it was commercial arrangement the County would argue they only wanted to pay for the costs. We of course budgeted to receive that £51.00 a tonne it was underwritten in our budgets so we knew we had to do something to underwrite that shortfall against our entire General fund budget.

We consulted with fellow Councils and the public about introducing a charge on collection of green waste to cover the shortfall. We went out to look at other council's around the country and 60% of other Councils around the UK were already charging for green waste and looked for an average collection price that we thought would be fair. We found some that were charging £41 and some that were charging £30 by the time we had done our due diligence we arrived at £36 per green bin per year to collect the green waste. We had no idea at the time if the take up would be very high or very low we weren't trying equate at the time the cost of it versus what we might earn. We knew we might win we knew we might lose and actually the take up was better than we thought it might be and if you want to look at it from that small piece of information you could argue that the council made a profit from it. I would argue that anyone who wants to look at the council's balance sheet, currently this council is not making a profit in any shape or form so any additional income we fetched in by getting more people to sign up than we expected is simply swallowed up maintaining the services this council provides such as litter picking, Homelessness, Assembly Rooms Castle etc.

We did indeed look at the time to see if there was an option around us setting up our own entity to look to dispose of the waste but what we struggled for was the land and the opportunity to do so. I think Mr Loxton hit the nail on the head, we made the decisions at the time with the information that we had under the contract that we had at the time. Are we intending to look at it again, I wouldn't say at this minute that we are but I would never rule it out in the long term if there is an opportunity for this council or using one of its subsidiaries such as Solway to potentially look at options to do this better in future. This council as a deficit building through no fault of its own and we need to look at all opportunities as a council to be as commercial as we can and as often as we can to give our residents the best value service we can possibly give them.

56 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

Councillor Thomas Jay, Chair of the Corporate Scrutiny Committee updated Cabinet in relation to the current Disabled Facilities Grant funding allocation received by Tamworth Borough Council discussed at Corporate Scrutiny on 24th August 2021

The Committee had raised the following motion:

That the Committee propose to ask Cabinet to raise the issue regarding Disabled Facilities Grant funding with Staffordshire County Council through County Councillors.

Resolved: That Cabinet

Agreed to raise the issue regarding Disabled Facilities Grant funding with Staffordshire County Council through County Councillors.

(Moved by Councillor J Oates and seconded by Councillor R Pritchard)

57 FUTURE HIGH STREETS FUND UPDATE

Report of the Leader of the Council to Update the Cabinet on the progress of the Future High Streets Fund programme

RESOLVED: That Cabinet

1. Noted and approved the report

(Moved by Councillor J Oates and seconded by Councillor R Pritchard)

The Leader thanked the Infrastructure, Safety and Growth Committee for scrutinising the report and approving the recommendations

58 REVIEW OF POLICY AND PROCEDURE FOR ELECTRICAL INSPECTIONS IN COUNCIL HOUSING

Report of the Portfolio Holder for Social Housing and Homelessness Prevention to seek approval for the review and implementation of the Council's policy on undertaking periodic electrical inspections

RESOLVED: That Cabinet

Endorsed and approved the Electrical Inspections – Technical Policy

(Moved by Councillor A Farrell and seconded by Councillor D Cook)

Leader

THURSDAY, 21 OCTOBER 2021

REPORT OF PORTFOLIO HOLDER REGULATORY AND COMMUNITY SAFETY

MODERN SLAVERY AND HUMAN TRAFFICKING STATEMENT 2020/21

EXEMPT INFORMATION

None

PURPOSE

To approve the Council's Modern Slavery and Human Trafficking Statement 2020/21

RECOMMENDATIONS

It is recommended that Cabinet:-

- Approve the Council's Modern Slavery and Human Trafficking Statement 2020/21 which has been endorsed by the Audit and Governance Committee

EXECUTIVE SUMMARY

Section 54 of the Modern Slavery Act 2015 imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement at the end of each financial year.

Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.

Tamworth Borough Council adopts a zero-tolerance position on known violations of anti-human trafficking and anti-modern slavery laws and is included in Safeguarding policies and duties. We are committed to improving our practices and ensuring there is no modern slavery or human trafficking in any part of our business and in so far as is possible requiring our suppliers to hold similar ethos.

The Modern Slavery and Human Trafficking Statement (attached as Appendix 1) sets out the Council's actions to understand potential modern slavery risks related to its business and put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business, and its supply chains and relates to actions and activities during the financial year 1 April 2020 to 31 March 2021 and (once approved) will be published on the Tamworth Borough Council website.

The statement was endorsed by the Audit and Governance Committee on 16th September 2021. There were no further recommendations and the statement, once approved by Cabinet can be published on the Council's website.

Legislation prescribes publication within six months of the end of any financial year.

The 2020/21 includes the following updates:

- Safeguarding training updates
- Update of any reported concerns discussed at the Tamworth Vulnerability Partnership
- Procurement update
- Ongoing plans for 2021/2022

RESOURCE IMPLICATIONS

Support of the Modern Slavery Act 2015 obligations is met from existing budget and staff resources

LEGAL/RISK IMPLICATIONS BACKGROUND

The publication of an annual Modern Slavery and Human Trafficking Statement is a requirement of the Modern Slavery Act 2015.

There are no criminal sanctions for failure to produce a statement, but the Government can seek a court injunction to require an organisation to produce one where they fail to meet obligations.

SUSTAINABILITY IMPLICATIONS

The legislation requires the Council to meet all obligations outlined

BACKGROUND INFORMATION

Modern slavery is an international crime, affecting an estimated 29.8 million slaves around the world. It is a growing global issue that transcends age, gender and ethnicities. It includes victims who have been brought from overseas and vulnerable people in the UK, who are forced to illegally work against their will across many different sectors such as agriculture, hospitality, construction, retail and manufacturing.

The Modern Slavery Act 2015 consolidates various offences relating to human trafficking and slavery. In broad terms:

- 'slavery' is where ownership is exercised over a person
- 'servitude' involves coercion to oblige a person to provide services
- 'forced and compulsory labour' is where a person works or provides services on a non-voluntary basis under the threat of a penalty
- 'human trafficking' involves arranging or facilitating the travel of a person with a view to exploiting them

Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.

Section 54 of the Act imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement each financial year.

The Council engages in commercial activity (statutory and discretionary) and provides a range of services to residents, businesses and visitors. This includes waste collection and recycling, collection of council tax and business rates, housing, homeless support, parks and open spaces, planning and building control, street cleaning, promoting economic growth and regeneration, environmental health, leisure services, community safety and election administration. Services are delivered through a mixture of direct provision, commissioned services, contracted services, joint/shared services and partnerships. Its annual turnover is greater than £36 million.

REPORT AUTHOR

Jo Sands, Assistant Director Partnerships

LIST OF BACKGROUND PAPERS

Modern Slavery Act 2015

APPENDICES

Appendix 1 – Tamworth Borough Council Modern Slavery and Human Trafficking Statement 2019/20

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Tamworth Borough Council Modern Slavery and Human Trafficking Statement

Introduction

Modern slavery is an international crime, affecting an estimated 29.8 million slaves around the world. It is a growing global issue that transcends age, gender and ethnicities. It includes victims who have been brought from overseas and vulnerable people in the UK, who are forced to illegally work against their will across many different sectors such as agriculture, hospitality, construction, retail and manufacturing.

Tamworth Borough Council adopts a zero-tolerance position on known violations of anti-human trafficking and anti-modern slavery laws. We are committed to improving our practices and ensuring there is no modern slavery or human trafficking in any part of our business and in so far as is possible requiring our suppliers to hold similar ethos.

This Modern Slavery and Human Trafficking Statement sets out the Council's actions to understand potential modern slavery risks related to its business and put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business, and its supply chains.

This Modern Anti-Slavery and Human Trafficking Statement relates to actions and activities during the financial year 1 April 2020 to 31 March 2021.

The statement is reflective of an exceptional year due to the Covid pandemic and sets out plans for improvement in the next year as necessary.

The Modern Slavery Act 2015

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The Council engages in commercial activity (statutory and discretionary) and provides a range of services to residents, businesses and visitors. This includes waste collection and recycling, collection of council tax and business rates, housing, homeless support, parks and open spaces, planning and building control, street cleaning, promoting economic growth and regeneration,

environmental health, leisure services, community safety and election administration. Services are delivered through a mixture of direct provision, commissioned services, contracted services, joint/shared services and partnerships. Its annual turnover is greater than £36million.

Standards

Tamworth Borough Council will meet the following standards and also expects those with whom it does business with, to meet these standards:

- To support every individual's human right to live free from abuse, servitude and inhumane treatment
- To promote ethical business and operational practices in corporate activity and the services delivered
- To take appropriate steps to ensure that slavery and human trafficking is not taking part in any of its business or supply chains
- To take reports of witnessed, suspected or disclosed concerns of slavery and human trafficking seriously
- To take appropriate steps with relevant partner agencies to address actual instances of slavery and human trafficking

Policies and Procedures

Tamworth Borough Council has a range of policies and plans in place which reflect its commitment to acting ethically and with integrity to prevent slavery and human trafficking in its operations:

- Vision and Corporate Plan - The Council's vision is 'To put Tamworth, its people and the local economy at the heart of everything we do'" and our Corporate Plan includes a key priority to help tackle the causes of inequality and increase opportunities for all residents and businesses
- Safeguarding Children and Adults at Risk Policy – outlines a robust approach taken by the Council to safeguard the welfare of children and 'adults at risk'. (Reviewed and updated April 2021)

All staff and councillors are required to read and work within this policy. The Council works within multi-agency partnerships to protect and safeguard people and has an identified lead officer for modern slavery

The policy covers how the Council should comply with the duty to notify the Secretary of State of suspected victims of slavery and human trafficking.

- Whistleblowing Policy – encourages all its employees to report concerns about any aspect of service provision, conduct of officers and others acting on behalf of the Council, or the supply chain. The policy is designed to make it easy to make disclosures without fear of discrimination and victimisation. (Reviewed October 2019)
- Employee and Members Code of Conduct – is the ethical framework that employees and Members work to which makes clear the actions and

behaviour expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour and breaches are investigated.

- Recruitment Policy – sets out robust processes in line with UK employment laws, including ‘right to work’ document checks and contracts of employment.. To comply with the Asylum, Immigration and Nationality Act 2006, all prospective employees are asked to supply evidence of their eligibility to work in the UK. References are also requested and followed up.
- Job Evaluation Scheme - ensures that all employees are paid fairly and equitably. When the Council uses employment agencies to source labour it verifies the practice of any new agency it is using before accepting workers from that agency.
- Equality and Diversity Scheme ‘Making Equality Real In Tamworth’ - sets out the how the Council will promote diversity and equality in the delivery of services provided both directly and in conjunction with our partners.

Supply Chains

In the procurement process, Tamworth Borough Council continues to expect all suppliers of goods and services to comply with all applicable laws, statutes, regulations [and codes] from time to time in force [including [but not limited to] the Modern Slavery Act 2015, their own anti-slavery policy (where applicable) and this Modern Anti-Slavery and Human Trafficking Statement.

The Council recognises that the organisation is exposed to greater risk when dealing with contractors and service suppliers. The Council has a wide range of suppliers delivering services across all directorates. The Council aims to reduce the risk of modern slavery in its supply chain by undertaking the following actions:

- Where appropriate key contractors are required to have safeguarding policies, procedures and training in place, in addition to providing confirmation of compliance with the Modern Slavery Act;
- Identify services that are more vulnerable to modern slavery and seeking assurance that their supply chain is free of modern slavery and human trafficking;
- All tenderers/suppliers are required to self-certify that they comply with the provisions of the Modern Slavery Act and our Invitation To Quote (ITQ) and Invitation To Tender (ITT) documents ask if the contractor is a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act").
- If a bidder fails to self-certify they are a compliant, their response is checked
- Successful contractors are asked for evidence that they are compliant with the annual reporting requirements contained within Section 54 of the Act. If they are compliant then the contractor is required to provide

the relevant URL address and if they aren't, then the company is recorded as failing and removed from the procurement process.

- Where sub-contractors are involved, a reliance is placed on the main contractor. Our standard terms and conditions with regard to sub-contracting, state that:-

'the Contractor shall be responsible for the acts and omissions of any assignee or sub Contractor and its employees and agents as though they were the acts and omissions of the Contractor or the Contractor's employees or agents'

Training and awareness

Tamworth Borough Council has a programme of safeguarding training for all employees and elected members which continues to be utilised and is part of mandatory induction training – this is reported to Health and Wellbeing Scrutiny twice per year. Modern Slavery awareness is included in this training.

Level 1 safeguarding training - 2020-21 has seen the development and rollout of two safeguarding eLearning modules to staff and members. Level 1 safeguarding training must be refreshed every 3 years and is delivered as a rolling programme.

Level 2 safeguarding children training is delivered by the Staffordshire Safeguarding Children Board (SSCB) training team. Staffing roles that require this enhanced level of training have been identified and officers requested to complete this training. The training is delivered via Microsoft Teams and 8 officers attended the training in the last quarter of 2020-21.

Level 3 safeguarding children training provides subject specific training courses going forward the Partnership Vulnerability Officer will be working with managers to identify relevant safeguarding courses that will support staff in their job role.

Level 4 specialist training i.e. Designated Safeguarding Lead training. The Assistant Director Partnerships attended the training in the last quarter of 2020-21.

Information on Modern Slavery is incorporated into the Council's Safeguarding Policy and is available to all staff – an update to the policy was shared via Astute in April 2021

A bespoke eLearning Modern Slavery and human trafficking package remains available for all staff and members during induction enabling them to identify and know how to report suspected or disclosed incidents.

The Member Safeguarding Champion has been given relevant training in all areas of safeguarding and this role will continue.

At present any concerns can continue to be reported to the Designated Safeguarding Officer.

Relevant public information is now available on the Council's website.

How to Report Modern Slavery

If you suspect someone may be at risk of Modern Slavery telephone 101 to report it to Staffordshire Police, or if someone is in immediate danger always call 999.

Crimes can be anonymously reported via Crimestoppers on 0800 555 111 or via modernslavery.co.uk's hotline on 0800 0121 700

Partnership working

Tamworth Borough Council has a strong track record of working in partnership with other agencies to respond to safeguarding, slavery and trafficking issues. This includes supporting Staffordshire County Council, Staffordshire Commissioners Office for Police, Fire and Crime and Staffordshire Police through the Tamworth Community Safety Partnership.

The Council continues to work with colleagues to develop a common understanding and partnership approach to the threats, vulnerabilities and risks relating to slavery and human trafficking.

We also work with a range of agencies to safeguard children and adults at risk. This includes supporting the work of the local safeguarding boards and district Councils safeguarding network. The Council wants its employees to understand more about this growing issue and how to report any suspicions they may have, whether in a work or personal context.

Relevant staff continue to attend Staffordshire Police Modern Slavery and Human Trafficking Tactical group to share relevant information.

Risks have been identified with partners in premises subject to licensing regulations and all partners have taken a collaborative role to report concerns, investigate and take appropriate enforcement actions.

No referrals to the Tamworth Vulnerability Partnership were made during 2020/21 with regard to Modern Slavery concerns

Going Forward

The Council will strengthen its approach to tackling modern slavery by:

- Seeking reassurance via current training packages that staff remain up to date and have undergone relevant training
- Identify and train safeguarding champions in each Council service (in progress)

- Working with Service Managers to undertake relevant risk assessments as necessary with suppliers to ensure their understanding and compliance with the Modern Slavery Act where necessary

This Modern and Anti-Slavery and Human Trafficking Statement has been approved by Council's Corporate Management Team and endorsed by the Audit & Governance Committee and Cabinet. It will be reviewed and updated as necessary on an annual basis for monitoring and assurance purposes.

A handwritten signature in black ink, appearing to read 'AB', followed by a long horizontal line extending to the right.

Andrew Barratt
Chief Executive
September 2021

Thursday, 21 October 2021

Report of the Portfolio Holder for Social Housing and Homelessness Prevention

Council Housing Tenants' Annual Report 2020/2021

Exempt Information

None

PURPOSE

The purpose of the report is to:-

- Set out the detail informing the production of the Councils Annual Report for council housing tenants' (2020/21).
- Continue to highlight to Cabinet the Regulatory Social Housing's requirements in relation to the Council's stock retained service, the implementation of the social housing white paper and the findings of the Regulator of Social Housing's Consumer Regulation Review 2020/21.
- Update Cabinet on the Council's existing plans to undertake an independent review of the Council's compliance with the regulatory standards and the social housing white paper, across the range of responsible corporate teams.

RECOMMENDATIONS

Cabinet are recommended to:-

1. Approve the draft `Council Housing Tenants Annual Report 2020/21` for circulation to all Council's tenants via the Council's website as required by the Regulator for Social Housing, to support effective scrutiny by tenants of their landlord's performance. **Appendix A**
2. Delegated authority to the Portfolio Holder for Social Housing & Homelessness Prevention to make the necessary amendments to the draft Council Housing Tenants Annual Report 2020/21, prior to digital circulation to Council's tenants.
3. Support the Regulator for Social Housing's requirement for registered providers of social housing including local authorities in England to meet the relevant regulatory standards, social housing white paper and the summary findings of the Consumer Regulation Review 2020/21. **Appendix B**
4. Note that Housing & Homeless Sub Committee received a presentation on the Social Housing white paper & consumer standard compliance on 22nd September and, Cabinet also support, a targeted and independent self-assessment to ensure compliance with the Regulator Social Housing standards.

5. Receive a further report in 2022/2023 (ahead of next year's annual report) on the self-assessment and proposed improvement plan.
6. Approve the release of £20k from the HRA General Contingency Budget in funding the Independent Self-Assessment & action plan.

EXECUTIVE SUMMARY

The Council Housing Tenants' Annual Report 2020/21 deals with the months between the beginning of April 2020 and the end of March 2021. This is the 11th tenants' annual performance report and is developed with the Council's Tenant Consultative Group who continue as part of the regulatory framework to influence, scrutinise and inform policy decisions.

Similar to previous years, Cabinet know that performance of the Council's stock retained services is reported annually, including achievements, areas for continual improvements, key performance indicators and compliance across the Regulator Social Housing (RSH) consumer standards.

The impact of the [Social Housing white paper](#) and the proposed regulatory landscape was discussed in detail at Tamworth's Housing & Homelessness Prevention sub-committee on 22nd September 2021. The presentation shared with the committee is attached and sets out the regulatory landscape **Appendix C**. It is likely that the Department for Levelling up, Housing & Communities will continue to focus its attentions on landlord compliance and the recommendations for a council housing self-assessment were supported by the committee. Similarly the Tenant Consultative Group also welcomes this approach as this will be key to unlocking potential and improvement.

Routinely, the production of the Annual Report involves sector led benchmarking (including HouseMark). The detail within the report shows how the councils housing services continues to compare against other 'best in class' providers so that this informs continual improvement planning.

Performance is further explained and detailed within the main body of the report, specifically in relation to key performance indicators and achievements against each of the consumer standards. The table below highlights consistent service delivery despite the challenges around the Pandemic and in recognition that critical services around repairs and investment have been sustained. Whilst it is recognised that some performance is not top quartile this will be considered as part of the self-assessment and improvement plan.

	Tamworth Borough Council's performance compared with previous years				
	2017/18	2018/2019	2019/2020	2020/2021	Estimated Top Quartile*
Overall satisfaction with Landlord Services	88%	88%*	88%*	88%*	82%
Average time between letting Council properties	17 days	15 days	22.6 days	36.2 days	18.53 days
Estate Inspections	10 inspections completed	10 inspections completed	6 inspections completed	No inspections due to Covid-19	Not benchmarked
Satisfaction with communal cleaning	87%	87%	76%	76%	Not benchmarked
Number of tenants on the database of involvement	557	479	479	479	Not benchmarked
% of appointments made and kept	90.48%	91.30%	89%	87.33%	97.06%
Gas servicing – CP12	97.82%	100%	98%	99.05%	100%
% of repairs completed at first visit	89.34%	87.80%	88%	88.58%	93.59%
Customer satisfaction with repairs	95%	90.80% (top quartile)	94%	95%	91.23%
Arrears as a % of rent due	2.15%	2.82%	2.87%	2.66%	1.55%
Number of Evictions	18 (0.42%)	13 (0.31%)	9 (0.21%)	Ban on evictions due to Covid-19	0.17%

The latest Regulator of Social Housing Consumer Regulation Review Report for 2020/21 was published on 7th September 2021. The regulator recorded one regulatory notice where they found a provider had failed to meet a consumer standard and this related to the home standard, in association with health and safety in relation to fire, electric, asbestos and heating appliances. Whilst the review report recognises that most registered providers are well-run, and meet expectations set out in the regulatory standards, issues do arise on occasions that represents a risk to tenants, and where intervention by the regulator is required. Council Officers have

assessed these summary findings for the purposes of learning and continuous improvement and findings integrated into our service plans.

On the 8th September 2021, Fiona MacGregor, Regulator of Social Housing Chief Executive, published her speech [Fiona MacGregor's speech: CIH Housing 2021 - 8 September 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/speeches/fiona-macgregor-speech-ci-housing-2021-8-september-2021), reflecting on the past 18 months and the range of challenges that will shape what everyone in the housing sector does over the months and year ahead. The Regulator for Social Housing is expecting registered providers not to wait and to prioritise their preparations arising from the social housing white paper and give reassurance in relation to the relevant regulatory consumer standards.

The consumer standards include five keys areas set out in the table below. As Council housing is part of the neighbourhood service and elements of housing are managed across the council – the table below highlights the “one council approach” to managing this self-assessment.

RSH Consumer Standard		Corporate Teams
1. Tenant involvement & empowerment	How we should communicate and involve tenants.	<ul style="list-style-type: none"> ✓ Customer Services ✓ IT Services ✓ Communication Services ✓ Project & Information Services ✓ Neighbourhood Services
2. Tenant Standard	How we allocate our properties and support our tenants.	<ul style="list-style-type: none"> ✓ Neighbourhood Services ✓ Homelessness & Housing Solution ✓ Partnerships
3. Home Standard	How we maintain our housing stock	<ul style="list-style-type: none"> ✓ Repair & Asset Services ✓ Customer Services ✓ Neighbourhood Services ✓ Operation Service
4. Neighbourhood & community	How we should work with other agencies to manage estate (clean & safe) and tackle anti-social behaviour	<ul style="list-style-type: none"> ✓ Partnerships ✓ CCTV services ✓ Operation Services ✓ Repairs & Assets ✓ Neighbourhoods ✓ Customer Services
5. Rent Standard	Rent setting	<ul style="list-style-type: none"> ✓ Finance & Audit ✓ Neighbourhoods ✓ IT services

The proposed recommendations will support the Council with understanding exactly what the regulatory requirements are now, what the requirements are likely to be in future and how this shapes the improvement plan to ensure council housing meets its regulatory and statutory requirements. And in addition seeks to improve on tenant satisfaction. It is recommended that the details of this self-assessment and improvement plan will be reported back to members in 2022/2023, ahead of the next routine annual report update.

BACKGROUND

1. The Regulator of Social Housing

The Regulator of Social Housing regulates social housing providers including local authorities and housing associations, to ensure providers are financially viable and properly governed, encourage and support supply of social housing, ensure tenants are protected and have opportunities to be involved in the management of their homes and ensures value for money in service delivery.

Regulatory standards for social housing in England are at the core of the Regulator of Social Housing's framework requirements. The standards are classified as either economic (Rent Standard) or consumer (Tenant Involvement & Empowerment, Homes, Tenancy, and Neighbourhood & Community Standards). Each standard sets out required outcomes and specific expectations of registered providers including local authorities. Full details of Regulator of Social Housing's regulatory standards can be found at: <https://www.gov.uk/guidance/regulatory-standards>

The Regulator of Social Housing receives referrals and information about potential breaches from a range of sources, including tenants, statutory referrals or directly from registered providers themselves. Where it judges there's evidence of the serious detriment test having been met, Regulator of Social Housing will publish a regulatory notice. Where the Regulator of Social Housing judge the test has not been met but shortcomings have been found, the RSH are likely to still follow up with providers to address any issues informally.

2. The charter for social housing residents: social housing white paper

In November 2020, the government published its social housing white paper, `[The Charter for Social Housing Residents](#)` . The white paper commits to proactive consumer regulation, transparency of landlord performance, safety in the home, effective handling of complaints, strengthened resident engagement and good quality homes and neighbourhoods. The publication of the white paper has not changed the Regulator of Social Housing's current remit, which will require legislation, and it will take time to implement the changes but the direction of travel for the housing sector is clear. All registered providers should now reflect on the white paper, and how they can best prepare to implement the planned changes.

At the heart of the white paper is the Charter for Social Housing Residents. The charter sets out seven commitments that residents should expect from their landlord:

1. To be safe in your home.
2. To know how your landlord is performing, including on repairs, complaints and safety, and how it spends its money.
3. To have complaints dealt with promptly and fairly, with access to a strong Ombudsman.
4. To be treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants.
5. To have your voice heard by your landlord.
6. To have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair.

7. The government will ensure social housing can support people to take their first step to ownership.

The white paper also promises a range of other measures and reforms. A summary of the key measures are set out below.

- Introducing routine inspections for the largest landlords (with over 1,000 homes) with the aim of doing so every four years, to obtain assurance from landlords that they are complying with the consumer standards;
- Expect the regulator to bring in a set of tenant satisfaction measures for all landlords on the things that matter to tenants, and expect landlords to report to every tenant on such matters at least once a year, if not continuously using technology.
- Legislate to place an obligation on landlords to identify and publicise a senior named person in their organisation who is responsible for ensuring compliance with their health and safety obligations.
- Expect the regulator to require landlords to identify a 'responsible person' for consumer standards compliance, as part of a wider requirement to provide greater clarity on the roles and responsibilities of senior staff.
- Expect the regulator to require landlords to evidence how they have sought out and considered ways to improve engagement with tenants.

3. Consumer Regulation - Take Action Now to Deliver “Don’t wait”

On 8th September 2021, Fiona MacGregor, Regulator of Social Housing Chief Executive, published her speech [Fiona MacGregor's speech: CIH Housing 2021 - 8 September 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/speeches/fiona-macgregor-s-speech-ci-housing-2021-8-september-2021) reflecting on the past 18 months and the range of challenges that will shape what everyone in the housing sector does over the months and year ahead. The Regulator for Social Housing is expecting registered providers not to wait and to take action now in delivery the aims of the social housing white paper in addition to the relevant regulatory consumer standards.

This reinforces the Councils focus on accelerating its plans for a targeted independent compliance self-assessment against the consumer standards ensuring;

- ✓ **Targeted Independent Self-Assessment & Action Plan** – which will fully support the Councils understanding exactly what the regulatory requirements are now, what the requirements are likely to be in future and where there is a need for improvement set out in an improvement action plan will be produced and will be reported separately.

4. Regulator of Social Housing’s Consumer Regulation Review 2020/21

On 7th September 2021, the Regulator of Social Housing published ‘The Regulator of Social Housing’s Consumer Regulation Review 2020/21 (**Appendix B**)’. The review sets out a summary the consumer regulation work findings during the year 2020-21. Council Officers have assessed these summary findings for the purposes of learning and continuous improvement.

In 2020/21 the regulator published only one regulatory notice where they found a provider had failed to meet a consumer standard (Home Standard / Health & Safety associated with fire, electric, asbestos and heating appliances), with low numbers being attributed to the pandemic. Compared with, 2019/20 when the regulator found a breach of the consumer standards and serious detriment in 15 cases, the highest number to date.

Whilst the RSH report recognises that most registered providers are well-run, and meet expectations set out in the regulatory standards, issues do arise on occasions that represents a risk to tenants, and where intervention by the regulator is required.

The table below shows the total number of consumer regulation referrals handled by the regulator in 2020/21 and how many of those went on the subsequent stage of the process. The 2019/20 figures are also given for comparison purposes.

		2019-20	2020-21
1	Stage 1 – all referrals	597	591
2	Stage 2 – considered by consumer regulation panel	274	236
3	Investigation undertaken	143	111
4	Published findings of breach and serious detriment	15	1

Key themes highlighted below should remain key priorities for Boards, Councillors and Executives;

1. Meeting health and safety requirements and ensuring tenants’ homes are safe.
2. Effective communication with tenants, taking into account their diverse needs.
3. Learning from tenant complaints, and the need for registered providers to hear the messages tenants are giving them.
4. Planning to implement the White Paper, taking steps now to strengthen engagement with tenants and improve the services they receive.

5. Council Housing Tenants’ Annual Report 2020/21

The Council is required to publish an Annual Report to its council housing tenants; detailing how it meets Regulatory Standards. The Tenant Involvement and Empowerment Standard specifically requires the provision of timely and relevant performance information to support effective scrutiny by tenants of their landlord’s performance. The Annual Report must be circulated to all tenants, so it is proposed to place a copy of the 2020/2021 Annual Report on the Council’s website, distribute copies within its sheltered, and support schemes.

The proposed annual report has been considered via the Tenants Consultative Group and reflects their feedback. The draft Report 2020/2021 is shown at **Appendix A**, with the proposal for any final amendments to be delegated to the Portfolio Holder for Social Housing & Homelessness Prevention for final approval. If

approved, the production of the Annual Report 2020/21 will be the 11th publication since the regulatory code was introduced.

Key to demonstrating the Council's performance is by communicating performance; and for Tamworth this is via the production of an Annual Tenants' Report. This outcome based assessment is subject to wider benchmarking with organisations such as HouseMark, Rent Income Excellence Network, Chartered Institute of Housing and Emerging Role of Sheltered Housing (EROSH). Comparisons with 'best in class' provide real time learning and is central to localised performance management. Both regionally and nationally benchmarking data is available typically during the summer. Therefore the 2020/21 Council Housing Tenants' Annual Report proposed incorporates learning and best practice in relation to that data.

Benchmarking is a core part of the Councils approach to performance management; ensuring we are able to measure key performance indicators, improvements and operational efficiencies. Tamworth's own stock retained housing service continues to report positive outcomes. Qualitative data suggests overall satisfaction (when aggregated across all landlord services) continues to remain around 88%.

The landlord co-regulatory framework developed by tenants is aimed at ensuring tenants influence, scrutinise and inform policy decisions and their views are routinely referenced in cabinet reports, which is done in conjunction with nominated scrutiny committee members. As in the past, the Tenant Consultative Group have influenced the production and contributed to target setting and scrutiny in relation to core housing management performance.

Online the Council continues to update its live neighbourhood performance dashboard. These headline key performance indicators have been agreed with the Tenant's Consultative Group and with officers continue to routinely discuss performance and actions to continually improve.

As you will already know from previous reports, we take the opportunity to benchmark Neighbourhoods Key Performance Indicators and Tamworth continues to do use that learning to inform planning.

****Qualitative data suggests overall satisfaction (when aggregated across all***

	Tamworth Borough Council's performance compared with previous years				
	2017/18	2018/2019	2019/2020	2020/2021	Estimated Top Quartile*
Overall satisfaction with Landlord Services	88%	88%*	88%*	88%*	82%
Average time between letting Council properties	17 days	15 days	22.6 days	36.2 days	18.53 days
Estate Inspections	10 inspections completed	10 inspections completed	6 inspections completed	No inspections due to Covid-19	Not benchmarked
Satisfaction with communal cleaning	87%	87%	76%	76%	Not benchmarked
Number of tenants on the database of involvement	557	479	479	479	Not benchmarked
% of appointments made and kept	90.48%	91.30%	89%	87.33%	97.06%
Gas servicing – CP12	97.82%	100%	98%	99.05%	100%
% of repairs completed at first visit	89.34%	87.80%	88%	88.58%	93.59%
Customer satisfaction with repairs	95%	90.80% (top quartile)	94%	95%	91.23%
Arrears as a % of rent due	2.15%	2.82%	2.87%	2.66%	1.55%
Number of Evictions	18 (0.42%)	13 (0.31%)	9 (0.21%)	Ban on evictions due to Covid-19	0.17%

landlord services) remains at around 88%. This figure was recorded in 2017/18

Neighbourhood Achievements 2020/21

The management and maintenance of the councils housing stock directly contributes to the Councils strategic agenda and achievements in 2020/21 have included:-

Neighbourhood Service Achievements 2020/21

- Housemark ASB Accreditation plan was approved in December 2020 for 3 years
- Decrease of £26,075.31 rent arrears from £507,450.79 in 2019/20 to £481,375.48 2020/21
- Neighbourhood shielding list/EVP completed and returned to Staffordshire County Council with 100% successful contact
- Targeted programme of weekly high rise vulnerability calls undertaken to provide support, assistance, signposting and referrals to appropriate agencies
- Enhanced targeted support for all sheltered scheme tenants with tailored specific daily welfare calls, tenancy management planning, literature and a wealth of health and safety information throughout all schemes
- Assistance to the multi-agency approach to New variant Covid 19 in the Borough
- Housing introduced a revised £20,000 hardship fund, funded by the HRA, in the summer of 2020 in response to the impact of Covid-19.
- Despite delays caused by Covid-19 both the Tinkers Green sites were completed and are now fully occupied.
- The new Housing Allocations Policy was approved by Councillors during November 2019 and was implemented in June 2020.

Tenancy Standard

- Review of the Hardship Fund and all associated documentation/criteria to assist those tenants directly affected by COVID-19
- Extensive review of current Tamworth Advice Centre contract in preparations for the tendering of a new 3-year contract. Specification and service requirements revisited to include performance monitoring/aims and objectives/service specific requirements/amendments to current contract etc.
- Covid-19 - Updated Court procedures shared and communicated to customers as per website/literature/rent statements/tenants newsletter/Annual Report/patch tailored communication etc. In addition, Winter Rent Booklet 2020 produced and advertised to customers etc.
- End of year Income Performance Report and annual Bad Debt Forecast Report produced in addition to Weekly arrears monitoring for the purpose of CMT and recovery position
- Introduction of a new online digital platform - Tamworth Borough Council housing tenants can manage aspects of their tenancy online, in real-time, through the brand new MyHousing website
- Sheltered housing welfare daily visit sheets updated to reflect detailed information in respect of residents needs and support as part of the national shielding list/disabilities/extremely clinically vulnerable/essential visitor information and contact information
- Residents were kept informed with monthly letters to all sheltered residents in accordance with Government guidance and updates in respect of COVID-19.
- Posters for main entrance areas/communal lounges/corridors and landings/lifts/laundry room/garden areas were updated and installed around all sheltered schemes and continues to be updated
- Successful partnership with Engie to ensure all building health and safety checks continued to be carried out during Covid

- The new Allocations policy included the biggest change to Councils register since it first implemented choice based lettings and these changes reduced the housing register substantially from 1333 in May 2020 to 665 after its implementation.

Home Standard

- Continuation and delivery of the Councils acquisition programme
- Tinkers Green sites completed and fully occupied.
- The programme of fire door replacements in the high-rise blocks aimed at further improving fire safety standards has commenced and will continue through into 2022.
- Despite mobilising the new repairs and investment contracts during the initial COVID lockdown period both contracts were able to implement safe systems of work that allowed them to continue delivering services largely unaffected.

Neighbourhood & Community Standard

- HouseMark ASB Accreditation plan was approved December 2020 for 3 years
- Continued success at Eringden with the appointment of a Resident Support Officer and installation of CCTV. Escalation process and support for vulnerable residents
- New lighting installed in Eringden communal landings
- The WMCA CCTV system is continuously developing its technology meaning that Tamworth Boroughs CCTV system will be at the forefront of CCTV within Staffordshire
- Review of waste management and bin control on housing estates
- The `noise app` was introduced to capture problematic noise transfer due to restriction around installing noise monitors in properties

Tenant Involvement & Empowerment Standard

- Mapped the requirements for consultation on all major Landlord projects
- Continued to support and develop the following involvement groups under the Tenant Involvement & Empowerment framework: Tenant Involvement Group, Tenant Consultative Group, Complaints Review Panel, ASB Service Improvement Group
- Worked with TCG members and other involved group members during the pandemic to develop a programme of digital involvement
- Delivered a programme of communication/engagement with all Tamworth residents as per National COVID-19 Shielding List distributed by Staffs County Council – Calls/sign posting/registering/referring/updating spreadsheet/welfare calls facilitated by Community Wardens etc.
- Weekly communication with High Rise vulnerable list/signposted and recorded via spreadsheet to support, assist and sign post through the pandemic

FINANCIAL IMPLICATIONS

1. Annual Report - With the production of a digital Annual Report 2020/21 there are very minimal financial implications. As like previous years the Annual Report will be advertised on the web, via an e-newsletter and targeted hard copies to ensure value for money and these costs can be met from existing budgets, approximately £200. The council saves on average £2000 a year on printing costs by producing a digital annual report rather than a paper one, which has been reported previously.

2. Independent Self-Assessment & action plan - Set out within the tendering terms, a maximum budget of £25k will be set to commission an independent housing specialist to undertake independent self- assessment. This cost is proposed to be met from existing budgets; £20k HR500135006 (proposed release from HRA general contingency) and £5k HR210330370 (underspends for Allpay cards).

RISK MANAGEMENT

	Risk	Mitigation
Annual Report Low Risk	The regulatory framework requires the Council to publish an Annual Report. Failure to do so will be a breach of the framework and may result in regulator intervention and/or enforcement	Finalise and publish the Annual Report in November 2021 to all its tenants digitally.
Regulatory Standards set by RSH High Risk with regards to Health & Safety	Registered providers of social housing in England are responsible for meeting the relevant regulatory standards set by the Regulator of Social Housing, as well as determining how this is done. Failure to do so will be a breach of the framework and may result in regulator intervention and/or enforcement.	Self-assessment carried out to check for compliance commence early 2022. Submitted annual LADR return July 2021.

TIMETABLE

Finalise draft of annual report & arrange with graphics to produce into an e-booklet	End October 2021
Publish annual report on website	November 2021
Engage professional housing specialist to support with self-assessment of landlord services against RSH standards	November/December 2021

Scope out self-assessment against RSH standards / white paper changes	Commence early 2022
Develop action plan for compliance with RSH standards / white paper changes	During 2022

REPORT AUTHOR

Mrs Lee Birch, Head of Housing Management & Neighbourhood Resilience
Mrs Leanne Lea, Housing Manager

APPENDICES

Appendix A – Draft, Annual Neighbourhood Services Report 2020/21

Appendix B - Regulator of Social Housing's Consumer Regulation Review 2020/21

Appendix C – Housing & Homelessness Prevention sub- committee presentation

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**Tamworth Borough Council
Neighbourhood Services (Draft)**

Annual Report to Tenants

2020 – 2021

DRAFT

(Different design to last year please)

Tenant Approved Stamp

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If you require this information in another format or language,
please call 01827 709709 or email: enquiries@tamworth.gov.uk

Welcome to your Annual Report

Welcome to the 2020-2021 Annual Report for Tenants and Leaseholders. This report is designed to show how we are performing and what we have achieved over the last 12 months.

Over the last 12 months we have faced unprecedented challenges in the face of a global pandemic. Despite this Tamworth Borough Council has worked tirelessly to ensure the safety of its tenants and staff and to ensure continuity of service for the residents of Tamworth where possible.

Customers remain at the heart of Neighbourhood Services and we continue to lead the way in tenant involvement and scrutiny across Tamworth, in the hope that other tenants will follow.

We remain committed to improving people's homes. Within the report we have included just some of the things we have worked on this year to make your homes and estates more than just a place to live.

We have a very busy year ahead and now - more than ever - it is crucial that you, our tenants, get in touch, get involved and have a real say in the future of your Neighbourhood service.

We would encourage everyone to get involved in any way that they can – even something as simple as filling in an online survey can make sure that your views are heard and that the council know what is important to you.

We would like to acknowledge the valuable contribution made by tenants to all of our work and encourage you not to just read this report, but take part in improving services in the future.

We continue to send out the Annual Report by email. However, the report is also available to download via the website. As ever, we welcome any feedback you have on the report and its contents, so please do get in touch if you would like to.

If you find yourself interested and would like to get involved or simply require further information please contact the Tenant Regulatory & Involvement Team on 01827 709709 or email tenantparticipation@tamworth.gov.uk

Who We Are



Area	Total Properties
Amington	409
Belgrave	294
Bolehall	348
Borough Road	38
Coton Green	65
Dosthill	79
Fazeley	111
Gillway	218
Glasgote	571
Hockley	149
Kettlebrook	205
Leyfields	451
Stonydelph	707
The Leys	62
Town Centre	390
Two Gates	21
Wilnecote	204
Grand Total	4322

Total number of properties: 4322

Type of properties available to tenants

Property Type	0 Bed	1 Bed	2 Bed	3 Bed	4+ Bed	Total
BEDSIT	1					1
BUNGALOW		203	32			235
FLAT/MAISONETTE		703	529	20		1252
HOUSE			560	1754	155	2469
SHELTERED		324	38	3		365
Total	1	1230	1159	1777	155	4322

A Year in Pictures 2020/21

pics of an outdoor theatre event and the drive-in in the Castle Grounds and of staff who were covid marshalls. Also picks of cleaning/renovations and new exhibit being built at the castle.

litter pick photos from community groups and planting of trees by street scene.

Tenant Involvement and Empowerment

This section looks at how we communicate and involve our tenants and how well we know and respond to tenants needs.

<p>Tenant Inspector Communal Cleaning Audits</p> <p>Tenant inspectors monitor the quality of service delivery against defined standards and undertake on-site inspections</p>	<p>Estate Inspection programme</p> <p>To help ensure estates are kept clean and in good condition, regular inspections are carried out by neighbourhood services and tenants.</p>	<p>Tenant Consultative Group</p> <p>This group discusses a range of issues and is involved in the decision making process to improve neighbourhood services for all. This group is consulted on all tenant related policies, practices and procedures and current issues affecting Tamworth Borough Council and its tenants.</p>	<p>Complaints Review Panel</p> <p>The Panel reviews anonymised information relating to the Tell Us Policy. The Panel looks for key trends and emerging common themes and will make recommendations for service improvements.</p>
<p>ASB Service Improvement Group</p> <p>This is a forum that looks at the delivery of service improvements, considers and discusses best practice, self-assesses neighbourhood service ASB for compliance against national standards and establishes and monitors action plans and key performance data.</p>	<p>Tenants Voice Editorial Panel</p> <p>Is a working group who review publications produced by Neighbourhood Services. These include Tamworth Matters (tenant's newsletter), Annual Report to tenants, information leaflets, surveys, standard letters and any document intended for tenants.</p> <p>Any document showing the 'Tenant Approved' stamp has been reviewed by the Editorial Panel to ensure the content and design meet their high standards, is clear, helpful and in plain language.</p>	<p>Tenant Involvement Group</p> <p>Oversees the implementation of actions and performance targets set out in the Tenant Involvement Strategy action plan. In addition to this, the group closely monitors all customer intelligence and performance.</p>	<p>Surveys/ Questionnaires/ Focus Groups/ Consultation Drop in sessions</p> <p>This provides customers with an opportunity to give their views and opinions on the services they receive.</p>

<p>Seniors United</p> <p>This is a forum for sheltered housing tenants to get together, share ideas and experiences and discuss issues relevant to their needs with the support of their Independent Living Manager and Tenant Regulatory & Involvement Team.</p>	<p>Neighbourhood Improvement Programme</p> <p>This initiative gives tenants the opportunity to make recommendations to improve the environment in their local area, subject to budget availability.</p>	<p>Police Community Engagement Days</p> <p>Engagement days address local area issues through community contact, address-parking issues and abandoned properties and give residents the opportunity to get involved and have their say in local issues that affect or are of interest to them.</p>	<p>Estate Based Events</p> <p>Various events may be held throughout the year for tenants to come along and find out about changes or improvements to services, such as rent levels, repairs or any other housing or environmental issues. These events are normally publicised in the tenants newsletter Tamworth Matters, Marmion House and on the Council's website</p>
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Get Involved!

Tamworth Borough Council is committed to involving, consulting and informing our customers on a wide range of issues. We believe that involving customers improves the effectiveness of our housing services and can help you to develop new skills.

Tenant involvement is about giving you the opportunity to have a say in the way we provide housing services. It means that you will be able to influence the decisions that affect you, your homes and communities. We provide a wide range of involvement opportunities to enable people of all backgrounds, ages and minority groups to participate.

How we kept the service going throughout the pandemic!

The Council has a long history of positive tenant involvement to ensure views are always considered and feedback has continued to prove invaluable in shaping policies, strategies and service delivery over many years. Due to lock down and ongoing restrictions we had to pause our ordinary face to face meetings and scheduled yearly events. Tenant engagement was needed more than ever in respect of COVID-19 and the Tenant Regulatory & Involvement Team continued to successfully engage with all TCG (Tenant Consultative Group) members through calls, email, and conference call facility and more recently through Teams meetings which also assisted our involvement groups to reach out to those residents that most needed our support. The Tenant Consultative Group embraced this new way of working which will continue to develop as we now explore other options as part of a new programme of digital engagement. In addition, the Tenant Regulatory Team have continued all through Covid to engage with some of our more

vulnerable tenants to check on their wellbeing and avoid social isolation through what has been a difficult time.

The Tenant Regulation & Involvement Team was also instrumental in developing a programme of communication and engagement with all Tamworth residents as part of the National COVID-19 Shielding Scheme. The programme consisted of calls, sign posting to other services and organisations, registering residents on the shielding scheme, updating critical resident information and liaising with the Councils Community Wardens to undertake door step calls where other engagement options had proved unsuccessful.

We have developed and improved partnerships with other organisations in order to support residents of Tamworth throughout the pandemic. We support Staffordshire County Council with information gathering and reaching out to vulnerable tenants and we partnered with the charity Community Together who delivered food parcels to vulnerable residents unable to travel to shops.

We have continually monitored and adapted our services to ensure that we have followed government guidance. This has meant that some services have been provided differently during this time, to ensure we keep residents and our employees. As restrictions have eased, services that were paused during lockdown have restarted where possible.

A total of 935 High Rise welfare calls were made to vulnerable tenants during the Pandemic to offer support and assistance

Graphics can these quotes go into speech bubbles please

'Thank you so very much for taking the time to check on me and that I have been ok during the pandemic, it has been much appreciated. I don't get out much and these calls have helped me not feel quite so lonely during these strange times' Tenant at Townshend House.

'I have really enjoyed our weekly chats and I have looked forward to them as time has gone by during the last 12 months or so. I am going to miss not speaking to you and thanks again for checking to see that I have been ok over the last year' Tenant at Peel House.

'It's been so nice speaking to you over the last year and it has really helped my mental health knowing that you would be calling. You have helped me through a difficult time and I'm going to miss not talking to you every week' Tenant at Weymouth House.

'The weekly calls have been a lifesaver throughout the pandemic and I have been given useful information and support' – Strode House resident

'It's been wonderful to have a phone call every fortnight' – Harcourt House resident

Customer feedback

Complaints, Compliments and Service Requests

We value all feedback about services we deliver to tenants and we understand that at times we do not always get things right. We want to hear from you if you do not feel that you have received the level of service you expect from us. This will enable us to learn and make improvements to our services.

A total of **472** complaints, compliments and service requests were received within Neighbourhood Services during 2020/2021. Of the total received, **50%** were classified as complaints, **43%** service requests and **7%** compliments

	2018/19	2019/20	2020/21
Complaints	195	174	238
Compliments	55	36	32
Service requests	315	222	202
Total	565	432	472

	2018/19	2019/20	2020/21
Number of stage 1 complaints	179	159	223
Number of stage 2 complaints	16	15	15
Number of complaints upheld	23	22	79
Number of compliments	55	36	32

Across the total number of 238 complaints:

- **158** relate to repairs contractors Wates & Engie (inclusive of Engie Gas)
- **29** relate to Housing Solutions
- **9** relate to Tenancy/ASB issues
- **10** relate to TBC Repairs
- **12** relate to Property Services
- **20** relate to Housing Services

Across the total number of 32 compliments:

- **7** relate to repairs contractors Wates & Engie (including Engie Gas)
- **3** relate to Housing Solutions
- **5** relate to Tenancy/ASB issues
- **17** relate to other housing services

In summary, 238 complaints were received within Neighbourhood Services during 2020/2019. This is a significantly small proportion in relation to **4322** household tenancies.

Complaints upheld

During 2020/2021 there was a total of **79** complaints, that following investigation, were classified as upheld. All of which were associated with Wates & Engie the Council's repairs contractor. Engie's contract with the council commenced in April 2020 during the first national lock down and took on additional duties such as health and safety inspections for multiple departments across the council who were unable to carry out site visits due to lockdown. During this difficult transition there was a small increase in complaints relating to contractors which were upheld, however since Engie have become more established with the service standards have increased and the number of complaints reduced.

Have your say

Tamworth Borough Council wants to ensure that the services we provide meet both our published standards and the needs of our customers. All customer feedback is important to us and can be a complaint, suggestion, comment or compliment.

All feedback, including complaints, is taken seriously and we use this to learn lessons as to how things may have been done differently and to improve future services.

Where possible, we will publish information on how we have made improvements resulting from your feedback.

Picture here graphics to provide " Have your say" from 2018/2019 Annual Report

Have your say either by going on line at www.tamworth.gov.uk/do-it-online or telephone 01827 709709.

Home

This section looks at how we provide homes that are safe, of good quality and well maintained

	2019/20	2020/21
Percentage of repairs completed on first visit	88.58%	85.44
Customer satisfaction for responsive repairs	95%	94%
Percentage of appointments made and kept	88.27%	87.33
Percentage of complaints relating to the repairs service	35%	30%
Percentage of complaints relating to the gas service	1%	0.54%

Average number of calendar days to complete a repair 11.56 days	Number of Roofing Jobs 47	Number of Gas Services 3,678	Number of Void properties 323	Number of responsive repairs 15,744
Number of Electrical tests/Inspections 619	Number of Boiler replacements 108	Percentage of repairs completed at first visit 85.44%	Average spend on an empty property £4,276	Total cost to carry out responsive repairs £1.4m

Gas servicing

Tenant satisfaction with gas servicing arrangements

2018/19	2019/20	2020/21
86%	88%	90%

Planned maintenance

In 2020/2021, we spent approximately **£3,384,556** on planned home improvements

Improvement Programme	How Many	Total spend
Kitchens	206	£991,288
Bathrooms	202	£480,000
Roofing	209-Properties	£1,004,499
Windows and Doors	177	£648,819
Disabled Adaptations (Major and Minor)	47	£112,620
Heating installations	121	£147,330

<p>Disabled adaptations This year a total of 47 disabled adaptations were completed in tenants' homes, making them more suitable for the householder.</p>	<p>Picture/image to be included - Graphics (perhaps a picture of a stair lift?)</p>
<p>Regeneration Sites Despite delays caused by Covid-19 both the Tinkers Green sites were completed and are now fully occupied.</p>	<p>Picture/image to be included - Graphics</p>
<p>New Fire Doors in High Rise Blocks The programme of fire door replacements in the high-rise blocks aimed at further improving fire safety standards has commenced and will continue through into 2022.</p>	<p>Picture/image to be included - Graphics</p>

How we kept the service going through the Pandemic!

Despite mobilising the new repairs and investment contracts during the initial COVID lockdown period both contracts were able to implement safe systems of work that allowed them to continue delivering services largely unaffected. Essential safety works such as Gas Servicing, Fire Safety Checks, Electrical Checks, etc. were all completed; emergency repairs were completed as normal and other repairs along with planned improvement works were able to continue slightly later in the year. Additional PPE measures were implemented by contractors in order to protect operatives and residents.

Looking Forward 2021/2022

- We hope to be able to renew the aging drainage within 6 high-rise blocks.
- A programme of works around the Councils garage sites has been agreed and works will commence in 2021.
- We will continue to undertake gas safety checks but alongside these we will be striving to undertake a higher number of electrical safety checks using similar methods to ensure building safety.
- We will continue to deliver programmes of work across the Borough to maintain high standards in our housing.
- We aim to acquire new housing stock in the form of new-build houses and property bought on the open market to replace properties sold under the Right To Buy.

Tenancy

In this section we talk about how efficiently we let our homes, how we can help you maintain your tenancy and how satisfied you are with our overall service.

Number of active housing applicants on the housing waiting list, by band, as at 31 March 2021 was **449**

Band 1+	1
Band 1	60
Band 2	194
Band 3	143
Band 4	51
Total	449

Did you know?

<p>Optional welfare benefit checks Customers are given an optional welfare benefit check at the start of their tenancy which also includes referrals to support agencies</p>	<p>Average time between lettings 36.2 days on average to let properties</p>	<p>Total number of properties for re-letting 347 of council properties became available for re-letting; approximately 28 per month, 47 of these were refused</p>
<p>Finding a Home Customer Satisfaction This was paused during Covid-19 as Finding a Home was not operational for several months. This was re-instated in May 2021</p>	<p>Housing Choices Housing Solutions offer interviews to all applicants to ensure that customers are aware of all housing choices available to them</p>	<p>Early intervention to prevent homelessness Early intervention prevented or relieved 211 households becoming homeless which is an increase of 30% compared to 162 households in 2019/20</p>
<p>Length of Bed & Breakfast stay The average length of stay in Bed & Breakfast was 22 nights. This was within the 42 night limit set out by government legislation</p>	<p>Temporary accommodation On 31st March 2021 there were 22 households in temporary accommodation, 8 in Bed & Breakfast, 3 in Private sector leasing temporary accommodation units and 11 in council owned temporary accommodation units</p>	<p>Incentive to Move Delivered the incentive to move programme, which is designed to release larger family accommodation</p>

New Allocations Policy

During 2020/21 extensive work was undertaken in preparation for the implementation of the new Housing Allocations Policy. This was approved by Councillors during November 2019 and was implemented in June 2020.

The new Allocations policy included the biggest change to Councils register since it first implemented choice based lettings and these changes reduced the housing register substantially from 1333 in May 2020 to 665 after its implementation.

Supported Housing – Now Known as Homeless Services

Our aim is to provide high quality short-term accommodation together with a dedicated team who provide a visiting support service for people who are faced with homelessness. Our support is to help people through the crisis they face and to prepare them to successfully move on to their own independent tenancies.

We have 20 self-contained flats in total across 2 sites, both of which are both near to local amenities and good public transport links.

We offer help, guidance and advice such as:

- Claiming welfare benefits
- Help in sorting out debt problems and budgeting
- Support and encouragement in career choices and gaining qualifications (e.g. keeping you up to date with where and what courses are available, help with forms, and CVs and accompanying you to appointments)
- Keeping you motivated and involved in decision making
- Contact other services/ agencies on your behalf

Graphics could these be presented in bubbles or a table? Something different to a list of bullet points so it looks different to the last list. Or pop the first list into a table, whichever is easier as long as there aren't 2 lists of bullet points

- **100%** of lettings turned around within 10 days from tenancy end date
- **100%** of support plans agreed within 4 weeks
- **100%** of successful move-on

Sheltered Housing

What is Sheltered Housing?

Sheltered housing provides people aged 55 and over with another housing choice in Tamworth.

Sheltered housing can be flats, studios or bungalows and are let unfurnished.

- Each property has its own front door, bedroom(s), lounge, kitchen and bathroom;
- An emergency intercom alarm system with pull cords in each room available 24 hours per day to give you peace of mind when you need help; and

- Scheme Manager on site Monday to Friday from 8.45am to 5.00pm, although these times may vary (excludes bank holidays).

<p>100% of monitoring sheets completed in relation to Legionella</p>	<p>100% of Needs Assessments carried out at all sheltered schemes for potential applicants – A total of 52 where completed</p> <p>Due to Covid-19 all assessments were carried out over the phone</p>
<p>We aim for all sheltered schemes to have a bi monthly residents meeting. The purpose of the meeting is to ensure tenants are involved with the running of their scheme and what is going on, which helps combat social isolation and tenants are left feeling involved</p> <p>These have been temporarily suspended due to Covid-19. Scheme managers have conducted daily phone calls to residents to ensure their wellbeing and help combat isolation</p>	<p>All properties and communal areas throughout our schemes that are answered 24/7. Outside of office hours calls are answered by Eldercare</p> <p>Of the 11174 alarm calls Eldercare received on average 97.24% of alarm calls answered within 60 seconds maintaining telecare services association standard.</p>
<p>We visit all new sheltered housing tenants within 24 hours of moving in to help people settle in, show where communal facilities are, demonstrate how to use the door entry system, community alarm equipment and explain what to do in the event of a fire</p> <p>100% of new tenants were visited with 24hrs of moving in</p> <p>During national and regional lockdowns these were conducted over the phone</p>	<p>We aim to carry out a Tenancy Sustainment Plan (TSP) (previously a Support Plan) with all new tenants within 4 weeks of their tenancy start date. A TSP is an action plan agreed with the customer(s) to look at how individuals needs can be met.</p> <p>100% of new tenants complete Tenancy management plans with their scheme manager within 4 weeks of moving in</p> <p>During national and regional lockdowns these were conducted over the phone</p>

How we kept the service going throughout the pandemic!

We successfully adapted our working methods to keep both our staff and residents safe throughout this pandemic

Sheltered Housing:

- We worked in partnership with Engie to ensure all building and safety checks continued to be carried out
- We worked proactively with Eldercare to develop a new process for pull cord testing while staff were working remotely
- Welfare daily visit sheets were updated to reflect residents as part of the national shielding list/disabilities/extremely clinically vulnerable/essential visitor information and contact information

- We made hundreds of welfare telephone calls on a daily basis, taking on the critical role of contacting the most vulnerable residents during the pandemic
- Residents were kept informed with monthly letters to all sheltered residents in accordance with Government guidance and updates in respect of COVID-19
- Posters for main entrance areas/communal lounges/corridors and landings/lifts/laundry room/garden areas were updated and installed around all sheltered schemes – This continues to be up-dated on a frequent basis as guidance changes. Posters and communication refer to social distancing/ hand washing /hand sanitiser/wearing face coverings/general hygiene to restrict spread of virus/non-use of some communal rooms
- Tenancy Sustainment Plans reviewed every 3 months or as appropriate

Housing Solutions:

- We created an online, editable Housing Register Application e- form
- We created an editable change of circumstances e- form
- Introduced a new digital agenda and platform for delivering services
- Team mailboxes created to support demand and ensure staff and residents could communicate effectively while working from home
- We supported customers with providing digital copies of documents required to support their housing applications
- Virtual Video created and online for changes to our allocations policy

Homelessness:

- A free phone number was set up for rough sleepers to ensure the service is accessible to all
- We supported partners in the third sector (Night shelter, Home start, Tamworth Cornerstone Housing Association (TCHA), DV refuge)
- Night shelter guests were accommodated at the point the country went into lock down and the shelter was closed due to COVID - 19. In total, accommodation was sought for 7 rough sleepers. No one returned to Rough Sleeping, a bed was secured for all.
- Dynamic purchased 5 rooms in local B&B's for 16 weeks, with unoccupied and occupied nightly rates negotiated in order to save money.
- All placements into B&B and Temporary Accommodation (TA) were completed remotely and virtually
- The Supported Housing Team provided support to those in TA stock as well as their own clients
- Online data protection statement was completed (S214 under HA 1996 Part VII)
- We continued to work with key partners such as Social Services and Ministry of Justice to support vulnerable care leavers and prisoners due for early release to ensure no one returns to rough sleeping.
- We created a COVID-19 secure checklist, thorough risk assessments and offered Personal protective equipment (PPE) to those in B&B and had self-contained units available for those clients with high risk.
- We continued to provide Out Of Hours (OOH) service 24/7.

Voids and allocations:

- To support the demand for additional temporary accommodation units, 6 properties were secured. These were properties with electric to ensure no turn on and test required, reducing the risk of COVID-19 exposure to residents and contractors.
- We paused Choice Based Lettings (CBL) between 20th April 2020 and 31st May 2020 in response to the Government's restrictions around lockdown measures on non-essential moves. However direct matches for homeless cases and essential moves continued
- Despite pausing CBL all pre-COVID-19 allocations were honoured
- We ensured all communications, website and FAQ's where updated regularly including on the 'finding a home' site
- Key safes where purchased for void properties through Engie, our contractors, to ensure contactless sign-up's on all properties
- All allocations are now completed virtually, with e-sign up's, emailed tenancy agreements and instant access to accommodation via key safes.
- We offered virtual tours of properties being offered to tenants
- Our contractors Engie completed exit inspections via reports and photographs instead of our Allocations Officers to reduce risk of exposure to Tamworth Borough Council staff and contractors
- E-decoration vouchers where introduced to replace the paper ones issued form Marmion House
- A virtual "how to move" video was completed and is now online for tenants

Rent

In section we will show you how we keep rent at an affordable amount for our tenants and work with tenants to ensure they can maintain their tenancy.

New online digital platform

Tamworth Borough Council housing tenants can now manage aspects of their tenancy online, in real-time, through the brand new MyHousing website.

By registering with MyHousing, tenants create their own safe and secure personal account where they can access services 24/7

Functions of MyHousing include:

- Live access to rent account balances and transactions, including the ability to make online payments, set up direct debits and print statements
- Update personal details, including who's living in a property
- Check the status of any ongoing repairs, as well as planned works to an individual home or communal building
- View a repairs history
- Report incidents of anti-social behaviour
- Send direct messages to members of the housing team.

Registering for MyHousing is simple. You just need an email address.

Get started now by going to <https://myhousing.tamworth.gov.uk/>

Tenants can choose to play a quick demo to see how the website works upon registering.

If you need help to register, and do not have a friend or family member who can assist you, please call our Customer Services team on 01827 709709, webchat, or email enquiries@tamworth.gov.uk.

	As at 31st at March 2020	As at 31 st March 2021
Number of Council Tenants on Universal Credit	1072	1449
Number of Council Tenants on Universal Credit in Rent Arrears	663	680
Percentage of Council Tenants on Universal Credit in Rent Arrears	61.85%	46.93%
Number of Council Tenants on Universal Credit not in Rent Arrears	409	769
Percentage of Council Tenants on Universal Credit not in Rent Arrears	38.15%	53.07%

Average rent (excluding service charges)

Property Type	Weekly	Monthly
1 Bedroom Flat/Maisonette	77.26	309.04
2 Bedroom Flat/ Maisonette	87.41	349.64
1 Bedroom Bungalow	86.10	344.40
2 Bedroom Bungalow	97.69	390.76
2 Bedroom House	96.00	384.00
3 Bedroom House	98.22	392.88
4 bedroom House	110.66	442.64

<p>Reduction in evictions</p> <p>The number of evictions carried out for 2020/2021 was 0 compared to 9 in 2019/2020</p> <p>Eviction is always the last resort</p>	<p>Notices of seeking Possession</p> <p>The number of NSP's Issued for rent arrears in 2020/2021 was 712 compared to 698 in 2019/2020</p>	<p>Rent Incentive Draw</p> <p>Our quarterly rent incentive draw continues with a prize of £250 to encourage tenants to keep a clear rent account</p>
<p>Rent collected as a % of annual debit</p> <p>Rent collected as a % of annual debit was 101.92% for 2019/2020 and 100.14% for 2020/2021</p>	<p>HQN (Housing Quality Network) Review of TBC's rent against government rent policy</p> <p>Current rents that are being charged are accurate and in accordance with guidelines.</p>	<p>Early Intervention</p> <p>Emphasis continues to be placed on early intervention whilst arrears are at a low level in order to prevent the escalation of arrears</p>

Hardship Fund

Housing introduced a revised £20,000 hardship fund, funded by the HRA, in the summer of 2020 in response to the impact of Covid-19. Tenants could apply for an award of up to £400 or in some exceptional cases more. Examples of what funding was awarded for included:

- Essential kitchen white goods
- Vehicle repairs, for vehicles that were essential for work purposes.
- Tenants where the family income had reduced due to Covid-19 and were struggling to pay the rent.

The scheme at first had limited publicity and a limited take up but the terms were improved, it was given more publicity and consequently more applications were received, and awards

granted during the end of the 20-21 financial year. It is a useful tool for tenancy sustainment officers to target financial help to those tenants in greatest need, helping them to retain their tenancy. During the 2020/21 financial year a total of £7,354 was awarded to 19 tenants.

Universal Credit

Many of our tenants are now receiving regular monthly payments of universal credit and we can advise you on how to apply. We can help you by setting up an alternative payment arrangement where universal credit is paid direct to your rent account, to pay the standard weeks rent, plus an additional sum towards any arrears if this applies. Many customers have found this to be the easiest way to pay their rent and / or arrears.

Customers seeking help or advice about Universal Credit can contact the UC help line 0800 328 5644, which is a free call, Mon to Fri, 8.00am to 6pm. Alternatively queries regarding UC can be directed to the Citizens advice Mid Mercia helpline

Tel: 08082 787972, open Monday to Friday 10am to 4.00pm

Contents Insurance

Tamworth Borough Council has negotiated a home contents insurance scheme for its tenants and leaseholders. The prices are competitive and contents insurance is worth considering. It is important to protect your personal contents in your property against loss or damage caused by fire, flood and burglary. The council's insurance policy only covers the building not your personal contents. Further information is available at:

<http://www.tamworth.gov.uk/contents-insurance>

Tamworth Advice Centre (TAC) Help with Benefits and Debt advice

The Tamworth Advice Centre (TAC) will check you are getting all the benefits you are entitled to and help you apply for them. Assist you in setting up your own bank account, help you deal with debts and to learn to budget within your means. They can assist with employment issues and with specialist debt advice such as bankruptcy, debt relief orders, breathing space applications and if you are being taken to court.

There are various ways to contact the TAC:

- **Online:** Quick instant [Online Self Referral Form](#). We will then arrange for an advisor to call you.
- **Phone:** For advice and booking appointments - (Free phone) **0808 82787972** 10.00am to 4.00pm Monday to Friday (quoting you live in Tamworth)
- **Email:** tamworthadvice@citizensadvicemidmercia.org.uk
- **Website:** www.citizensadvice.org.uk/local/mid-mercia

How we kept the service going throughout the pandemic!

The pandemic restricted Tenancy Sustainment Officers (TSO) to working from home and where unable to carry out their usual tenancy visits to support tenants who were struggling to maintain their tenancy. Despite this they still maintained a full support service by adapting their working methods.

Letters, phone calls emails and texts became the principle means of communication with tenants. TSO continued to provide tenants with rent and benefit advice, sign posting them to other specialist organisations such as the Tamworth Advice Centre, social services, drug and alcohol support services, and other relevant TBC departments.

A digital approach to communication has proven to be more time effective and was even preferred by some tenants who otherwise might have had to take time from work or travel into town with young children to attend appointments at Marmion House.

There were significant restrictions imposed by the County Courts during the year preventing tenants being taken to court. The constant changes to legislation were closely monitored by management and implemented with immediate effect to ensure Tamworth Borough Council always complied with the law. Despite the lack of court intervention the Income Team was successful in agreeing more voluntary payment arrangements with tenants.

Here are a few examples of how our TSO's have supported tenants through the pandemic to ensure they can maintain their tenancy

Graphics can these be speech bubbles or have a pretty box of some kind

A Tenant living in a three-bed house with two adult sons. One son worked full time and the other had limited agency work. The tenant had severe depression, anxiety and other health issues meaning they were unable to work. The tenant was claiming employment support allowance and housing benefit. The TSO advised the tenant to move to Universal credit which would be a better financial option for the tenant's circumstances. The tenant had concerns about the eight-week delay before they would receive the first payment, which they worried would leave them in more debt. The tenant was referred to Tamworth Advice Centre (TAC) for a full benefit check. They advised the tenant to claim Universal credit (UC) and Personal Independent Payment (PIP) and was awarded both. The tenant thanked TSO for their support and advice, and is now £107 per week better off. The tenant informed us their stress had reduced and mental health had improved dramatically as a result.

A Tenant had four family members affected by Covid-19, including themselves and one child in hospital, which as a result meant they were unable to work for a period of time. This understandably contributed to their anxiety and their rent account went into rent arrears. Once the tenant returned to work they were only able to do a limited number of hours and where struggling to maintain their rent account and clear their arrears. Their TSO applied for alternative payment arrangement (APA) for the tenant's Universal Credit and managed payments (MP) for direct payments to cover the full rent and arrears. TSO also referred the case to Tamworth Advice Centre to see if any additional support was available for the tenant. The tenant pleased with outcome has stated they can now afford payments and will be able to sustain their tenancy moving forward.

A Tenant contacted their TSO seeking support to avoid possession action. The TSO completed an assessment and identified that tenant does not have the financial means to cover 2 bed under occupation charge and arrears payments. The TSO referred case to TAC and applied for discretionary housing payment (DHP). They also advised the tenant to downsize to a smaller property suitable for their current needs which would remove the under occupation charge. The TSO applied for new rent card and food bank vouchers to support the tenant. The tenant has stated since the receiving the support of their TSO they can manage to pay the under occupation charge in the interim so arrears are static and the problem will not escalate. The TSO is continuing to support the tenant's application for a transfer to a smaller property as a sustainable long-term solution.

Neighbourhood and community

In this section we talk about how we work with tenants and our partners to keep neighbourhoods and communal areas greener, cleaner and safer, preventing and tackling incidents of anti—social behaviour and supporting tenants who experience this where they live.

Estate Inspection Programme

Estate inspections are carried out to assess the standards of service we are delivering, identify areas for improvement and generally identify any action needed to be taken to address tenancy breaches. We are committed to inspecting our housing areas on a regular basis.

The estate inspection team will aim to identify issues such as;

- Vandalism
- Abandoned vehicles / illegally parked vehicles
- Graffiti
- Litter and fly-tipping
- Dog fouling
- Problems with highway maintenance and street lighting
- Health and safety issues
- Neglected homes and gardens, tenancy issues
- Hot spots for anti-social behaviour
- The condition of hard landscape (e.g. fences, walls and paving)
- The condition of soft landscape (e.g. trees, grass, shrubs in communal areas)

Estate Inspections will;

- Provide a high profile presence on our estates
- Ensure cleaner, more attractive and safer neighbourhoods
- Improve the physical condition of estates through quick responses to residents' concerns and by identifying potential improvements
- Clear communal areas of fly-tipping/graffiti and rubbish
- Identify overgrown gardens/shrubbery
- Identify defective street lighting and estate furniture
- Ensure agencies take responsibility for issues identified within their remit
- Identify potholes and surface perishing to hard surfaces and uneven and broken paving.

Unfortunately due to Covid-19 restrictions, national and regional lockdowns it was not possible to conduct estate inspections with residents in 2020/21. Our team of street wardens conducted estate inspections on behalf of the tenant participation team in order to ensure standards or service where maintained.

CCTV

The new shared service

Tamworth Borough Councils CCTV system was historically based in the Ankerside carpark. The system consisted of 78 cameras monitoring areas across the Tamworth Borough area. Registered with the Office of the Information Commissioner, the purpose of the system is to deter and detect crime as well as support the good operational management of the borough.

The system was first installed in the mid 90's and had a general CCTV life expectancy of 8 to 10 years. It was technically obsolete and was becoming a substantial financial commitment to the council.

A full service review was carried out in 2018/19, commissioned with identifying a long term sustainable strategy in relation to the service. The primary focus of the review was to ensure that the system was fit for purpose, continued to meet the needs of the Council and its residents, but also affordable in the long term.

Having explored multiple options it was determined that the best option to pursue, meeting the objectives of the review, was to enter into a shared service agreement with West Midlands Combined Authority (WMCA). The option was ratified by Committee within both organisations and legally agreed in 2019, for delivery of the service transfer by 30th March 2020. The benefits of the shared service agreement are well documented, but include continued 24/7/365 monitoring, the upgrade of every component of the CCTV system as well as savings in the order of £500k over a 5 year period.

How it benefits us

WMCA monitor circa 2500 CCTV cameras 24/7 365 days of the year in their state of the art control centre. The control centre is externally audited and compliant with the Surveillance Camera Commissioners Code of Practice, BS7958 and is supported by a resilient ISO27001 data centre. Tamworth have joined East Staffs BC, Walsall and Solihull Councils in entering into such an agreement. The agreement has also encapsulated out of hours call handling for Tamworth BC.

An initial concern by Police partners about the shared service was the need to go to Birmingham for evidence collection. Following discussion with Staffordshire Police, it was agreed that a remote viewing client and evidence management system would be installed in Burton Police Station. This investment has been made to save police time and to ensure that all data provided is secure. It has been a highly beneficial investment and provides value for money and support that the police always require.

The transfer of the service away from Tamworth has included the transfer of access to both the Town Safe radio system and radio system for the Wardens service. Recent developments has seen the installation of the Police airwave radio by Staffordshire Police which will speed up all future, real time communications between the control room and Police colleagues.

The WMCA CCTV system is continuously developing its technology meaning that Tamworth Boroughs CCTV system will be at the forefront of CCTV within Staffordshire. The

ongoing commitment to improvement has meant that the Tamworth service has been embraced by the operators who have shown a real commitment to high quality provision. The CCTV operatives have proactively caught many incidents and used the new upgraded system to support Police colleagues in compiling high quality evidence packs.

Within the Shared Service Agreement the CCTV operators also have the responsibility to manage the Council Out of Hour (OOH). They are required to act as first point of contact for emergency calls outside of normal office hours. They manage and prioritise calls, according to documented procedure, escalating to Assistant Directors as required. They have in the first 12 months, managed calls regarding flooding, fallen trees, travellers and many others. As well as documented procedures, all OOH calls are recorded, and random reviews are carried out to support continuous improvement.

How we made sure operatives know the area they're monitoring

Each operator has undergone a familiarisation and training programme developed and overseen by the Tamworth BC employed Shared Service Lead. Familiarisation consists of utilising the mapping, alongside the camera selection interface to learn how camera locations relate to each other. This then progresses into initial test exercises, which culminates in operators having to locate and follow the Shared Service Lead around the town centre, ensuring that they do not lose sight at any time. This is very beneficial for the operators local knowledge. The training gradually increases in pace and then complexity with a mock dual location incident management being required. Operators are then required to map the route they have monitored and produce an evidence package as would be the case in a genuine incident.

Anti-Social Behaviour

The team continued to work hard over the last 12 months, achieving a number of successful outcomes, all of which help towards making your neighbourhood safe.

	2018/19	2019/20	2020/21
Number of complaints received	299	252	162
Percentage of customers satisfied that they were kept informed throughout their ASB case	64%	66%	64%
Percentage of customers satisfied with the support given to them during their ASB case	66%	60%	66%
Percentage of customers satisfied with the outcome of their ASB complaint	47%	47%	66%
Successfully closed ASB cases (resolved)	100%	99%	98%

Percentage of customers who have already made a complaint of ASB, and who would be willing to report ASB in the future	71%	79%	87%
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Number of ASB cases: **162**

Number of Civil Injunctions: **1**

Number of Notice Seeking Possession/Demotion: **6**

Number of possessions: **0- Courts closed due to lockdown**

Nature of incident	2018/19	2019/20	2020/21
Noise	76	87	76
Pets/animals	24	25	20
Harassment/threats	42	46	35
Garden nuisance	48	70	24*
Other	109	63	7
Total	299	252	162

*The garden figure has now been amended this year, as community wardens now monitor front gardens so the figure reflects housing rear gardens only.

Intervention remains a key factor in how we deal with ASB cases. The team intervene as early as possible where evidence is provided. This often prevents enforcement action from being taken. In 2020/21 early intervention was carried out with **201 cases** to successfully resolve them

162 incidents were recorded during 2020/2021 compared to 252 incidents in 2019/2020. Some of the environmental ASB matters, such as maintaining front gardens, have been transferred over to Community Wardens to monitor and record separately and so are no longer included in these ASB records.

The Neighbourhood Services ASB and Estate Management Team merged with the Corporate ASB Team to include CCTV, Community wardens and multi tenure ASB service as one centralised service in order to streamline a more efficient approach to dealing with ASB and environmental crime. While the courts have been closed due to Covid-19 we have been successful in securing an injunction for severe ongoing ASB.

10 Community protection warnings were served, 7 of those proceeded Community protection notices due to non-compliance, to resolve the matter by the tenancy sustainment officers. The community wardens now deal with enforcement of front gardens on a tenure neutral basis.

How we kept the service going throughout the Pandemic!

The wardens have supported sheltered housing and the clinically extremely vulnerable through the first part of the pandemic. They have also maintained Covid-19 posters throughout out schemes and communal areas. In Eringden we have adopted remote

working with checks on residents, customer profiling to offer appropriate support and an emergency escalation process for any tenant unaccounted for.

The estates team have had to modify their services from office and site to home and digital working. We have adapted forms and accepted documents via scan and email to allow services to continue as normal throughout the pandemic. There has been no significant dip in satisfaction despite the changes in working practice.

10 Community protection warnings were served, 7 of those proceeded Community protection notices due to non-compliance, to resolve the matter by the tenancy sustainment officers. The community wardens now deal with enforcement of front gardens on a tenure neutral basis.

For more information about ASB see web link <http://www.tamworth.gov.uk/asb-zone>

Value for money

In this section we explain how we make sure that our services provide value for money.

Tamworth Borough Council recognises the importance of demonstrating value for money, which doesn't only mean keeping costs to a minimum. Value for money is also achieved through the following:

- Comparing costs and performance with other similar housing providers. Assess value for money (VFM), by using an independent organisation called HouseMark. This organisation compares our services to other councils and registered social landlords. HouseMark also produces an annual report which identifies areas for improvement
- Monitoring 'tenant satisfaction that rent is providing value for money'. We check this by carrying out regular tenant satisfaction surveys
- Continue to remove old inefficient gas appliances and install new 'A' rated appliances, reducing heating and hot water energy costs for tenants across the borough
- Purchasing existing properties has enabled an efficient and effective use of capital receipts funding, one element of the Housing Revenue Account capital business programme to increase its stock
- Senior managers regularly review budgets and the highest areas of spending
- Spent more than **£3,384,556** on improvements to homes ensuring that our core business of providing affordable homes to those in need continues to expand


Did you know?






The following indicators have been agreed with tenants

	2018/2019	2019/20	2020/21	Estimated top quartile*
Overall satisfaction with Neighbourhood services	78%	78%	Unable to complete	82%
Average time between lettings	15 days	22.6 days	36.2 days	18.53 Days
Estate Inspections	10	6	Unable to complete	Not benchmarked
Tenant satisfaction with communal cleaning	87%	76%	Unable to complete	Not benchmarked
Number of tenants on the database of involvement	479	479	479	Not benchmarked
% of repairs appointments made and kept	93.30%	89%	87.33	97.06%
Gas servicing CP 12	100%	98%	99.05%	100%
% of repairs completed at first visit	87.80%	88%	88.58%	93.59%
Customer satisfaction with responsive repairs	90.80%	95%	95%	91.23%
Arrears as a % of rent due	2.83%	2.87%	2.66%	1.55%
Number of Evictions	13 (0.31%)	9 (0.21%)	0	0.17%

- Figures based on estimated top quartile range when benchmarked nationally

Top performance indicators as voted for by tenants as at 31 March 2020

Performance Indicator	Target	Current Value	Are we on target	Trend
Average number of calendar days to complete repairs	-	11.56		↓

Percentage of appointments made and kept	93%	87.33%		↓
Percentage of repairs completed at first visit	85%	88.58%		↑
Percentage of properties with a valid Gas Safety Certificate	100%	99.05%		↑
Average re-let times (in days)	16 days	36.2 days		↓
Percentage of closed resolved anti-social - behaviour cases	-	98%	-	-
Number of close unresolved anti-social behaviour cases	-	0	-	-
Current rent arrears as a percentage of annual debit	3%	2.66%		↑
Number of complaints since 1st April 2020	-	238	-	-
Number of complaints upheld since 1st April 2019	-	79	-	-
Number of compliments since 1st April 2019	-	32	-	-



Regulator of
Social Housing

Consumer Regulation Review 2020-21

September 2021

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Executive summary

This Consumer Regulation Review describes how we approach consumer regulation and identifies the key issues and lessons arising from our casework 2020-21.

Covid-19 meant that social housing providers had to adapt their approach to the delivery of housing services in ways the sector has not seen before. We too changed the way we worked to help providers maintain key operations. Despite the difficult circumstances, we found that most providers effectively managed the crisis. The pandemic highlighted in particular the importance of good quality data to identify the risks to tenant safety from restricted services, and the importance of effective governance in navigating uncertainty.

Also in 2020, the government published its social housing White Paper, *The Charter for Social Housing Residents*¹. When enacted, the provisions of the White Paper will enable the regulator to take a proactive approach to consumer regulation. We have begun to design a revised regulatory framework that will meet the three tests we have set: to make a meaningful difference to tenants, be deliverable by landlords, and be to be regulated effectively. We will continue to consult with tenants, landlords and other stakeholders as we develop our revised framework. In advance of legislation, and with the sector under greater scrutiny than ever, we expect providers to take action to deliver the aims of the White Paper: ensuring that residents are safe, are listened to, live in good quality homes and have access to redress when things go wrong.

In this report, we set out the details of the case where we found a breach of the standards and serious detriment, as well as those cases where we found significant weaknesses in service delivery. Our casework continues to demonstrate the importance of:

1. meeting health and safety requirements and ensuring tenants' homes are safe
2. effective communication with tenants, taking into account their diverse needs
3. learning from tenant complaints, and the need for registered providers to hear the messages tenants are giving them
4. planning to implement the White Paper, taking steps now to strengthen engagement with tenants and improve the services they receive.

These themes have been highlighted in our previous reports and should remain key priorities for Boards, Councillors and Executives.

¹ The charter for social housing residents: social housing white paper - Gov.uk (www.gov.uk)

Context and key themes

1. Introduction

- 1.1. This report provides a summary of the consumer regulation work undertaken by the regulator for the year 2020-21. Within the report we highlight some of the key issues and lessons arising from our casework during the year which we feel it would be useful to share with the sector.
- 1.2. In 2020-21, we published one regulatory notice where we found a provider had failed to meet a consumer standard. During the year, we also engaged with a number of providers operating a lease-based model. Where we identified issues in relation to the consumer standards, we have reflected that in the regulatory notices and judgements published. This report includes details of those cases. It also includes some anonymised case studies where we did not find a breach of the standards but are included to provide tenants and landlords with information about how we undertake our role.
- 1.3. In November 2020, the government published its social housing White Paper, *The Charter for Social Housing Residents*. The White Paper commits to proactive consumer regulation, transparency on landlord performance, safety in the home, effective handling of complaints, strengthened resident engagement and good quality homes and neighbourhoods. The publication of the White Paper has not changed our current remit, which will require legislation, and it will take time to implement the changes but the direction of travel for the sector is clear. All registered providers should reflect on the White Paper, and how they can best prepare to implement the planned changes.
- 1.4. Our aim is to promote a well-governed, viable and efficient social housing sector and one that is able to deliver homes meeting a range of needs. As the regulator of social housing, parliament has given us both an economic and a consumer regulation objective. The consumer regulation objective is to:
 - support the provision of well-managed and appropriate quality housing
 - ensure tenants are given an appropriate degree of choice and protection
 - ensure tenants have the opportunity to be involved in the management of their homes and to hold their landlords to account
 - encourage registered providers to contribute to the well-being of the areas in which their homes are situated.

- 1.5. To achieve this objective, we have set four consumer standards²:
- Home
 - Neighbourhood and Community
 - Tenancy
 - Tenant Involvement and Empowerment
- 1.6. These standards are set so that providers, tenants and other parties know of the outcomes that are expected and so that providers can ensure that their organisations are delivering the right outcomes for their tenants.
- 1.7. We take a co-regulatory approach to achieving our objectives. This means that Board members and Councillors are responsible for ensuring that the organisation is managed effectively and that it complies with all regulatory requirements.
- 1.8. Since April 2012 we have regulated the four consumer standards reactively. This means that we do not proactively monitor the performance of providers or their compliance with the consumer standards, but we consider all information received to determine whether there is evidence of a breach of the consumer standards. We do not have a role in resolving individual disputes between tenants and their landlord, but in each case, we focus on whether there is evidence of a systemic failing by a registered provider and consider the impact (or potential impact) to tenants.
- 1.9. Although we regulate the consumer standards reactively, this does not mean the obligation for all registered providers to comply with the standards is lessened. Where we receive information directly from a tenant or from their elected representative which we consider indicates an individual dispute, we will signpost the Housing Ombudsman Service who do have a remit to support resolution of such disputes and can direct redress in individual cases. Further details on our approach are set out in Annex B of our publication *Regulating the Standards*³.

² <https://www.gov.uk/guidance/regulatory-standards>

³ <https://www.gov.uk/government/publications/regulating-the-standards>

2. Key themes arising from our casework

- 2.1. In the course of our consumer regulation work each year, we identify themes and learning points which we consider to be useful to all registered providers and local authorities. We have summarised these themes and feedback messages below.

Health and safety compliance and managing risk

- 2.2. Meeting statutory health and safety obligations is an essential part of keeping tenants' homes safe. The events of 2020-21 emphasised just how important it is to ensure checks and inspections are up to date and that remedial actions are completed in a timely manner. With risks around health and safety effectively managed, registered providers are in a better position to deal with unexpected or unforeseen challenges.
- 2.3. The ability to meet statutory health and safety requirements relies on providers having good quality data about their tenants and their stock, and being able to demonstrate that the data is accurate. Holding good quality data enables providers to better assess and manage risks, including those that arose this year as a result of disruption to service delivery. We saw that those providers with good records and a good understanding of their properties could better identify the risks arising from reduced or restricted services and implement mitigations where necessary to help ensure tenant safety.

Communicating with tenants and understanding their needs

- 2.4. Engaging with tenants and understanding their diverse needs is a clear requirement under the consumer standards, and an important part of how registered providers deliver their services. The impact of Covid-19 meant that everyone has spent more time in their homes, and has underlined the importance of tenants feeling safe at home. It was therefore crucial that registered providers had mechanisms in place to ensure that all tenants, particularly those most vulnerable, could continue to communicate with their landlords and that landlords were able to understand and respond to tenants' needs.
- 2.5. Generally registered providers responded well to these engagement challenges. We saw some registered providers making contact with their most vulnerable tenants, ensuring they had access to food, medicines and support. We saw dedicated phone lines for tenants to report issues and speak with housing staff and the use of virtual meetings allowed individual tenants or groups to continue to meet with their landlords.
- 2.6. Our consumer standards set the broad principles for how registered providers should interact with their tenants, but they do not specify what that interaction should look like. That is something for registered providers to determine, by understanding and engaging with their tenants.

- 2.7. Overall, we saw registered providers adapting positively to the significant challenges over the year, introducing a range of communication methods to ensure tenant engagement was effective throughout. Registered providers should consider how best they can ensure tenant voices are heard, as this speaks to their culture and the purpose of the organisation.

Continuous learning from complaints

- 2.8. The primary responsibility for resolving complaints rests with registered providers. All providers should respond to issues or complaints promptly. The pandemic and subsequent restrictions affecting us all may have impacted upon some registered providers' ability to resolve concerns in line with their usual timeframes or processes, but the importance of learning from complaints should not be overlooked. Complaints provide rich insight for Boards and Councillors about the performance of services and are often an early indicator when things are going wrong.
- 2.9. When services fail, registered providers should not only put matters right for the affected tenants but look to what the complaint may be indicating about wider operations. When considering referrals involving the consumer standards, in line with our remit, we will look to see if there are indications of systemic failings. Registered providers should do the same to ensure that potentially system-wide failings are identified and addressed at the earliest opportunity. Identifying trends, themes or wider issues relies on Boards and Councillors to be receptive to the messages that tenants are giving them. This continues to be a fundamental element of compliance.

Complying with the standards and planning for the future

- 2.10. In November 2020 the government published its White Paper which set out its vision for social housing in England. The White Paper included proposals to strengthen our consumer regulation to include proactive regulatory engagement between us and registered providers and local authorities in relation to the consumer standards. In 2020, the Fire Safety Bill and the Building Safety Bill were also introduced. Both bills are intended to improve safety in buildings and ensure that tenants living in high-rise and multi-occupancy buildings feel safe in their homes.
- 2.11. Until any legislation affecting the consumer standards is implemented, we continue to regulate within our current remit and mandate. However, a clear direction of travel has been set and we continue to encourage all providers to consider what steps they can take now to prepare to implement the changes set out in the White Paper. Registered providers should not wait for the White Paper to be implemented to ensure tenants feel safe in their homes, and have a good quality home and neighbourhood to live in, or to ensure tenants feel like they are treated with respect and their views are listened to by their landlord.

3. How we regulate the consumer standards

3.1. We do not currently have a mandate to proactively monitor a registered provider's compliance with the consumer standards. However, we will consider all information we receive about any potential non-compliance with the consumer standards and determine if this indicates a systemic or organisational failing, which would be a breach of the standards. We will also consider whether any breach of the standards has caused, or has the potential to cause, serious harm to tenants. We call this the serious detriment test.

Referrals to the regulator

3.2. Referrals and information about potential breaches of the consumer standards can come to us from a range of different sources. These include referrals from tenants, statutory referrals (for example from Members of Parliament or the Housing Ombudsman) or directly from registered providers.

3.3. In many cases, and in line with our co-regulatory approach, registered providers and local authorities refer matters to us directly, and providers are expected to tell us of any breach or potential breach of the standards. A key part of a registered provider's commitment to co-regulation is that Boards and Councillors are responsible for ensuring the standards are being met and for being transparent with the regulator when they are not.

3.4. While we do receive referrals from individual tenants about their landlord, as a regulator we do not have a role in resolving individual disputes between tenants and their landlords. We will, wherever possible, provide information and signposting about other routes for tenants seeking to resolve an individual dispute with their landlord.

3.5. In the first instance, tenants should raise their concerns with their landlord. If a complaint is not resolved via the registered provider's complaints procedure, the resident may contact a Designated Person such as an MP, a local authority Councillor or a designated tenants' panel to help with the resolution of the complaint. The Designated Person may help resolve the complaint or may refer the case to the Housing Ombudsman Service for investigation. A resident can also escalate their complaint to the Housing Ombudsman directly. The Housing Ombudsman's role is to resolve individual disputes between tenants and their landlords, and to encourage the resolution of disputes by others. Information about the Housing Ombudsman is available on its website⁴.

⁴ Housing Ombudsman ([housing-ombudsman.org.uk](https://www.housing-ombudsman.org.uk))

Our consumer regulation process

- 3.6. The process for consumer regulation consists of up to three stages. In all cases we will consider all the information we have received – this is stage 1 of the process. As part of the initial consideration, we will determine whether the matter falls within our remit, if it is covered by the consumer standards and if it could potentially represent a breach of those standards. If these tests are met, the referral will then move to stage 2.
- 3.7. At stage 2, a detailed review of the information will be carried out by our Consumer Regulation Panel to determine whether there is a potential breach of the consumer standards, and whether the serious detriment test is met. If the Consumer Regulation Panel needs further information to make a decision, the referral will move to stage 3 of the process.
- 3.8. At stage 3, further enquiries will be made with the provider, the referrer and/ or any relevant third-party organisations (such as local authorities or the Housing Ombudsman), to allow us to reach a decision about whether the consumer standards have been breached and there has been serious detriment. You can find a full explanation of the process in Annex A or on our website⁵.

Our response to a breach of the consumer standards

- 3.9. We will always seek to secure the changes and improvements required using the least amount of interference. Where we do find a breach of the standards and serious detriment, the most appropriate way for registered providers to evidence their commitment to remedying any failings is through timely and effective action and we will seek to work with providers as they do so. As well as addressing failings, we expect to see providers securing sustainable and long-term improvements and to put in place arrangements so that tenants are not at risk of harm while improvements are being delivered. In addition to publishing a regulatory notice, we have a range of enforcement powers which can be used to compel a provider to take appropriate action.
- 3.10. Where we find a breach of the consumer standards and serious detriment, for private registered providers we will also consider the implications for a registered provider's governance. This is a separate test, and subject to a separate consideration. However, a failure by a registered provider to meet the consumer standards, and having put tenants at risk of harm, often demonstrates weaknesses in the organisation's risk management and internal control assurance framework.

⁵ Consumer regulation process - Gov.uk (www.gov.uk)

**Detailed findings
and case studies**

4. Our approach to consumer regulation during Covid-19

- 4.1. The events of 2020-21 saw registered providers needing to adapt their approach to the delivery of housing services in ways the sector has never seen before. Covid-19 saw many tenants stay in their homes for long periods of time. Ensuring their homes were safe and of good quality was more important than ever. To help with this, the government developed non-statutory guidance for the social housing sector on health and safety obligations and repairs and inspections, aimed at ensuring landlords understood the requirements. However, landlords were faced with some difficulties including being unable to access tenants' properties, reduced contractor capacity, staff absences due to sickness or self-isolation and shortages of materials and equipment.
- 4.2. To ensure that we had up-to-date information about how providers were coping, we introduced a temporary monthly survey, the Coronavirus Operational Response Survey⁶ (CORS), covering key areas on tenant safety. During this time, our consumer regulation processes remained in place allowing us to continue to consider referrals received from tenants and their representatives, and directly from registered providers. Wherever possible we also sought to engage directly with registered providers on an informal basis to encourage continued transparency around challenges to the delivery of services and compliance with the consumer standards. All the information gathered through these mechanisms, demonstrated to us that overall, social housing providers responded well to the unprecedented challenges faced during the year.
- 4.3. Using the information from the CORS responses, we carried out targeted engagement with providers reporting the most difficulties, in particular around completing health and safety checks. We obtained assurance that risks were being appropriately managed, and we saw that a range of mitigating actions were in place. While operational impacts were the most severe in the early stages of the pandemic, by mid-way through the year, providers were largely able to continue to deliver essential services and complete statutory health and safety checks without significant disruption or backlogs developing.
- 4.4. Through our consumer regulation processes in 2020-21, we saw providers overall were meeting the requirements under the consumer standards, taking into account the government-issued guidance in response to Covid-19. We did however see a small number of referrals where providers were implementing a range of service improvements or developing action plans to ensure compliance with the standards. Given the longer-term nature of these programmes, we continued to engage with these providers after our investigations had concluded to ensure that progress continued, and that changes were embedded. Two examples of that are set out below.

⁶ Coronavirus Operational Response Survey reports - Gov.uk (www.gov.uk)

Case summary 1 – flexing our approach, and engagement to secure improvements

A local authority notified us that following an external review, it had identified overdue remedial works required for electrical and fire safety. The external review highlighted a number of properties and communal areas without evidence of electrical testing. There were also several overdue fire risk assessments and remedial actions. In liaison with the external reviewer, the local authority developed a comprehensive action plan to improve its compliance position as well as its monitoring and reporting systems and self-referred this matter to the regulator.

The identification of these issues coincided with the beginning of the Covid 19 pandemic, where access to maintenance contractors and individual properties was severely restricted. We took account of the situation as well as the fact that the provider had informed us promptly of the issues. We considered its action plan, which had been on track prior to the lockdown restrictions, and noted that it had continued to progress works in high-risk areas despite the restrictions in place. We concluded that this was not a breach of the consumer standards. However, we continued to engage with the provider over the course of the next six months to ensure it was continuing to address the issues, and until we were satisfied that it had addressed the initial compliance issues.

Case summary 2 – flexing our approach

Concerns were identified from a registered provider's CORS return. The return showed some overdue actions arising from fire risk assessments as well as a number of overdue electrical safety actions. When we asked the provider for further information, it was clear that Covid-19 had impacted on the provider's ability to access properties and it was able to demonstrate attempted customer contact as well as steps to mitigate risks to tenants. In relation to electrical safety, the provider had changed its systems to allow remedial works to be completed at the point of inspection to reduce the number of outstanding actions in the future. In relation to fire safety, Covid-19 had led to supply chain issues and furloughed staff at contractors. Risks were being mitigated through regular risk assessments of the works outstanding and by monthly compliance checks at blocks.

Overall, the evidence showed that the issues had arisen because of access and supply chain issues due to Covid-19, but that the provider was taking steps to manage this, including recording access attempts, putting risk mitigations in place and changing systems where appropriate. The works had also been included on a programme for completion. We therefore considered that it was not a breach of the Home Standard. We continued to receive updates from the provider during this period and were able to gain assurance that the situation was recovered over time, with the relevant actions since being completed.

5. The link between consumer regulation and governance

- 5.1. Our approach to regulating our economic standards is different to our regulation of the consumer standards, but the two are closely linked. We proactively seek assurance from registered providers that they are meeting the economic standards including the Governance and Financial Viability Standard⁷.
- 5.2. The Governance and Financial Viability Standard requires providers to have governance arrangements in place which ensure they adhere to all relevant law and have effective risk management and internal controls assurance frameworks. There is a clear correlation between registered providers who are not able to demonstrate they have effective governance arrangements in place, and who cannot demonstrate compliance with the consumer standards. This is particularly the case when we find registered providers have not been meeting all applicable statutory requirements to keep tenants safe in their homes. When a provider has not completed health and safety testing this is usually due to a gap or failure in its governance arrangements.
- 5.3. In 2020-21, the link between governance and consumer regulation has been particularly evident in our engagement with registered providers operating a lease-based model. While often the nature of the contractual arrangements in place mean that providers are not carrying out these checks directly, they are nevertheless responsible for ensuring these checks and safety actions are completed, and that their tenants are safe. During the course of this year, we have seen cases where a small number of providers operating a lease-based model have failed to ensure that they are adequately managing the risks to vulnerable tenants by failing to ensure statutory health and safety requirements are met.
- 5.4. The case below highlights how one lease-based provider failed to ensure that it met the statutory health and safety requirements in its homes. Following our engagement, the provider rectified the issues quickly and we did not find a breach of the consumer standards. We did however consider this failure alongside the other information we received in relation to its governance arrangements and found a breach of the Governance and Financial Viability Standard.

⁷ Governance and Financial Viability Standard and Code of Practice - GOV.UK (www.gov.uk)

Case summary 3 – Hilldale Housing Association Limited

Through our engagement with Hilldale, we identified it had failed to carry out a range of statutory health and safety checks and had failed to notify us about that.

New Board members had identified the issue when they joined the organisation and had put in place measures to complete all of the required testing to ensure the provider was meeting its health and safety requirements. The provider continued to update us on its progress until it was able to demonstrate that it met the full range of health and safety requirements.

We found a breach of the Governance and Financial Viability Standard for a range of issues, including that the provider did not have an effective risk management and an internal controls assurance framework. In reaching that conclusion, we took into account the failure to ensure that statutory health and safety requirements were met, which we consider to be a fundamental failure of the governance arrangements in place.

We published a regulatory notice setting out our conclusions, and we continue to engage intensively as this provider seeks to resolve the issues of non-compliance.

- 5.5. Strong governance arrangements to ensure compliance with consumer standards are particularly important when services are provided by third parties such as managing agents or contractors. It is crucial that the governance arrangements give assurance to the registered provider that it is meeting the consumer standards and keeping its tenants safe, even when it is not delivering all of the services itself.
- 5.6. The case below highlights how one lease-based provider failed to ensure that it met the statutory health and safety requirements and kept tenants safe when it was using managing agents. We considered these failings in the round, alongside other evidence about the effectiveness of its governance arrangements.

Case summary 4 – Prospect Housing Association Limited

Prospect was assessed as non-compliant with the Governance and Financial Viability Standard in May 2020. Working with the new leadership of the organisation, we identified a range of further issues.

Under the arrangements in place, the provider used managing agents to provide housing management and support to tenants. Reviews commissioned by the new leadership team into two serious safeguarding incidents identified weaknesses in procedures and controls of the landlord over services delivered by third-party managing agents.

A range of statutory health and safety checks were also overdue, and the provider had difficulty in ensuring those were remedied through the managing agents given the operational arrangements in place.

We found this to be further evidence of the lack of effective governance arrangements. Taking these issues alongside a range of other concerns, in October 2020 we concluded that a further downgrade of its governance grading was appropriate, and we took enforcement action to appoint a number of board members to ensure these serious issues could be remedied with sufficient pace.

We are continuing to work closely with Prospect as it seeks to ensure a smooth transition as part of a solvent wind-down of its operations.

6. The Home Standard

Breach of Home Standard and serious detriment

- 6.1. The Home Standard requires registered providers to provide homes of a decent quality, and to have an effective repairs and maintenance service which responds to the needs of tenants. The majority the referrals we receive relate to assessing whether tenants' homes are safe, and that registered providers meet all applicable health and safety requirements which provide for the safety of tenants in their homes.
- 6.2. The case below shows how one local authority failed to ensure that that it met statutory health and safety requirements in its homes. We concluded that the local authority had breached the Home Standard and risked serious harm to tenants.

Case summary 5 - South Kesteven District Council

South Kesteven District Council (the Council) self-referred to the regulator issues it had identified with its health and safety compliance obligations. Through our assessment of the information provided, we found that the Council had failed to meet statutory health and safety requirements in relation to fire, electric, asbestos and heating appliances.

We found that over a thousand remedial actions identified in fire risk assessments carried out in 2017 had not been completed. We also found that the Council had failed to ensure solid fuel heating appliances did not pose a risk to tenants. With regard to electrical safety, the Council had not inspected any of its communal areas and just under half of individual properties had overdue inspections. Asbestos surveys for communal areas were also overdue. We concluded that this was a breach of the Home Standard, and that there had been a risk of serious harm to tenants as a result. The Council accepted our findings.

In response, the Council has strengthened its senior capacity, demonstrating appropriate leadership and ownership and has developed an action plan to address the underlying weaknesses in its systems. A programme of work has commenced, and the Council has provided assurance that it has taken immediate and appropriate action to ensure the safety of tenants while the programme was being delivered. We are continuing to work with the Council as the leadership implements the plan to return to compliance through realigned resources, and a cultural change programme.

Compliance across all areas of health and safety

- 6.3. Health and safety requirements which ensure tenants are safe in their homes are not always prescriptive, but providers need to demonstrate that they understand their responsibilities and what it takes to ensure tenants are safe in their homes.
- 6.4. The following case study gives a good example of how a provider responded to an asbestos disturbance. It highlights the importance of being proactive in managing this risk and responding promptly and effectively when things go wrong.

Case summary 6 – asbestos management

A large registered provider self-referred to us following an investigation by the Health and Safety Executive (HSE) into an asbestos disturbance after a contractor had attended a leak. The contractor had been given a copy of the asbestos survey for the property which identified asbestos containing materials but did not specify the location. There was no tenant exposure to asbestos and the matter was reported to the HSE who determined the incident to be a breach of regulations in relation to the level of information available prior to work commencing.

The registered provider explained to us that it had identified areas for improvement following the incident to prevent a similar incident reoccurring, including arranging for refurbishment and demolition surveys prior to commencement of works, refresher training for all asbestos surveyors and improved procedures for contractors.

Although the HSE determined a breach of health and safety regulations, this was a separate judgement to the regulator. We took into account the conclusions of the HSE, but we did not find a breach of the Home Standard because systems were in place and because appropriate steps had been taken to manage the incident once it occurred.

- 6.5. The case study below highlights the importance of registered providers understanding their statutory responsibilities, including where the legislative requirements may not be prescriptive.

Case summary 7 – electrical safety requirements

A provider made a self-referral to the regulator and explained that it had been moving to a five-year electrical inspection programme since 2019. Data showed that there were a number of properties which had not had an electrical safety check in the last 10 years. In response to our enquiries, the provider gave assurance in that it had commissioned an electrical audit in 2018, including reviewing the storage of certificates.

The provider had also engaged with industry specialists to provide expert advice. The inspection programme was risk-based, taking into account tenure, the height and age of buildings.

Based on the available information, we could see that the provider was managing electrical safety by implementing a risk-based programme to ensure that all properties had an in date electrical safety check and had developed the testing programme following advice from external specialists. For those reasons, we did not find a breach of the Home Standard.

7. Neighbourhood and Community Standard

- 10.1. The Neighbourhood and Community Standard sets out a number of specific expectations of registered providers. The most common of these we considered during our 2020-21 work related to how registered providers managed anti-social behaviour.
- 10.2. The standard sets out how registered providers are required to work collaboratively with other agencies to tackle and prevent anti-social behaviour. An effective approach to managing anti-social behaviour is important in ensuring tenants feel safe in the communities in which they live, and that is an issue which has become more important as tenants have lived with additional restrictions as a result of Covid-19. Over time, with the implementation of the social housing White Paper, this will continue to be an important issue for tenants and registered providers.
- 10.3. A good example of how a registered provider sought to manage anti-social behaviour is set out below.

Case summary 8 – multi-agency approach to tackling anti-social behaviour

We received a tenant complaint (on behalf of a number of tenants) about persistent and serious criminal and anti-social behaviour in their neighbourhood caused by one household which they said that the provider had failed to address. Due to the seriousness of the issues, the tenant was concerned about the safety of people in the neighbourhood.

We investigated this referral, and in response to our enquiries the provider highlighted the detailed work it had undertaken to try and address the issues. This included promptly contacting the Police and having regular, ongoing engagement with them. The registered provider had also arranged for the Fire Service to visit affected tenants to provide advice and support. It had arranged multi-agency meetings with relevant organisations, including the local authority and had installed CCTV in the area. The registered provider obtained legal advice on its options for managing the household engaged in the anti-social behaviour, including eviction.

At the time of the referral to us, the situation had not yet been resolved for the residents living in that area, but the evidence demonstrated a prompt and proactive approach by the registered provider to managing this issue. We saw that the registered provider was working with other agencies to tackle the anti-social behaviour as required under the Neighbourhood and Community Standard.

8. Tenancy Standard

- 8.1. The Tenancy Standard places obligations on registered providers to ensure that their homes are let in a fair, transparent and efficient way. They need to demonstrate how their lettings make best use of available housing and there should be clear application, decision-making and appeals processes. The standard also requires registered providers to enable their tenants to gain access to opportunities to exchange their tenancy with that of another tenant. When letting homes, the Tenancy Standard also requires registered providers to take into account the housing needs and aspirations of tenants and potential tenants. This is particularly important where tenants have access needs due to disability.
- 8.2. While we received a number of referrals which we considered against the Tenancy Standard, we did not find any breaches of the standard in 2020-21. However, the example below sets out how providers need to fully consider their letting agreements to ensure that they are fair and transparent and take account of the aspirations of potential tenants.

Case summary 9 – regulator intervention sees provider put things right for tenants

We received a whistleblowing referral relating to concerns that a small registered provider was charging new tenants a ‘refurbishment charge’ as an upfront fee for any work required at the end of a tenancy. We noted that the provider’s tenancy agreements stated that tenants did not pay for damaged classed as ‘fair wear and tear’ and there was no indication that the refurbishment charge was wholly or partly refunded if only fair wear and tear damage was caused during the term of the tenancy. It also appeared that the upfront refurbishment charge could have excluded potential social housing tenants.

We had no clear evidence that tenants had suffered financial loss, and we had received no complaints from tenants about this matter. For these reasons, we were unable to establish that serious detriment had been caused. Nevertheless, given the possible impact on potential tenants, we contacted the registered provider to highlight our concerns with its refurbishment charge. In response, the provider voluntarily removed the requirement for a refurbishment charge for all new tenants and removed reference to this from its tenancy agreements. It also wrote to all existing tenants announcing the change to the tenancy agreements and offering to refund the charges they had previously paid.

- 8.3. This case is also an example of how we work directly with registered providers even where we do not find a breach of the standards. It highlights the importance of registered providers engaging constructively with us and being willing to review the impact of their policies and procedures, especially if they may have unintended consequences.

9. Tenant Involvement and Empowerment Standard

- 9.1. The Tenant Involvement and Empowerment Standard requires registered providers to take account of the diverse needs of tenants; treat all tenants with fairness and respect; and demonstrate they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs.
- 9.2. How a registered provider interacts with its tenants, and how it put things right when they have gone wrong, provides evidence and assurance about the culture of the organisation, and how its systems and processes operate in practice. The social housing White Paper continued to emphasise the importance of tenants being listened to and being able to hold their landlord to account. It also placed emphasis on the importance of tenants having access to effective redress mechanisms which aim to resolve concerns promptly and effectively. The example below highlights the importance of registered providers taking prompt action to resolve issues when they arise, and the importance of having mechanisms in place to hear the messages tenants are giving.

Case summary 10 – responding effectively to tenants’ concerns

We received a referral about a housing estate relating to concerns about security issues, anti-social behaviour and general housing conditions. In response to the referral, the provider explained how it had engaged directly with the residents’ association to understand what its concerns were and what steps it had taken to improve the estate and to make tenants feel safer.

The provider sent us details of its complaint processes to demonstrate how individual concerns were managed and how it ensured that they were independently reviewed. This process involved ongoing review by a tenants’ scrutiny panel to ensure that the provider handled complaints appropriately. The provider also set out how it had engaged with local stakeholders, including the Police and local Council. The evidence showed that the provider had been proactive in engaging with tenants and their representative groups about the issues of concern and had followed its policies and processes for responding to the substantive issues raised, as well as the complaints made by individual tenants.

Annexes

Annex A – Analysis of cases

Referrals by stage

- 10.1. Our consumer regulation process has up to three stages. We have summarised this below, and a diagram is provided on our website⁸.
- Stage 1 – the Referrals and Regulatory Enquiries (RRE) team manages all referrals to the regulator. The RRE team’s role is to review incoming referrals and determine whether the issues raised are within our remit, and if there appears to have been a breach (or a risk of a breach) of the consumer standards. If so, the RRE team refers the case to the Consumer Regulation Panel.
 - Stage 2 – the Consumer Regulation Panel considers each case to determine whether there is evidence of a breach of the standards and, if so, whether there has been harm, or potential harm (serious detriment), to tenants. It considers two questions:
 - i. if the issues raised were true, is it likely that there has been, or could be, a breach of a consumer standard?
 - ii. if the issues raised were true, would there be any impact on tenants which would cause serious actual harm or serious potential harm?
 - Stage 3 - if the Consumer Regulation Panel considers that there could be a breach of the standards, or if there is a suggestion that tenants are at risk of serious harm, we will carry out an investigation. We will usually seek information from the individual making the referral and the registered provider, as well as any third parties if necessary.
- 10.2. The table below shows the total number of consumer regulation referrals handled by the regulator in 2020-21 and how many of those went on the subsequent stages of our process. The 2019-20 figures are also given for comparison purposes.

	2020-21	2019-20
Stage 1 – All referrals	591	597
Stage 2 – Considered by Consumer Regulation Panel	236	274
Stage 3 – Investigation undertaken	111	143
Published findings of breach and serious detriment	1	15

⁸ Consumer regulation process – Gov.uk (www.gov.uk)

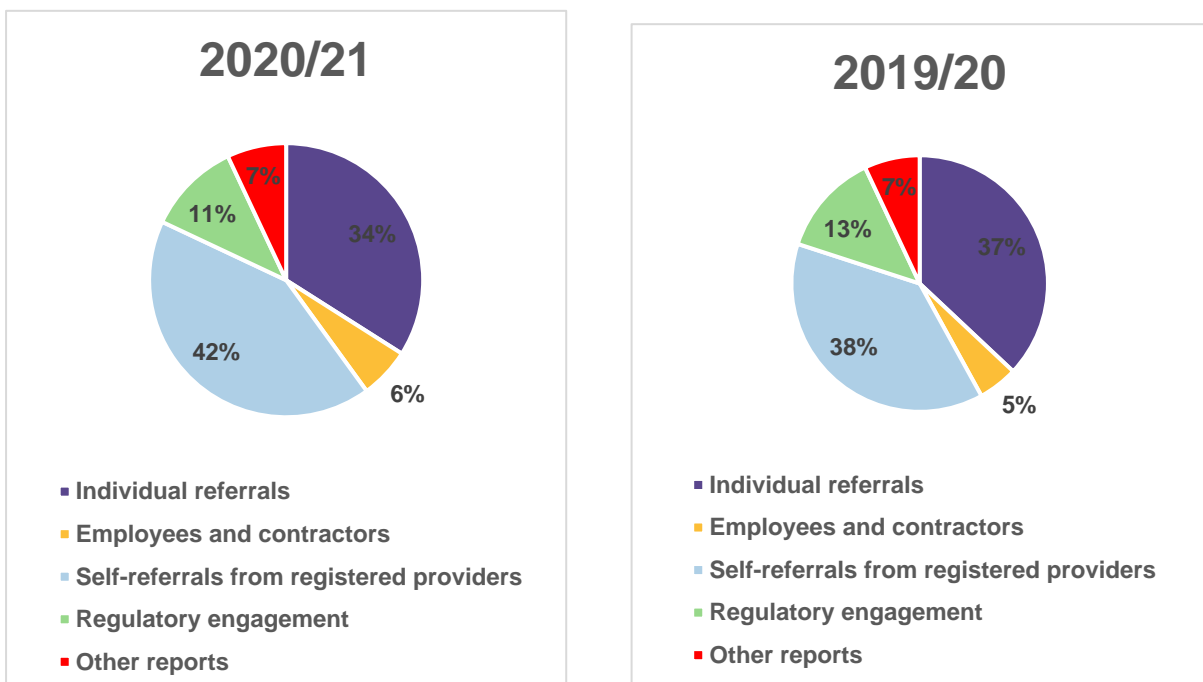
- 10.3. In 2019-20 we received 597 consumer standard referrals which was consistent with the previous year (only 1% lower in 2020-21). Although the numbers of incoming cases remained constant, the numbers proceeding through each stage of the consumer regulation process decreased on the previous year, both in absolute terms, and relative to the total number of referrals received. 236 cases were referred to a stage 2 review by the Consumer Regulation Panel – this was 40% of all incoming referrals (compared to 46% the previous year). Of these, 111 (19%) were investigated further (compared to 24% the previous year).
- 10.4. We found a breach of the consumer standards and serious detriment in one case – significantly lower than the 15 cases from 2019-20. For reasons set out in the substance of this report, we attribute these lower numbers to changes occurring within providers as they responded to the impact of Covid-19, and also due to changes in how we engaged with providers during this period including our monthly Covid-19 survey and taking into account the government-issued guidance in response to Covid-19. We did, however, see a small number of referrals where providers were developing action plans to ensure compliance with the standards and we continued to engage with these providers after our investigations had concluded to ensure that progress continued.
- 10.5. In 2019-20, we reported an increase in consumer standard referrals in relation to local authorities from the previous year. This year (2020-21), the number of referrals about local authorities has remained consistent with the previous year. 10% of all consumer standard referrals received related to local authorities, and 17% of those referrals were direct self-referrals from local authorities. In 2019-20, we noted that there had been a material increase in local authorities reporting their compliance to us. The data for 2020-21 indicates that the change has been maintained by the local authority sector.
- 10.6. For the cases which were not escalated to Consumer Regulation Panel or where the Consumer Regulation Panel concluded not to investigate the matters raised, there are a number of reasons why this may be the case. Often referrals are not within our remit, for example: they were made by homeowners or leaseholders, the issues raised related to private landlords or organisations which were not registered providers, or the issues related to individual complaints tenants had about their landlords. In those cases, we would signpost the tenant to their landlord’s complaints process and the Housing Ombudsman Service, where appropriate.

Sources of referrals

- 10.7. We receive referrals from a range of sources, most commonly from tenants and as self-referrals from registered providers. We also receive information from employees or contractors, and we identify referrals in the course of our planned regulatory engagement with providers.
- 10.8. The charts below show that for all referrals received, the source of these referrals was consistent with the previous year. We received a slight increase in individual referrals and referrals from elected representatives, offset by a small decline in self-referrals and referrals arising from our ongoing regulatory engagement.

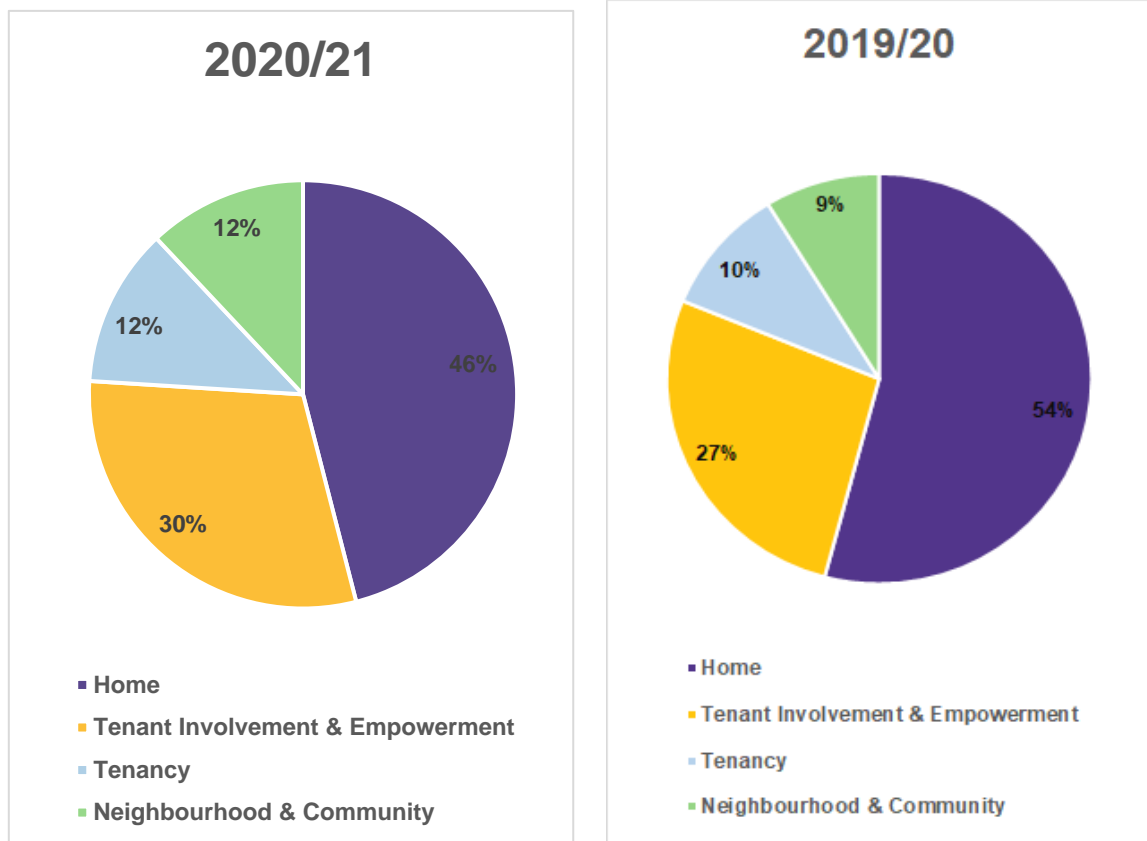
	2020-21 (%)	2019-20 (%)
Referrals from individuals	70	68
Referrals from elected representatives	5	2
Referrals from contractors/employees	3	3
Self-referrals from registered providers	15	18
Referrals identified through regulatory engagement	4	6
Other reports	5	2

- 10.9. While the majority of referrals received are from individuals, we do not have a role in resolving individual complaints that tenants have about their landlord. For this reason, a smaller proportion of individual complaints are investigated through stage 3 of our consumer regulation processes. The chart below shows that the proportion of referrals investigated from different sources has remained consistent with last year.



Referrals by standards

10.10. The proportion of referrals relating to each of the consumer standards remains consistent year-on-year. As in previous years, the Home Standard continues to be the consumer standard that is most often cited in referrals, representing just under half of all referrals considered by the Consumer Regulation Panel. The Tenant Involvement and Empowerment Standard is the next most frequently cited standard, accounting for 30% of cases in the year.



Annex B – Summary of previous lessons learned

11. 1. This is our ninth annual Consumer Regulation Review and each year our report sets out the key lessons we wish to share with the sector. Full versions of each of the reports are available on our website⁹.

11. 2. We have set out a short summary of these lessons below.

2019-20

11. 3. In our last Consumer Regulation Review, we set out the details of 15 cases where we had found a breach of the consumer standards and serious detriment. We said:

- Registered providers and local authorities must understand the legislative and regulatory requirements, as well as their responsibilities in delivering compliance. That includes where housing management services are delivered by a third party such as a managing agent or arms-length management organisation.
- Good governance is critical to a registered provider's ability to manage risks effectively. It is vital that governing bodies have effective oversight of how key risks, including health and safety, are managed.
- When things go wrong, registered providers should respond in a prompt and effective way, and to mitigate risks to tenants as quickly as possible.

2018-19

11. 4. In our seventh Consumer Regulation Review, we reiterated the importance of registered providers ensuring the homes where their tenants live were safe. We said:

- Registered providers must meet the full range of statutory health and safety obligations. This requires robust reporting and assurance arrangements, to allow effective oversight by boards and councillors.
- Effective assurance relies on good quality data and effective systems.
- Registered providers should be able to demonstrate compliance across all aspects of the consumer standards, including how they engage with their tenants, how they deal with neighbourhood issues, and how they allocate their properties.
- Transparency with the regulator is essential. Co-regulation requires registered providers to be transparent with us, and a failure to do so can indicate broader governance concerns.

⁹ Consumer regulation review - GOV.UK (www.gov.uk)

2017-18

11. 5. In our 2017-18 Consumer Regulation Review, we set out the details of five cases where we had found a breach of the consumer standards, and serious detriment. We focused on the importance of landlords meeting their statutory health and safety obligations and set out the importance of providers having an effective complaints process, and listening to the messages their tenants give. We said:

- Complying with health and safety obligations remains the most fundamental responsibility for registered providers. Registered providers should be clear about their responsibilities, including for properties that are leased or managed.
- Compliance with the consumer standards, including how tenants are listened to, reflects to the culture of the organisation, and goes to the heart of why registered providers exist and their purpose.
- Providers are responsible for responding to complaints about their service, and getting the culture right on complaints handling affects the level of trust and confidence tenants have in their landlord. Registered providers must ensure they understand the messages that tenants are giving, and should probe where those messages indicate a significant or systemic failure.

2016-17

11. 6. In our fifth Consumer Regulation Review, published shortly after the terrible fire at Grenfell Tower, we again reiterated the importance of complying with statutory health and safety obligations, and for registered providers to have clarity over their statutory responsibilities. We also shared our view on the importance of good complaint handling and the need for transparency with the regulator. We said:

- Compliance with health and safety obligations and the consumer standards has always been a key responsibility for governing bodies of registered providers.
- Registered providers must be clear about what stock they own and are the landlord for, and must understand their responsibilities to deliver statutory compliance.
- Registered providers are responsible for ensuring tenants know how to complain, and for responding to complaints effectively. Boards should have access to the messages that tenants are giving them.

2015-16

11. 7. In our fourth Consumer Regulation Review, we set out the details of the four regulatory notices we published that year, all in relation to gas safety. One of those cases related to a registered provider who had contracted out delivery of gas safety compliance. We explained that this did not remove the responsibility on the landlord to ensure statutory compliance. We said:

- Meeting health and safety obligations is a primary responsibility for registered providers. Contracting out the delivery of services does not contract out responsibility to meet the requirements of legislation or standards.

2014-15

11. 8. In 2014/15, we set out the details of six cases where we had found a breach of the consumer standards and risk of serious detriment. Four of those cases related to compliance with gas safety requirements but, for the first time, two of those cases related to the repairs and maintenance service provided to tenants. In the report, we highlighted that:

- Responsibility for complying with the consumer standards applied to local authorities as well as private registered providers.
- It is important for registered providers to have in place good asset management systems. Where failures occur, we often find those systems are not fit for purpose, or that the board did not probe or challenge the assurance they were given.

2013-14

11. 9. In our second Consumer Regulation Review, we set out details of the three cases where we had found a breach of the consumer standards and risk of serious detriment. All three cases related to a failure to meet gas safety requirements. We also reminded registered providers of their duty to be transparent with the regulator. We said:

- Registered providers have a responsibility to communicate with us in a timely way. Where a registered provider becomes aware of a breach of the standard which might cause serious detriment, it must notify the us promptly.

2012-13

11. 10. In our first annual Consumer Regulation Review, we provided details of one regulatory notice for a failure to meet gas safety requirements. In the report, we said:

- Registered providers are responsible for meeting statutory health and safety requirements. We recognise that, for good reason, registered providers prefer to work with tenants to secure access to properties. However, on occasions registered providers may need to make use of legal mechanisms available to ensure the safety of tenants, and they should do so in a timely manner.



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or write to:

Regulator of Social Housing
7-8 Wellington Place
Leeds LS1 4AP

RSH regulates private registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver homes that meet a range of needs.

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Social Housing White Paper and the Consumer Standards

Tanworth Borough Council

Kelsey Walker & Aaron Keyte Savills UK Limited



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

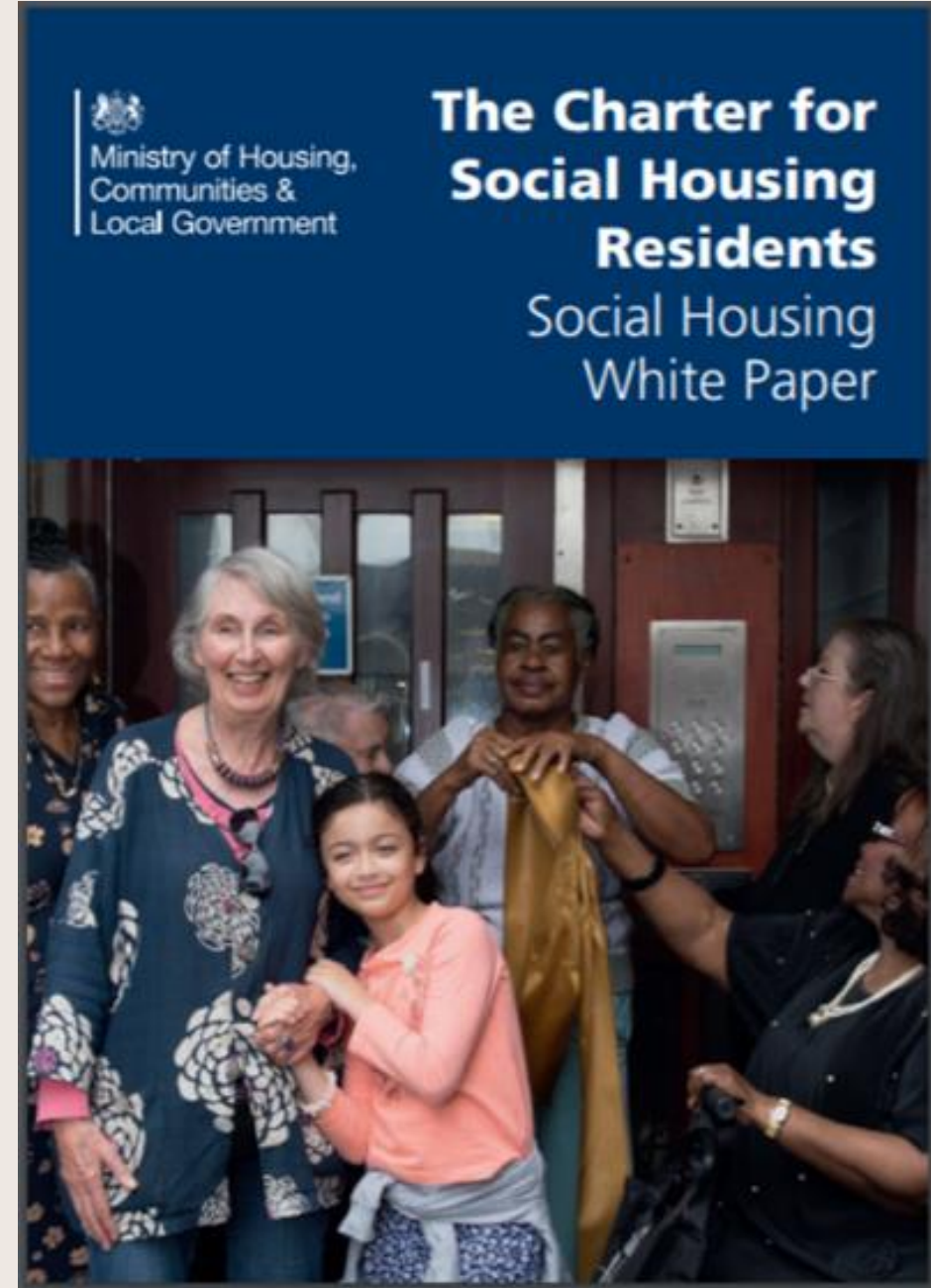
Chapter 4: To be treated with respect, backed by a strong consumer regulator for tenants

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 step to ownership

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The RSH Consumer Standards

All Registered Providers (RPs) are required to comply with the Consumer Standards which first came into force in 2012. The Consumer Standards are short, outcomes-based standards which comprise:

- **Tenancy Standard** : Let homes and manage tenancies in a fair, transparent and efficient way
- **Home Standard**: Keep homes safe, decent and in a good state of repair
- **Tenant Involvement and Empowerment**: Understand and respond to the diverse needs of tenants, provide choice and opportunities for involvement, resolve complaints fairly and promptly
- **Neighbourhood and Community**: Keep the wider area clean and safe, help to tackle anti-social behaviour and promote community well-being

Currently the RSH's approach to regulating these standards is reactive. However, the Social Housing White Paper ('The Charter for Social Housing Residents') published in November 2020 has signalled the introduction of a proactive approach to the regulation of the Consumer Standards.



- Four-yearly consumer inspection reviews will be carried out for large housing associations, local authorities, and smaller housing providers presenting a high risk against the consumer standards, such as specialist supported housing providers.

- This equates to over 400 organisations with a total of 100 inspections a year.

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- There need to be changes in legislation to give the minister the power to direct the Regulator of Social Housing (RSH) in some areas, so there is a process to go through.



- A co-regulatory approach will be applicable to consumer regulation, as it is with economic regulation.
- This isn't about inspecting buildings but proactive, intelligence-led, risk-based assurance on compliance with the consumer standards.
- Regulation can't take the place of an effective Board or Cabinet, but new powers provide more protection to ensure those landlords who are failing in their responsibilities around safety and consumer issues address the issues in a timely and effective way – or the RSH will.



What can you do now?



“all of you will have heard over the last few years our “don’t wait” message. In advance of legislation, we expect providers to take action to deliver the aims of the White Paper: ensuring that residents live in good quality homes and are listened to when things go wrong. Don’t wait for the regulator to have the powers to enforce this”

– Fiona MacGregor (CE of the RSH) speaking at the 2021 CIH Housing Conference

- Get the basics right - focus on the core services to tenants and ensure data is in order.
- Do more to proactively identify themes and trends – joining the dots on repairs requests and using complaints as a source of intelligence and rich data.
- Accountability through transparency is key and can be addressed now, so have this on the agenda and think about how you will verify KPI results
- Raise awareness of the consumer standards as proactive regulation is coming
- Review evidence of compliance with the standards. Where there isn’t in-house capacity – leverage relationships and/or seek expert independent assurance.

Thank you

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Thursday, 21 October 2021

Report of the Portfolio Holder for Finance and Customer Services

South Staffs Legal Service

Exempt Information

None

Purpose

To seek approval for increased resources and changes to staffing within the Shared Legal Service.

Recommendation

It is recommended that:

Members approve the proposal to expand the current staffing resources within the Shared Legal Service as set out in paragraph entitled 'Resource Implications' of this report.

Executive Summary

A shared legal service was approved by Cabinet and established in December 2019 between Lichfield District Council, South Staffs District Council and Tamworth Borough Council. The service is hosted by South Staffs District Council. The service has encountered a significant staffing turnover and as such, the original structure is now not fit for purpose. The new staffing proposal will result in an increase in costs to all 3 authorities within the shared service (i.e. South Staffs, Lichfield and Tamworth). Authority is sought from all parties in order to support a more robust structure.

Background

In December 2019 Cabinet gave approval for the establishment of a shared legal service and in January 2020 the South Staffs Legal Service between South Staffordshire Council, Lichfield District Council and Tamworth Borough Council commenced.

The original structure for the service is as follows:

- 1 x full time Planning Solicitor (acted as Lead Lawyer)
- 1 x full time Litigation Solicitor (acted as Deputy Monitoring Officer)
- 1 x full time Property Solicitor
- 1 x part time Contracts/Commercial Solicitor
- 1 x part time Legal Assistant

In early 2021 South Staffordshire Council, recognising the need for further resources within the legal team, and in furtherance of their wider apprentice programme, supported a proposal to introduce a Legal Apprentice post to be funded from an earmarked reserve for a 2-year period.

With just over 18 months of the Shared Service undertaken, it is clear that the current structure is not fit for purpose and is unsustainable in the long term. In reviewing the service it is clear that when the Shared Legal Service was established, there was an underestimation of resources required and the team are constantly struggling to meet deadlines and provide a quality, timely service.

Resource Implications

Feedback from all three authorities is generally positive and supportive. There have been some service issues, but these have been due to staffing changes and vacancies. Satisfaction with the quality of advice provided is high; it is the timeliness of advice that can cause issues. This has not been helped by a high staff turnover within the service. Recruitment to the current vacant positions is nearing completion and it is anticipated that this will assist with service delivery.

Managing the service has been time-consuming and has impacted on both the Lead Lawyer and the Director of Legal and Governance at South Staffordshire Council in their day-to-day duties. The structure and cost basis for the shared service only included a minimal element at Director Level; in practice input at this level has been high and is in effect not costed within the current cost allocation.

The service also currently has one Solicitor seeking to service three planning committees across each local authority which meet on a monthly basis; this is unrealistic. It is proposed to introduce a second planning solicitor post to the team to address capacity and resilience issues in this key area. Planning is a significant client area across the three authorities, often requiring speedy advice on time critical matters. Greater resilience and resource in this area would be beneficial to all three authorities.

Due to capacity issues within the team, there is a need for the Director to undertake legal advice work which is not best use of resource for South Staffordshire and restricts available time to undertake the post holders' substantive role. The introduction of a Legal Services Manager position would remove direct line management responsibility from Director Level and would enable some governance/general local government legal advice to be undertaken at Solicitor level. This would be a better use of resources and would again increase resilience within the team in a key area for all three authorities.

A Team Manager position would enable greater oversight of day to day operations and enhanced client liaison. This would enable client officers within the three authorities to have a single point of contact with which to escalate any service issues.

The separation of the day to day oversight from the strategic management (at Director Level) would also be beneficial in respect of Governance Board meetings, allowing clear separation of duties and more focussed planning.

The proposed legal team is:

Legal Services Manager (**new post**) Deputy MO Allowance and Lead Lawyer Allowance

1 x full time Planning Solicitor (existing post)

1 x full time Litigation Solicitor (existing post)

1 x full time Property Solicitor (existing post)

1 x part time Contract/Commercial Solicitor (existing post but slightly reduced hours)

1 x full time Planning Solicitor (**new post**)

1 x Legal Assistant (existing post but increased hours)

Plus the apprentice funded separately.

It is currently an extremely competitive market for Solicitors, which are currently graded in the £36-£42K bracket. Consideration may need to be given to introducing market supplements to the roles in accordance with South Staffordshire Council's pay policy. It is anticipated that the introduction of market supplements could add an additional £3,000-4,000 per post.

The additional cost of the above (against the South Staffs Legal Service current budget) is approximately £92,000 per annum (or c.£99,000 allowing for market supplements). The shared service is based on an equal cost share across all three authorities. Each authority would therefore be asked to increase their contribution from the current £112,300 per annum to (a maximum of) £145,300 for 2022/23 plus any annual inflationary increases as per the agreement.

To assist in the short term, the Partnership Board agreed to use an earmarked reserve of £11K to pay for a paralegal post. The post holder will establish procedures alongside undertaking lower-level legal work. This should enable the existing team to work more efficiently and effectively. The post holder is now in post and is making changes to procedures to increase efficiency resulting in increased capacity for fee earners.

Potential to Expand

The increased capacity within the team would also open up the opportunity of undertaking work for additional clients. Any additional income generated would be ring-fenced to the service. It is difficult to accurately quantify the potential additional income but this would be monitored throughout with reductions to each parties contributions being made as appropriate.

Initial discussions with another local authority are taking place with a view to the possibility of expanding the service further. This would increase resilience further and provide greater opportunities to enhance the external offer. Discussions are at a very early stage and are confidential at the moment due to potential staffing issues but all three current partners would need to be satisfied that expansion was appropriate and would benefit the current partnership.

Financial Implications

The current annual payment for the shared service is £112,300 pa.

The increase in resources as identified in this report adds a further total cost of up to a maximum £99K which, between the 3 parties would equate to £33k per local authority.

The additional costs can be partly financed by underspends within the legal fees budget as well as 2 x retained legal funds within HRA and GF. Further ongoing costs would be subject to a supporting policy change.

	22/23	23/24	24/25	25/26	26/27	Total
Additional Cost	33	33	33	33	33	
Less Ongoing underspend	-13	-13.5	-13.5	-13.5	-13.5	
Less Retained fund HRA	-20					
Less Retained fund GF		-11				
Policy Change Required	0	8.5	19.5	19.5	19.5	67*

*This amount will be subject to any changes identified in the paragraph above entitled 'Potential to Expand'.

Members are also reminded that this increase still represents a significant saving when we compare legal spend prior to the establishment of the shared legal service.

Legal/Risk Implications Background

The Council is able to enter into a shared legal service under Sections 101, 111 and 113 of the Local Government Act 1972, the Local Authorities (Goods and Services) Act 1970, Section 1 of the Localism Act 2011, section 93 Local Government Act 2003.

This proposal has already been approved by South Staffs Cabinet and is to be considered by Lichfield District Council imminently.

If the request is not approved the partnership would need to review the sustainability of the shared service which would result in considerable officer time being spent on dissolving the partnership. Further additional funding would also be required to reinstate TBC’s own legal team or in order to secure an alternative provider.

Report Author

Anica Goodwin – Executive Director Organisation

List of Background Papers

Cabinet report 18 December 2019