

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 22<sup>nd</sup> 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 22<sup>nd</sup> 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.

	<b>Tamworth Borough Council's performance compared with previous years</b>				
	<b>2017/18</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>	<b>Estimated Top Quartile*</b>
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"> <li>✓ Customer Services</li> <li>✓ IT Services</li> <li>✓ Communication Services</li> <li>✓ Project &amp; Information Services</li> <li>✓ Neighbourhood Services</li> </ul>
2. Tenant Standard	How we allocate our properties and support our tenants.	<ul style="list-style-type: none"> <li>✓ Neighbourhood Services</li> <li>✓ Homelessness &amp; Housing Solution</li> <li>✓ Partnerships</li> </ul>
3. Home Standard	How we maintain our housing stock	<ul style="list-style-type: none"> <li>✓ Repair &amp; Asset Services</li> <li>✓ Customer Services</li> <li>✓ Neighbourhood Services</li> <li>✓ Operation Service</li> </ul>
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"> <li>✓ Partnerships</li> <li>✓ CCTV services</li> <li>✓ Operation Services</li> <li>✓ Repairs &amp; Assets</li> <li>✓ Neighbourhoods</li> <li>✓ Customer Services</li> </ul>
5. Rent Standard	Rent setting	<ul style="list-style-type: none"> <li>✓ Finance &amp; Audit</li> <li>✓ Neighbourhoods</li> <li>✓ IT services</li> </ul>

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 7<sup>th</sup> 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
<b>1</b>	Stage 1 – all referrals	597	591
<b>2</b>	Stage 2 – considered by consumer regulation panel	274	236
<b>3</b>	Investigation undertaken	143	111
<b>4</b>	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 11<sup>th</sup> 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***

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***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:-

<b>Neighbourhood Service Achievements 2020/21</b>
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- 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

	<b>Risk</b>	<b>Mitigation</b>
<b>Annual Report</b>  <b>Low Risk</b>	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.
<b>Regulatory Standards set by RSH</b>  <b>High Risk with regards to Health &amp; Safety</b>	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**

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## **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