Cabinet

Thursday, 26th October 2023

Report of the Portfolio Holder for Housing and Planning

Council Housing - Annual Report 2022-2023

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' (2022/23).
- Continue to highlight to Cabinet the Regulatory Social Housing's requirements in relation to the Council's stock retained service and the findings of the Regulator of Social Housing's Consumer Regulation Review 2022/23.

Recommendations

Cabinet are recommended to:-

- 1. Approve the draft `Council Housing Tenants Annual Report 2022/23` for circulation to all Council 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 final amendments to the draft Council Housing Tenants Annual Report 2022/23, prior to digital circulation to Council tenants.
- Acknowledge findings contained within the Consumer Regulation Review 2022/23.
 Appendix B

Executive Summary

This report deals with the routine reporting of the council's annual performance to its tenants.

The Council Housing Tenants' Annual Report 2022/23 covers the period 1 April 2022 to 31 March 2023. This is the 13th 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.

Following the Housing Regulation Act receiving Royal Assent on 20th July 2023, this will be the last tenant's annual performance report published in this format. All future annual reports will reflect the Council's performance against the new suite of 4 social housing consumer standards which take effect from April 2024, which aim to strengthening tenants' rights and ensuring better quality and safer homes for residents.

- 1. The Safety and Quality Standard
- 2. The Transparency, Influence and Accountability Standard
- 3. The Neighbourhood and Community Standard
- 4. The Tenancy Standard

On 6th July 2023, the Regulator of Social Housing published `The Regulator of Social Housing's Consumer Regulation Review 2022/23 **(Appendix B)**. The report sets out the key learning points from consumer regulation casework over the period 2022-2023, with the 4 key lessons outlined below. Council Officers annually assess these summary findings for the purposes of learning and continuous improvement.

- 1. Landlords must maintain a tight grip on the quality of the homes they manage.
- 2. Local authorities must act now to ensure compliance with the consumer standards.
- 3. Effective tenant engagement is fundamental to meeting the requirements of the consumer standards.
- 4. Meeting statutory health and safety requirements, including landlord gas safety requirements, remains an area of regulatory concern.

Like 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.

Routinely, the production of the Annual Report involves benchmarking as a way of evaluating Tamworth's performance against external standards, or with other organisations.

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:-

- Continued national economic challenges with the continued rising cost of living.
- District Council Network assumptions that rent arrears would likely increase by at least 10% from 2023 onwards due to the current economic conditions.
- 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 which is currently being undertaken by the Council. In addition, the <u>22 tenant satisfaction measures (TSMs)</u> together with latest benchmarking data has been aligned from April 2023; when the revised TSMs require reporting to DLuCH. Historically the Tenants Consultative Group have supported the Key Performance Indicator's below for live updating on the council's dashboard.

	Tamworth Borough Council's performance compared with previous years					
	2018/19	2019/20	2020/21	2021/22	2022/23	Estimated Top Quartile by Housemark*
Overall satisfaction with Landlord Services	78%	78%	78%	78%*	78%*	86.5%
Average time between letting Council properties	15 days	22.6 days	36.2 days	38 days	52 days	Not measured
Estate Inspections completed	10	6	No inspection s Covid- 19	10	10	Not benchmarked
Satisfaction with communal cleaning	87%	76%	76%	76%	76%	Not benchmarked
Number of tenants on the database of involvement	479	479	479	417	407	Not benchmarked
% of appointments made and kept	91.30%	89%	87.33%	97%	95%	97.06%
Gas servicing – CP12	100%	98%	99.05%	98%	99.93%	100%
% of repairs completed at first visit	87.80%	88%	88.58%	95%	87%	93.59%
Customer satisfaction with repairs	95%	90.80% (top quartile)	95%	97%	85.55%	93.2%**
Arrears as a % of rent due	2.15%	2.82%	2.66%	2.77%	2.60%	3.61%
Number of Evictions	18 (0.42%)	13 (0.31%)	Ban on evictions Covid-19	2 (0.04%)	9 (0.09%)	0.17%

Background

1. Social Housing Act receives Royal Assent

The Social Housing Regulation Act received Royal Assent on 20th July 2023, officially becoming law. The Act forms a new era of regulation for the social housing sector.

The Social Housing Regulation Act will enact the reforms outlined in the Social Housing White Paper, which are aimed at improving the regulation of social housing, strengthening tenants' rights, and ensuring better quality and safer homes for residents.

Crucial aspects of the Act, include:

- Enhanced powers for the Regulator of Social Housing The Act will facilitate the introduction of proactive consumer regulation by strengthening the Regulator of Social Housing, allowing intervention in cases where landlords are performing poorly on consumer issues. This will enable the Regulator to take action to address any shortcomings and protect tenants.
- Stronger enforcement powers The Act establishes stronger enforcement powers for the Regulator to take action including provisions for regular inspections of social housing properties to ensure landlords are providing high-quality services and accommodation. These inspections will help maintain and improve the standard of housing for tenants across the country.
- **Tenant empowerment** The Act will establish strict time limits for social landlords to address hazards and empowers social housing tenants to request information from their landlords, promoting transparency and accountability. This will ensure tenants have the right to access crucial information about their homes and can access swift redress where things go wrong.
- Standards for Registered Providers The Act introduces a set of standards for registered housing
 providers, requiring social housing managers to possess specific qualifications or be actively
 working towards gaining them. These standards will help ensure residents receive the best possible
 service from their housing associations.

Now that the Act has received Royal Assent, the Regulator of Social Housing will consult on revisions to the consumer standards, as set out below, and the Department of Levelling Up, Housing and Communities (DLUHC) will consult on the measures to take forward the government's social housing reform programme such as Awaab's Law, changes to the Decent Homes Standards and professionalisation of the sector.

The Regulator has published a consultation seeking input on a set of consumer standards, likely to apply from April 2024. These include:

Current 6 Consumer Standards	Revisions to the 4 Consumer Standards – post 20 th July 2023
 The Home Standard The Tenancy Standard The Neighbourhood & Community Standard The Tenant Involvement & Empowerment Standard The Rent Standard – Forms part of the Economic Standard 	 The Safety and Quality Standard The Transparency, Influence and Accountability Standard The Neighbourhood and Community Standard The Tenancy Standard

2. Regulator of Social Housing's Consumer Regulation Review 2022/23

On 6th July 2023, the Regulator of Social Housing published `The Regulator of Social Housing's Consumer Regulation Review 2022/23 **(Appendix B)**. The report sets out the key learning points from consumer regulation casework over the period 2022-2023. Council Officers have assessed these summary findings annually for the purposes of learning and continuous improvement.

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

The report emphasises that given the changes to consumer regulation that will be implemented from April 2024, including the proactive consumer assessments of large landlords (over 1,000 homes), and that all providers will have to collect Tenant Satisfaction Measures, it is vital that social housing providers act now to ensure compliance. In addition and at the heart of the review is the need to treat social housing tenants with fairness and respect. Social housing providers are expected to be respectful, transparent and responsive to their tenants' needs and the Regulator will hold providers to account where it is found that this is not the case.

The review includes findings in the tragic case of Awaab Ishak, a two-year-old boy who died due to exposure to environmental mould in his home. The review advises that the sector must learn from this tragedy. Providers must be receptive to concerns raised by tenants and they must ensure that they hear their tenants' voices, including from the most vulnerable. Thorough and timely investigations into the causes of problems in tenants' homes, including damp and mould, must be carried out to ensure that underlying and more widespread issues are identified and guickly remedied.

Following the Regulators request to all large social housing providers to submit evidence about the extent of damp and mould in tenants' homes, the Regulator reported its initial findings in February 2023 and published a further report in June 2023. It was found that most providers demonstrated that they:

- are taking damp and mould seriously
- identify and address cases of damp and mould in tenants' homes
- have made improvements in how they have handled damp and mould cases over the last year.

It is important that registered providers' systems are comprehensive and encompass all the aspects that contribute to maintaining homes in a safe condition.

From April 2024, the existing serious detriment test will be removed and there will be a new focus on proactive consumer regulation. As part of this, the Regulator will carry out regulatory inspections of housing associations and local authorities with more than 1,000 homes. The inspections, together with other changes, such as the introduction of the Tenant Satisfaction Measures, will help the Regulator to proactively monitor registered providers to ensure they are meeting the consumer standards.

The Regulator continues to receive increasing numbers of reactive referrals. During 2022-23, 940 referrals from tenants, registered providers and other sources were received: an increase of 44% from the previous year. 438 referrals were investigated which concluded a breach of the consumer standards in 13 cases.

The report underlines the importance of working effectively with the regulator to resolve non-compliance and for the first time the Regulator outlines some of the features that characterise those providers that have responded successfully to breaches. Four key lessons that emerged from casework during 2022-2023 are as follows:

- Landlords must maintain a tight grip on the quality of the homes they manage.
- Local authorities must act now to ensure compliance with the consumer standards.
- Effective tenant engagement is fundamental to meeting the requirements of the consumer standards.
- Meeting statutory health and safety requirements, including landlord gas safety requirements, remains an area of regulatory concern.

The report highlights that some registered providers are not getting the basics right and failing to ensure that tenants are safe within their homes; where that is the case it must change.

Key Lessons for Social Housing Providers

1) Landlords must maintain a tight grip on the quality of the homes they manage

Landlords must:

• ensure tenants' homes meet the criteria set out in the government's Decent Homes Standard and this includes assessing Category 1 hazards.

- have an accurate and up to date understanding of the quality of the homes that they manage, underpinned by reliable stock condition survey data.
- take appropriate action when they are alerted, for instance through tenant referrals, of new issues.

2) Local authorities must act now to ensure compliance with the consumer standards

- In 2022/23, 10 of 13 registered providers who had breached the consumer standards were local authorities. In each case, the Councils self-referred.
- Councillors and other senior leaders within local authorities must understand their core landlord responsibilities as accountability sits with them.
- 33 self-referrals received from local authorities during 2022-23 concluded that standards had been breached in ten cases. This transparency and willingness to self-refer demonstrates a cornerstone of effective regulation.

3) Effective tenant engagement is fundamental to meeting the requirements of the consumer standards

• Landlords must treat tenants with fairness and respect, communicate with them in a way that takes account of diverse needs and be receptive to the issues that tenants raise.

4) Meeting statutory health and safety requirements, including landlord gas safety requirements, is non-negotiable

 Complying with statutory health and safety requirements is a fundamental responsibility for all registered providers.

For the first time in several years the Regulator has found landlords who have not met gas safety requirements. Causes for the failures have included:

- failing to schedule the checks; and
- failing to have a robust 'no access' policy in place.

Landlords must ensure that they take all reasonable steps to complete gas safety checks on time.

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 2022/23 and how many of those went on the subsequent stage of the process. The 2020/21 and 2021/22 figures are also given for comparison purposes.

	2020-21	2021-22	2022-23
Stage 1 – all referrals	591	653	940
Stage 2 – considered by consumer regulation	236	298	438
panel			
Stage 3 - Investigation undertaken	111	146	195
Published findings of breach and serious	1	8	13
detriment			

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

	2020-21	2021-22	2022-23
Referrals from individuals	70%	61%	61%
Referrals from elected representatives	5%	5%	2%
Referrals from contractors/employees	3%	3%	2%
Self-referrals from registered providers	15%	15%	18%
Referrals identified through regulatory engagement	4%	5%	3%
Referrals following issues reported in the media	2%	4%	3%
Other reports	1%	7%	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 58% of all referrals considered at Stages 2 and 3. The Tenant Involvement and Empowerment Standard is the next most frequently cited standard, accounting for 29% of cases in the year. Referrals which relate to the Neighbourhood and Community Standard and the Tenancy Standard continue to represent a smaller proportion of the Regulators work.

	Percentage of cases			
	2020-21	2021-22	2022-23	
Home	46%	54%	58%	
Neighbourhood and Community	12%	9%	6%	
Tenancy	12%	9%	7%	
Tenant Involvement & Empowerment	30%	28%	29%	

3. Council Housing Tenants' Annual Report 2022/23

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 2022 and 31st March 2023.

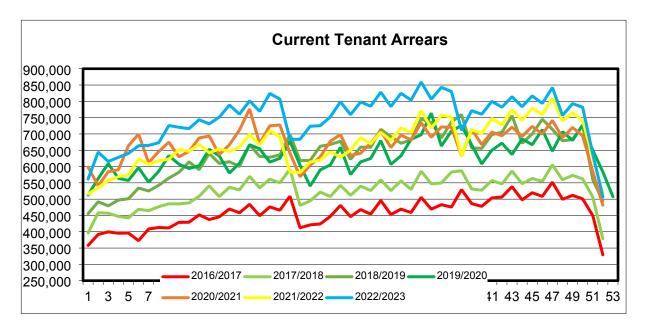
The Annual Report must be circulated to all tenants, so it is proposed to place a copy of the 2022/2023 Annual Report on the Council's website, distribute copies within its sheltered and support schemes and provide any hard copies on request.

The proposed annual report has been considered via the Tenants Consultative Group and reflects their feedback. The draft Report 2022/2023 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 2022/23 will be the 13th publication since the regulatory code was introduced.

As you will already know from previous reports, Tamworth takes the opportunity to benchmark Neighbourhoods Key Performance Indicators and continues to do use that learning to inform service planning and improvements. Housemark Monthly Pulse Annual Summary 2022-2023 is due to be released during Autumn 2023.

Current Rent Arrears Performance

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 light of the already current pressure on arrears, it is estimated that there will be similar levels of arrears in 2023/24 and we assume no improvement from the current year position. The level of rent arrears will continue to be kept under review by the Income and Neighbourhoods Management Team.

West Midlands Best Practice Group 2023-24 Qtr 1 Performance Comparison

The consensus from the West Midlands Best Practice Group is that arrears continue to increase for the majority of the participating providers comparing current performance to the previous Quarter 1 position in 2022-23. From the 19 participating providers during quarter 1, 2023-24,13 organisations are showing an increase in arrears, 68%.

Neighbourhood Achievements 2022/23

The management and maintenance of the councils housing stock directly contributes to the Council's strategic agenda and achievements in 2022/23 have included: -

Tenancy Standard

- Continue to utilise the Hardship Fund to assist those tenants suffering from financial hardship.
- Full Estate and Tenancy Walkabout programme delivered with the aim of maintaining safe and clean estates.
- A over `Good` score on the `Ending of tenancy` audit.
- Successful day to day management of ending of tenancies all contributing to swift and timely ending of tenancies / reducing rent arrears/rent loss to the Council.
- Commenced a full and comprehensive review of all tenancy management working procedures – new procedure manual being produced to ensure staff maintain a good standard of service delivery.
- Team have successfully undertaken a range of training damp and mould, HATE, suicide awareness including updates on cost of living so they can support tenants.
- Team have contributed well to submitting a range of referrals to partner agencies to obtain ongoing support for our tenants who have a wider range of complex needs i.e., food bank, mental health, GP, beat the cold, housing support fund.
- Contributions from the team with community safety engagement and support for tenants including attendance at MARAC, TVP and new multi-agency meeting at Sacred heart – with the outcome of successfully sustaining tenancies.
- Improvement with high rise bin and communal estate bin management i.e., neighbourhood investment works, additional bins, additional tenant education, breach of tenancy and enforcement for fly tipping/littering

Sheltered

- Capital works completed at some schemes with refurbishment of communal areas
- Annual Health & Safety inspections undertaken across all schemes and associated actions escalated.
- Tenants' handbook and welcome posters updated.
- Routinely attended TCG meetings to update on current covid arrangements, enhanced support, health & safety annual inspections and updated literature in response to covid
- Annual updated training programme for sheltered staff.
- Continued development and enhancement of the electronic daily visit sheet in readiness to go live during 2023.
- Power outage leaflet developed and distributed to Sheltered, High Rise and Eringden residents.
- New and updated Tenancy Management Plans & Review undertaken in both booklet format and MS Word documents.
- Working with ICT to further develop the Scheme Manager Application for recording contacts.
- Improved fire safety compliance checks included in the Health & Safety Monthly Report, in line with new regulations, and updated meeting agendas to reflect changing fire regulations.
- Updated Welcome / Information posters
- Updated Sheltered Handbook and distributed to residents.
- New process introduced to allow essential engineers access to scheme offices during out of hours.

Home Standard

- Continuation and delivery of the Council's acquisition programme
- Completed essential building maintenance project to renew and replace soil waste pipes within 6 high-rise blocks.
- Neighbourhoods regeneration has delivered around 500k worth of works and includes projects such as new furniture for sheltered housing and improvements to parking areas as well as reconfiguring rear communal areas to provide better access to gardens/drying areas.
- refurbishment works completed across some sheltered schemes as part of the annual capital works programme.
- partnered with Lichfield Council to offer a joint in house Occupational Therapist service to help ensure TBC properties remain accessible for tenants with disabilities.
- Continue to undertake gas and electrical safety checks to ensure building safety.

Neighbourhood & Community Standard

- 2 very successful mandatory possessions for serious anti-social behaviour and good use of civil injunction to put a stop to serious ant-social behaviour.
- Engagement events at Castle Grounds with Police attendance both days due to increase in ASB and knife crime.
- Police Community Engagement Event at the Assembly Rooms
- Police Community Engagement Event at Dosthill Park
- Police Community Engagement Event Tesco Amington
- Commonwealth games day Castle Grounds supported on Community Safety
- Remembrance book St Editha's Church for the passing of Late Queen Elizabeth
- Community Warden Patrol Reporting on CAS recommenced since covid.
- Police Community Engagement on 6.12.22 crime prevention issuing purse bells in town with the aim of reducing the risk pick pockets easily taking purses out of owner's bags without them knowing.
- Upgrade and additional cameras at the Castle with the aim of increasing security
- Additional cameras added to new lift and outside at Eringden High Rise block with the aim of increasing security.
- Annual self-assessment compliance with CCTV regulations/standards
- Ongoing locality training for CCTV operatives

- Finalised upgrade of all 154 cameras to digital platform
- 12 month continued improvement action plan including phasing out Redcare lines / live stream access.
- Building on CCTV Intelligence reports & sharing with community safety partnerships to proactively target resources for the prevention and detection of crime
- PABCIS / store net and night net campaign to improve communication between radio users and the CCTV control room.
- Independent camera suitability evaluation carried out across all cameras in compliance surveillance regulations

Tenant Involvement & Empowerment Standard

- Tenant publications completed 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 monthly inspection Master spreadsheet
- Review and update of the High Rise Health & Safety Booklet with Management, FARS and the Police
- Tenant Involvement & Consultation Strategy Action Plan updated.
- Customer Performance Dashboard reviewed and updated with TIG Tenant Involvement Group
- Annual programme of communal cleaning audit inspections completed.
- Annual programme of estate inspections completed.
- Annual plant a pot events successfully carried out at sheltered housing schemes.
- TCG have been actively involved and updated on a wide range of Neighbourhood issues to include reviewing the Income Management Policy, sheltered updates and annual health & safety inspections, review of service literature across neighbourhoods, rent cap consultation and information etc.
- The Tenant Involvement welcome letter has been updated and now includes a new 'A call for tenants' leaflet as part of ongoing recruitment campaign.
- Recruitment Campaign with the A Call for Tenants leaflet going out in the quarterly rent statement.
- Housemark and West Midlands quarterly performance information now routinely shared with the Tenant Involvement Group

Rent Standard

- Excellent end of year arrears figure, £11k (refers only to current housing arrears) lower than previous end of year figure.
- Continued to update the Rent Accreditation Action Plan in readiness for interim assessment.
- Scheduled and actioned write offs quarterly throughout the year
- Continue to assess hardship applications forms for vulnerable customers.
- Supported vulnerable customers through the cost-of-living crisis with a whole range of referral and support schemes.
- TCG updated on performance and the review of Income Management Policy
- FFTT updating procedures with legal advice and amending NSP's to inform customers.
- End of year Income Management Performance Report, updated Accreditation Action Plan, updated Income Management Policy and Community Impact Assessment completed for April 2023 Cabinet
- Paying your rent leaflet updated and a separate insert was included within the winder edition of Open House, tenant's quarterly newsletter.
- Clearing rent accounts before EOY, chasing benefits, negotiating with tenants, making successful payment agreements.
- Successful case where one tenant cleared all rent account and courts costs preventing eviction from going ahead – positive outcome.
- Pursing and implementation of DHP payments to prevent court possessions.

- Completed long process of recruitment for income team over the last couple of years, last tenancy sustainment assistant recruited December 22
- Successfully recruited staff over the last 2 years, training, and embedded staff within the team
- Energy Awareness training
- Help for energy cost leaflet introduced.
- Discretionary government grant funding, referrals for £150
- Help for Households Campaign
- Staff completed Suicide training.
- Continue to assess hardship applications forms for vulnerable customers.
- Identified bad debt provision and continues to be monitored during the cost-of-living crisis.
- TCG Attended meetings to discuss ongoing projects to include explaining rent procedure/ongoing performance, end of year, support during the cost-of-living crisis and review of the draft Income Management Policy
- · Letting garages in a timely manner on demand
- Benchmarking sessions attended and performance submitted quarterly.

4. Resource Implications

With the production of a digital Annual Report 2022/23 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 £250. 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.

5. Legal/Risk Implications

Risk	Mitigation
The regulatory framework requires the Council to	Finalise and publish the Annual Report in October
publish an Annual Report. Failure to do so will be a breach of the framework and may result in regulator intervention and/or enforcement	2023 to all tenants digitally.
Registered providers of social housing in England are responsible for meeting	Submitted annual LADR return July 2023.
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.	
	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 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

6. Timetable

Finalise draft of annual report & arrange with graphics to produce into an e-booklet	End October 2023
Publish annual report on website.	November 2023
Engage professional housing specialist to support with findings from the previous self-assessment of landlord services against RSH standards	August 2023
Collect Tenant Satisfaction measures across six themes between 2023/24	April 2023 – March 2024
Report on findings of the TSM's to the Regulator	April 2024

Report Author

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Appendices

Appendix A - Draft, Annual Neighbourhood Services Report 2022/23 Appendix B - Regulator of Social Housing's Consumer Regulation Review 2022/23

