

Thursday 20th October 2022

Report of the Portfolio Holder for Social Housing and Homelessness Prevention

Council Housing Tenants' Annual Report 2021/2022

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' (2021/22).
- Continue to highlight to Cabinet the Regulatory Social Housing's requirements in relation to the Council's stock retained service, the findings of the Regulator of Social Housing's Consumer Regulation Review 2021/22 and update Cabinet on the development of findings of the 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 2021/22` 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 2021/22, prior to digital circulation to Council's tenants
3. Acknowledge the detail within the report relating to rent arrears performance, which responds to Corporate Scrutiny questions raised for quarter 1, 2022-2023
4. Acknowledge findings contained within the Consumer Regulation Review 2021/22. **Appendix B**
5. Note, a separate report is on the forward plan for 10th Nov 2022 to findings of Tamworth's Consumer Regulation Review self-assessment and proposed improvement plans.

EXECUTIVE SUMMARY

There has been a considerable shift in the political, economic and technical landscape regarding the regulation of social housing reflected in the draft Social Housing Regulation legislation. This report deals with the routine reporting of the council's annual performance to its tenants and in November Cabinet will receive a full assessment of the council preparedness for the social housing regulation bill set to take effect in part from April 2023 with the introduction of the new tenant satisfaction measures.

The Council Housing Tenants' Annual Report 2021/22 covers the period between the beginning of April 2021 and the end of March 2022. This is the 12th 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 is being discussed at Tamworth's Housing & Homelessness Prevention sub-committee, and remains a headline agenda item with the Tenant Consultative Group (TCG). All relevant comments have been incorporated into this report.

Routinely, the production of the Annual Report involves benchmarking as a way of evaluating Tamworth's performance against external standards, or with other organisations. Recently, HouseMark have updated their benchmarking data with monthly pulse summaries. These are used across the organisation to share and network best practice. The Pulse summary is attached. **Appendix C**

Performance is further explained and detailed within the main body of the report, specifically in relation to key performance indicators, achievements against each of the consumer standards. The table below highlights service delivery despite the widespread challenges including:-

- Covid pandemic restrictions which inevitably disrupted services from March 2020 to April 2022
- National economic challenges with rising utility costs, fuel costs and cost of living
- District Council Network assumptions that rent arrears are likely to increase by at least 10% from 2023 onwards
- Emerging and competing Government priorities across stock retained landlord service

Whilst it is recognised that some performance is not top quartile this has been considered as part of the consumer regulation self-assessment and the associated improvement plan is currently under development. In addition, it is now clear that the [22 tenant satisfaction measures\(TSMs\) proposed; together with latest](#) benchmarking data will now need to be aligned from April 2023; when the revised TSMs require reporting to DLUCh. Historically the TCG have supported the KPI's below for live updating on the council's dashboard. Updating this will be a work stream for 2023-2024

Tamworth Borough Council's performance compared with previous years					
	2018/19	2019/20	2020/21	2021/22	Estimated Top Quartile by Housemark*
Overall satisfaction with Landlord Services	78%	78%	78%	78%*	86.5%
Average time between letting Council properties	15 days	22.6 days	36.2 days	38 days	Not measured
Estate Inspections	10 inspections completed	6 inspections completed	No inspections Covid-19	10 inspections completed	Not benchmarked
Satisfaction with communal cleaning	87%	76%	76%	76%	Not benchmarked
Number of tenants on the database of involvement	479	479	479	417	Not benchmarked
% of appointments made and kept	91.30%	89%	87.33%	97%	97.06%
Gas servicing – CP12	100%	98%	99.05%	98%	100%
% of repairs completed at first visit	87.80%	88%	88.58%	95%	93.59%
Customer satisfaction with repairs	95%	90.80% (top quartile)	95%	97%	93.2%**
Arrears as a % of rent due	2.15%	2.82%	2.66%	2.77%	3.61%
Number of Evictions	18 (0.42%)	13 (0.31%)	Ban on evictions Covid-19	2 (0.04)	0.17%

*Aggregated data based on historic qualitative data, last STAR survey 2015

** Housemark Pulse data for satisfaction with repairs completed right first time. Tamworth's figures are for satisfaction with repairs

The latest Regulator of Social Housing Consumer Regulation Review for 2020/21 was published on 14th July 2022. In this 10th Review, as Fiona MacGregor, RSH outgoing Chief Executive highlights that preparation for the move to a proactive consumer regulation has continued to take shape. A new Director of [Consumer Regulation Kate Dodsworth](#) has been appointed to continue to fulfil its important reactive consumer role.

The latest consumer report shows that more than 650 referrals from tenants, registered providers of social housing and other sources was received during 2021/22 and a breach of the consumer standards was found in eight cases, where providers had not met the standards and where tenants had been harmed or were at risk of harm. Council Officer's assess these summary findings annually for the purposes of learning and continuous improvement and findings are integrated into our service plans.

The consumer standards include five key 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 the findings from the recent 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. Tenancy 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, future regulatory requirements and how this will shape improvement plans to ensure council housing meets its regulatory and statutory requirements and continues to improve on tenant satisfaction. It is recommended that full details of this self-assessment and corresponding improvement plans will be reported back to members separately later this year 10th November 2022

BACKGROUND

Tenant Satisfaction Measures (TSMs)

In December 2021, the RSH launched a consultation on the introduction of TSMs.

The RSH is proposing to introduce a new requirement for registered providers to collect, publish and submit information about their performance against the TSMs. This is available on the link above.

The RSH is proposing 22 TSMs covering six themes as set out below. RSH has advised it intends to finalise the TSMs in the Autumn 2022, for collection from April 2023 and publication of 2023-4 results from April 2024.

The proposed TSMs, under 6 themes, are a mix of 12 tenant perception measures and 10 measures which would be collected through providers’ management information, as follows:

1. **Overall Satisfaction**
Overall satisfaction
2. **Keeping Properties in Good Repair**

Homes that do not meet the Decent Homes Standard
Repairs completed within target timescale
Satisfaction with repairs
Satisfaction with time taken to complete most recent repair

3. Maintaining Building Safety

Gas safety checks
Fire safety checks
Asbestos safety checks
Water safety checks
Lift safety checks
Satisfaction that the home is well maintained and safe to live in

4. Effective Handling of Complaints

Complaints relative to the size of the landlord
Complaints responded to within Complaint Handling Code
Satisfaction with the landlord's approach to handling of complaints
Tenant knowledge of how to make a complaint

5. Respectful and Helpful Engagement

Satisfaction that the landlord listens to tenant views and acts upon them
Satisfaction that the landlord keeps tenants informed about things that matter to them
Agreement that the landlord treats tenants fairly and with respect

6. Responsible Neighbourhood Management

Anti-social behaviour cases relative to the size of the landlord
Satisfaction that the landlord keeps communal areas clean, safe and well maintained
Satisfaction that the landlord makes a positive contribution to neighbourhoods
Satisfaction with the landlord's approach to handling of anti-social behaviour

The RSH also published draft detailed requirements in *Tenant Satisfaction Measures: Technical Requirements* and *Tenant Satisfaction Measures: Tenant Survey Requirements*. To comply with the TSM Standard, providers need to comply with these detailed requirements.

Social Housing (Regulation) Bill

In June 2022, the Social Housing Regulation Bill was introduced to Parliament. Key elements of the Bill are that:

1. The RSH will set up an Advisory Panel consisting of representatives of registered providers, secured creditors of registered providers, social housing tenants, local housing authorities, the Greater London Authority, Homes England, the Secretary of State for Levelling Up, Housing and Communities and other people as the RSH thinks fit to appoint
2. The RSH will conduct inspections for which it will have to give just 48 hours' notice to landlords
3. The RSH will have the powers to issue landlords with "performance improvement plan notices" if they fail to meet Consumer Standards (landlords will have to prepare an action plan and share it with the Regulator)
4. The RSH will have the power to carry out emergency works on properties which the landlord will be required to pay for

5. Standards relating to the safety of electrical installations will be extended to the social housing sector
6. Every provider will have to appoint a health and safety lead to monitor compliance, assess the risk of non-compliance and notify the RSH of any risks and failure to comply
7. Housing associations will be subject to an information-sharing process similar to the Freedom of Information Act 2000. Social landlords will have to provide tenants with information about their accommodation, facilities, safety and all services and will have to publish information about executive salaries and management costs
8. The serious detriment test will be removed, paving the way for a more proactive approach to Consumer Regulation
9. The RSH will be able to ask social landlords to collect and publish information relating to their compliance performance and
10. The Housing Ombudsman will have the power to issue a complaints code of practice and to order a member landlord to review its policies on specific issues.

The Bill is currently making its way through the parliamentary process.

Regulator of Social Housing's Consumer Regulation Review 2021/22

On 14th July 2022, the Regulator of Social Housing published 'The Regulator of Social Housing's Consumer Regulation Review 2021/22 (**Appendix B**)'. The review sets out a summary of the consumer regulation work findings during the year 2021-22. Council Officers have assessed these summary findings annually for the purposes of learning and continuous improvement.

More than 650 referrals from tenants, registered providers of social housing and other sources was received during 2021/22 and a breach of the consumer standards was found in eight cases, where providers had not met the standards and where tenants had been harmed or were at risk of harm. In all of the regulatory notices published it was concluded that providers had breached the Home Standard due to not meeting legal requirements on fire, electrical, water, asbestos or lift safety. In many cases, providers had also failed to carry out the necessary remedial works or to have accurate data about their stock and what it required to remain in a safe condition. Examples of tenants living in poor and unacceptable conditions have increasingly been in the spotlight and in some cases, these have been due to providers failing individual tenants. In others, they have reflected systemic, organisational failures at a provider

The Consumer Regulation review highlights that during 2021-2022 the regulator has seen a number of providers who have not met their legal duties which provide for the health and safety of tenants in their homes and providers failing to carry out repairs. As a result, people have been living in homes which are unsafe and in a poor condition. Cases have showed the importance of having accurate data about the condition and safety of tenants' homes, and about the experiences of tenants in their homes. In one case where there was a breach of the consumer standards, the provider had not self-referred despite its leadership and governing body being aware of the issues.

This year, consistent with previous years, breaches of the consumer standards have been found across a range of providers in terms of their type, size and location. The

regulator highlights that well-run organisations should not become complacent thinking that they won't breach the consumer standards, as the regulators experience shows that breaches of the consumer standards can happen to any registered provider. The regulator emphasises that it is therefore critical that boards, councillors, and management teams remain vigilant about their compliance and continue to seek robust assurance they are meeting the consumer standards.

The regulator stresses that now is the time for organisations to act to be assured that they are meeting the existing standards and are ready for the changes ahead. Listening to tenants and hearing what they say is critical to ensuring that tenants receive good housing services and live in safe, decent, good quality homes. The regulator believes that upcoming changes may require a cultural shift within registered providers, and this can take time to achieve but work should already be underway.

Key lessons for providers

1. Good governance and leadership are vitally important to good quality service
2. Effective engagement with tenants will help landlords prepare for proactive consumer regulation
3. Landlords must provide quality accommodation which is safe and well managed
4. Landlords need reliable data and clear oversight of compliance
5. Local authorities must also comply with the consumer standards

Referrals by stage

The consumer regulation process has three stages. Stage 1 is an initial review by the Referrals and Regulatory Enquiries team who review all incoming enquiries. Stage 2 is a more detailed review by the Consumer Regulation Panel to determine whether there is evidence of a breach of the standards and Stage 3 is an investigation in cases where there could be a breach of the standards, or if there is a suggestion that tenants are at risk of serious harm.

The table below shows the total number of consumer regulation referrals handled by the regulator in 2021/22 and how many of those went on the subsequent stage of the process. The 2020/21 figures are also given for comparison purposes.

	2020-21	2021-22
Stage 1 – all referrals	591	653
Stage 2 – considered by consumer regulation panel	236	298
Stage 3 - Investigation undertaken	111	146
Published findings of breach and serious detriment	1	8

The table below show that for all referrals received, the source of these referrals was consistent with the previous year

	2020-21	2021-22
Referrals from individuals	70%	61%
Referrals from elected representatives	5%	5%
Referrals from contractors/employees	3%	3%
Self-referrals from registered providers	15%	15%
Referrals identified through regulatory engagement	4%	5%
Referrals following issues reported in the media	2%	4%
Other reports	1%	7%

Referrals by standards

The proportion of referrals relating to each of the consumer standards has remained consistent each year. As in previous years, the Home Standard continues to be the consumer standard that is most often cited in referrals, representing more than half of all referrals considered at stages 2 and 3, followed by the Tenant Involvement & Empowerment Standard representing 28% of cases.

	Percentage of cases	
	2020-21	2021-22
Home	46	54
Neighbourhood and Community	12	9
Tenancy	12	9
Tenant Involvement & Empowerment	30	28

Council Housing Tenants' Annual Report 2021/22

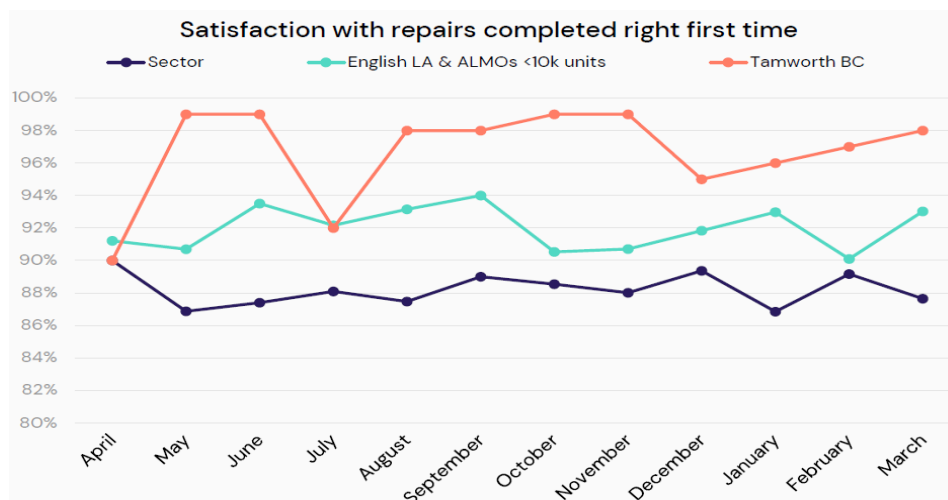
Neighbourhood Service contributes to the provision of a high-quality service which is responsive to, and driven by, the needs of our customers. The Council is required to publish an Annual Report to its council housing tenants; detailing how it meets Regulatory Standards between the period 1st April 2021 and 31st March 2022.

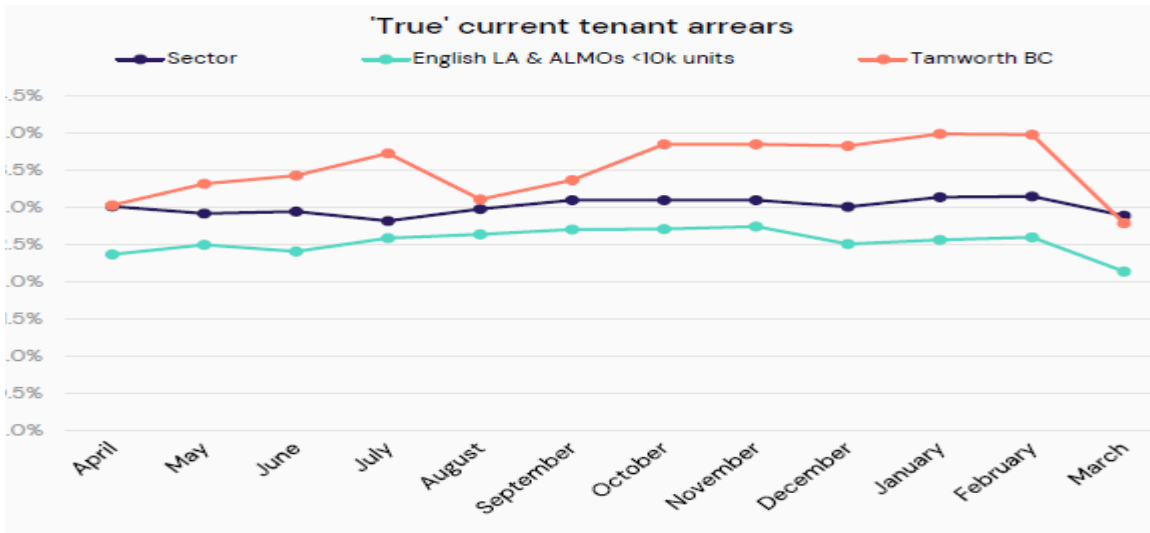
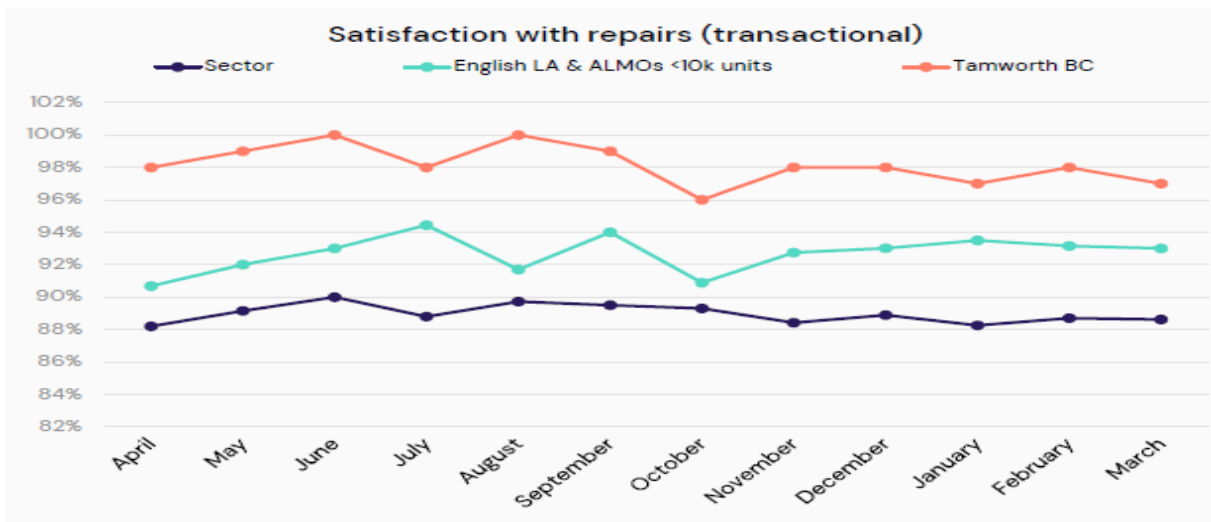
The Annual Report must be circulated to all tenants, so it is proposed to place a copy of the 2021/2022 Annual Report on the Council's website, distribute copies within its sheltered and support schemes and provide any hard copies on request.

The proposed annual report has been considered via the Tenants Consultative Group and reflects their feedback. The draft Report 2021/2022 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 2021/22 will be the 12th publication since the regulatory code was introduced.

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 service planning and improvements.

To further illustrate the table in the summary, key benchmark data is detailed below and in the Housemark Monthly Pulse Annual Summary 2021-2022 attached.

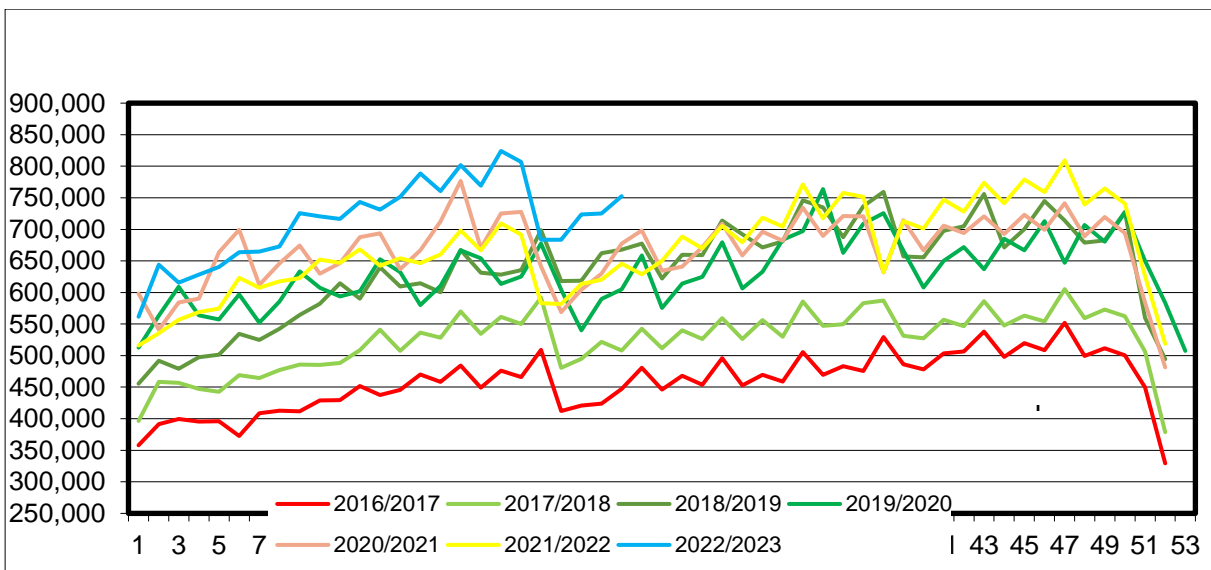




Current rent arrears

Corporate scrutiny raised a question around the % of total arrears so trends could be tracked more easily. It was agreed that the annual report would provide more detail for Cabinet to address these enquiries.

Current rent arrears and performance is tracked and reported routinely. The comparison chart below clearly illustrates that whilst arrears continue to increase, the general pattern of data across the year's arrears remains consistent.



In the latest benchmarking, Qtr1 2022-2023, Housemark report that the cost-of-living crisis is a symptom of a larger, longer-term economic adjustment that is likely to last for the next two years as inflation returns to stable levels. With uncertainty ahead, changes to political leadership and consultation on the rent setting policy in England, landlords are stress testing a number of different scenarios - not only those in their control, but also the wider economic conditions which impact on tenants and suppliers. Understanding the scope, impact, and likely duration of an economic recession with up-to-date data on its effects will provide essential insight to support key decisions as the social housing sector continues to deliver services to improve residents' lives.

Rent setting for 2023/24 also looks set to be a challenge for social landlords. [Consultation out on the rent cap](#) will be reported to Cabinet as more information is on the Housing Revenue Account Business Plan is assessed.

Officers are already preparing for a increase in bad debt that is now forecast across the professional sector as part of HRA business planning recommendations will be coming forward to increase bad debt provision as those assessments are made on the councils ability to collect rent.

West Midlands Best Practice Group 2022-23 Qtr 1 Performance Comparison

The consensus from the West Midlands Best Practice Group is that arrears are increasing for the majority of the participating providers comparing current performance to the previous Quarter 1 position in 2021-22. From the 25 participating providers, 17 Organisations are showing an increase in arrears, 4 organisations Report that their arrears are reducing, and 4 organisations report an unknown position at the end of quarter 1.

Neighbourhood Achievements 2021/22

The management and maintenance of the councils housing stock directly contributes to the Councils strategic agenda and achievements in 2021/22 have included: -

Tenancy Standard

- Continue to utilise the Hardship Fund to assist those tenants suffering from financial hardship
- Tenancy Support Directory updated for 2022 and added to the website
- Covid-19 – Continued to share with customers updated announcements, practices processes and procedures in respect of Covid-19 as per website/literature/rent statements/tenant's newsletter/Annual Report/patch tailored communication, winter Paying your Rent booklet 2021 etc.
- Introduction of a new online digital platform - Tamworth Borough Council housing tenants can manage aspects of their tenancy online, in real-time, through the new 'MyHousing' website. This is being actively communicated and advertised through all housing correspondence and literature
- Sheltered housing welfare daily visit sheets continued to be used and 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

- 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

Home Standard

- Continuation and delivery of the Councils acquisition programme
- The programme of fire door replacements in the high-rise blocks aimed at further improving fire safety standards continued through 2021 into 2022.
- Despite mobilising the new repairs and investment contracts during the initial COVID lockdown period both contracts were able to implement and ensure safe systems of work that allowed them to continue delivering services largely unaffected
- Extensive refurbishment works completed at Sunset Close, Cheatle Court, and Oakendale sheltered schemes to include new flooring, new generation lighting and decorating.

Neighbourhood & Community Standard

- The first annual CCTV Suitability Review was carried out on Tamworth Borough Council (TBC) in August 2021, across all 154 cameras
- Significant investment into a new lift at Eringden flats
- A wide range of neighbourhood improvements have been carried out across the borough
- Successful ASB awareness week in partnership with Community Wardens and partner agencies
- Engagement event at the Castle Grounds in partnership with the police due to an increase in ASB and knife crime
- Neighbourhood improvement works completed to planters at Glascote Heath which was causing ongoing impact in the community

Tenant Involvement & Empowerment Standard

- Mapped the requirements for consultation on all major neighbourhood 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
- Tenant publications produced to include 4 editions of Open House, tenant's newsletter, the Annual Report to tenants and the Tenant Involvement annual Impact Assessment
- Review and update of the High Rise Health & Safety Booklet with Management, FARS and the Police
- Tenant Inspectors completed communal cleaning refresher training with the Estates Manager and the annual programme has been developed
- Continuing to work with TCG members and other involved group members to develop a programme of digital involvement
- Active TCG involvement in the Rent Accreditation. TCG members were invited to meet with the lead Assessor Tony Newman from HQN to discuss their involvement with the Income Management team
- Annual programme of estate inspections completed
- All High-Rise vulnerable tenants that had received a tailored weekly call from Tenant Regulation team, through the pandemic period, was invited to be referred to the befriending service to avoid social isolation

- TCG have been actively involved and updated on a wide range of Neighbourhood issues to include a review of the Tenancy Management Policy, Rent Accreditation, ASB re-accreditation, CCTV shared Service, review of the Repairs Policy, information provided on the Reset and Recovery programme and how smart working has been introduced for staff. In addition, details provided on the Regulator of Social Housing Consumer Standards and the self-assessment being undertaken by external Consultants on behalf of Tamworth
- Review and update of the Neighbourhood Service Customer Satisfaction Calendar and all satisfaction monitoring has been routinely reported to TIG to include repairs, complaints, ASB, New Tenant Survey, Rent and Arrears Survey
- The Tenant Involvement welcome letter has been updated and now includes a new 'A call for tenants' leaflet as part of a recruitment campaign.

Rent Standard

- Tamworth Borough Council's Income Team was successfully awarded the HQN Accredit: MIST (Housing Quality Network Accreditation - Maximising Income; Sustaining Tenancies) for the second time, following an intense assessment of service.
- Updated Income Management Policy 2021 to be reviewed 2023
- Scheduled and actioned write offs undertaken quarterly throughout the year
- 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
- Closer working practices has now been developed with the Voids and Allocations Team, as part of pre-tenancy work, providing more detailed information of vulnerable tenants that will require more tailored support
- Local partnership arrangements continue to be developed successfully, Citizens Advice Mid Mercia. Refernet, an online referral service has now been fully introduced, with refresher training for key staff
- The Hardship Fund continues to be utilised to support those tenants in greater need in an attempt to prevent financial hardship

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.

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	Finalise and publish the Annual Report in October 2022 to all its tenants digitally.

	may result in regulator intervention and/or enforcement	
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 commenced early 2022 with report to Cabinet on 10.11.2022. Improvement plans developed in response to YDC findings Submitted annual LADR return July 2022.

TIMETABLE

Finalise draft of annual report & arrange with graphics to produce into an e-booklet	End October 2022
Publish annual report on website	November 2022
Scope out Tenant Satisfaction measures across six themes for collection to commence April 2023	November 2022
Finalise action plan and resources for compliance with RSH standards / white paper changes	During 2022
Scenario testing around the proposed rent cap to determine options/choices with tenants.	October/November 2022

REPORT AUTHOR

Mrs Leanne Lea, Housing Manager

APPENDICES

Appendix A - Draft, Annual Neighbourhood Services Report 2021/22

Appendix B - Regulator of Social Housing's Consumer Regulation Review 2021/22

Appendix C - Housemark Monthly Pulse Annual Summary 2021-2022