

Thursday, 26 October 2023

**Report of the Portfolio Holder for Housing and Planning****Social Housing Regulatory Programme****Exempt Information**

Non-Confidential

**1.0. Purpose**

- 1.1. To update Cabinet on the comprehensive preparations for the Council's compliance with the Social Housing (regulation) Act 2023. Specifically, the
- Programme Launch and associated Project(s) management infrastructure.
  - Terms of Reference and assurance sought via the Housing & Homelessness Advisory Board
  - Collection of required Tenant Satisfaction Measures in readiness for submission to the Regulator Social Housing by April 2024
  - Procurement of external resources to collate and prepare for submission by April 2024, required tenant perception measures and associated improvement planning.

**2.0. Recommendations****Cabinet is recommended to: -**

- 2.1. Approve the **Social Housing Programme** detailed in Annex one. Detailing the Programme Highlight Summary, Eight (8) associated Projects and internal work-shop presentation held 04/10/23
- 2.2. Approve the **Terms of Reference** for the Housing & Homelessness Advisory Board, agreed on the 060923 with Portfolio Holder Housing & planning in consultation with the Labour & independent Leaders / members and the Tenant Consultative Group
- 2.3. Endorse the current Performance set out in the **Tenant Satisfaction Measures**, shown at annex four. And note the Housing & Homelessness Advisory Board will receive these Tenant Satisfaction Measures at each meeting to ensure observations are referred to the relevant Scrutiny Committee(s) for recommendations to Cabinet where performance assurances are sought.
- 2.4. Endorse the Specification to procure specialist resource to undertake, compile and report on the required **Tenant Perception Measures**, forming part of the Tenant Satisfaction measures required for the Regulator of Social Housing by April 2024.
- 2.5. Endorse a 3 monthly review of the programme by the Executive Leadership Team with specific regard to both the work plans and resourcing requirements.

### 3.0. Executive Summary

- 3.1. The continued delivery of excellent Council housing services directly contributes to the Council’s vision and all its strategic priorities. Cabinet approved recommendations on the [06<sup>th</sup> April 2023](#) supporting the continued development of the Programme.
- 3.2. The Regulator of Social Housing, Department Levelling Up Communities Housing and the Housing ombudsman continue to require landlords to prepare for compliance of the Social Housing (regulation) Act 2023. Since the last report they have continued to issue bulletins on how they are promoting social housing quality; the most recent on the [2/10/23 outlining the continued emphasis on quality of social housing](#)..
- 3.3. The launch of the Social Housing Regulatory Programme is a significant transformation project and an internal workshop with lead officers on the 04<sup>th</sup> October 2023 developed the programme infrastructure to ensure preparedness’. Details of the Programme initiation documentation and controls are set out at annex one and describe the programme oversight, risk and resource management, communication messages and key work-streams.
- 3.4. The programme will consist of 8 projects and is detailed in 8.1.8 of the report and will ensure outcomes required by the regulatory are mapped and individual highlights reports reflect progress. These cover the [core requirements](#), specifically: -
- Council Housing Repairs
  - Tenant & leaseholder Involvement
  - Tenancy and Lettings
  - Neighbourhood standards for anti social behaviour and environmental improvements

A series of tenant work shops were held over the summer and the tenant priorities are shown at annex four and now form part of the scope with project leads to formulate a detailed project plan.

- 3.5. The newly established Housing & Homelessness Advisory Board was announced by the leader at Full Council on 26/6/23 and considered at the two panel meetings on the [15/8/23](#) and [6/9/23](#). At these meetings, in view of the new political leadership, [presentations](#) were shared to recap on the progress and agree the Terms of Reference. It is proposed Cabinet note this presentation material and also formally endorse the terms of reference. This Board will keep the work-programme under review but the items for the next meetings supporting the usual Scrutiny recommendations and onward Cabinet decisions are summarised below;-

Housing & Homelessness Advisory Board	23/11/23	15/02/24	25/4/24
	Programme Update	Programme Update	Programme Update
	Tenant Satisfaction Measures Report	Project Update from Leads across all 8	Tenant Satisfaction Measures Report
	Housing Revenue Account Business Plan	Tenant Satisfaction Measures Report	Progress Report for Social Housing (Regulation ) Act 2023 Compliance
	Damp & Mould Update	Tenant Satisfaction Survey	
	Private Sector Housing Enforcement		

- 3.6. Landlords are required to collect 22 Tenant Satisfaction Measures to ensure they can be submitted by April 2024. Ten of these measures relate to convention key performance indicators and are in production. The remaining twelve relate to tenants perception and Landlords are required to publish and share with eh RSH the results by April 2024. It is therefore recommended that Cabinet agree the specification so the survey work can commence as per the timetable set out at [annex six](#).
- 3.7. The Government is currently carrying out consultation on a range of matters impacting the programme and this will be brought forward if there is a need for Cabinet decisions. Cabinet should note the summary below:-

Consultation	Closing Date	Detail
<a href="#">Fees</a>	31/10/23	It is proposed to increase the fees to support the RSH role
<a href="#">Consumer Standards</a>	17/10/23	Landlord requirements so tenants live in safe, quality homes have choice and protection and can hold landlords to account
<a href="#">Tenants Rights &amp; Complaints</a>	22/11/23	Seeks views on a proposal to use this power to direct the Regulator to set standards relating to the provision of information to tenants on making complaints, tenants' rights, and relevant regulatory requirements.

**4.0. Resource Implications**

- 4.1. Council approved on the 28/2/23 the resources, via the 2023/2024 budget setting process, £100k pa for the next two years to deliver the initial programme launch. This provides for Programme/Project Resources via Trueman Change, led by the Assistant Director, together with some ICT resource dedicated to the production of the required Tenant Satisfaction Measures in readiness for submission to NROSH by April 2024. Further amounts were added to the budget for 2023/24 from the receipt of £31k New Burdens government grant.
- 4.2. It is anticipated that once all the Programme Initiation Documentation is completed by each of the project leads this will include an indicative assessment of resources and this will be assessed as part of the Programme control and built into the usual budget setting process to determine its level of priority, impact and risk if not agreed.
- 4.3. A dedicated cost centre has been established for the delivery of this programme and there is no spend to date against the £130,980.00 budget. The monitoring of this spend will be the responsibility of the Programme team and will remain a standing agenda item at the programme's monthly operations meetings. Any further spend requirements will be considered as part of the Councils usual budget setting process

**5.0. Legal/Risk Implications Background**

- 5.1. Consistent with routine Programme and Project management – each project lead will map their risks. As the programme gets under way, those risks scoring 12 or more will be routinely reported to Audit and Governance so that assurance can continue to be tested and remains consistent with the internal audit completed and reported to cabinet on the [06<sup>th</sup> April 2023](#).



5.2. All risks will be scored in accordance with the following risk matrix:

		Impact			
		Minor (1)	Moderate (2)	Major (3)	Critical (4)
Likelihood	Almost Certain (4)	4 Moderate	8 High	12 High	16 High
	Likely (3)	3 Low	6 Moderate	9 High	12 High
	Possible (2)	2 Low	4 Moderate	6 Moderate	8 High
	Unlikely (1)	1 Low	2 Low	3 Low	4 Low

5.3 The following programme risks have been identified as scoring 12 and will be escalated through appropriate channels:

Risk	Likelihood	Impact	Mitigating Actions
Reputational Risk – if the Council is not able to comply with data requests and/or fails to meet required standards'	3	3	A resourced team will ensure focus and add capacity to service improvement planning  Routine reporting to the Homelessness Prevention & Social Housing Sub Committee to review and to inform Cabinet updates  Continued self-assessment and review will ensure preparedness for inspection, this will include undertaking a further self-assessment in 2024; marking the first 12 months of improvement planning
Non-compliance and fined by the regulator for not evidencing high quality housing services	3	4	
Management intervention by the regulator if appropriate resourcing not put in place	3	4	
Internal Audit – substantial assurance is based on continuing to progress the improvement plan, not doing this will result in risk	3	4	
Insufficient resourcing of the programme could put pressure on existing resources	3	4	
Customer dissatisfaction and rising complaints from tenants and leaseholder leading to unmanageable expectations	4	4	

## 6.0. Equalities Implications

6.1. Adopting a framework for Council Housing service improvement does not in itself present a need for a community impact assessment. However as individual service

improvements are made, then it will be usual for policy proposals to contain the usual community and equality impact assessment.

## **7.0. Environment and Sustainability Implications (including climate change)**

- 7.1. Tamworth Borough Council along with other districts in Staffordshire and Staffordshire Borough Council declared a Climate Emergency demonstrating its commitment to reducing carbon emissions across its property portfolio. The Council recognises that improving energy efficiency in its council housing properties not only benefits the climate by reducing carbon emissions but also improves the quality of life for tenants by reducing energy costs and making homes warmer and more comfortable.
- 7.2. An initial baseline assessment of the Council's housing stock has been commissioned to help identify future investment needs. Making use of Social Housing Decarbonisation Fund monies, the Council has recently completed a scheme that saw the improvement in thermal efficiency of 50 homes and there is budget identified within the future HRA Business Plan for further energy efficient improvements. Work continues to seek out alternative sources of funding to support thermal efficiency improvement projects.

## **8.0. Matters for Consideration**

### *Trueman Change – Programme Structure and Launch Plan*

#### **8.1. Trueman Change – Programme Structure and Launch Plan**

- 8.1.1 The Department for Levelling Up, Housing and Communities presented the Social Housing (Regulation) Act 2023 which intended to make provision about the regulation of social housing; about the terms of approved schemes for the investigation of housing complaints, about the powers and duties of a housing ombudsman appointed under an approved scheme; about hazards affecting social housing and for connected purposes.
- 8.1.2 The Social Housing Regulation Act received royal assent on 20 July 2023, and represents a landmark for Housing as it brings forward step changes to improve the standard for social housing for tenants and leaseholders through the introduction of interventionist measures, including:
- Strengthening the Regulator of Social Housing to carry out regular inspections of the largest social housing providers and the power to issue unlimited fines to rogue social landlords
  - Additional Housing Ombudsman powers to publish best practice guidance to landlords following investigations into tenant complaints
  - Powers to set strict time limits for social housing landlords to address hazards such as damp and mold
  - New qualification requirements for social housing managers
  - Introducing stronger economic powers to follow inappropriate money transactions outside of the sector
  - Introducing revised consumer standards
- 8.1.3 The Act also set to introduce revised consumer standards, the consultation for which ended on 17 October 2023 with the intention that the new standards will come into effect from April 2024. These new consumer standards aim reset the focus on:

- Safety and quality of homes  
*Ensuring decent, safe, warm, repaired and maintained homes*
- Transparency, Influence and Accountability  
*Putting tenants at the heart of decision making*
- Neighbourhood and community  
*Ensuring well-maintained communal open spaces; safer neighbourhoods and local operation with partners and requirements on tackling domestic abuse*
- Tenancy  
*Letting homes in a fair and equitable way that seeks to promote tenancy sustainment.*

- 8.1.4 This programme is extensive, however Cabinet should be assured that work to prepare for this programme has been ongoing following the publication of the Social Housing White Paper – A New Charter for Social Housing Tenants in 2023.
- 8.1.5 Trueman Change has been commissioned to provide programme/management resource to deliver the programme. The programme structure reflects the need for a multi-faceted approach to delivery, integrating proposed consumer standards, tenant satisfaction measures, programme governance and controls, stakeholder engagement and resource allocation.
- 8.1.6 Each project will hold its own highlight report which captures key workstream updates, key achievements, stakeholders' updates, resourcing requirements, key risks and issues and items to be presented to Board. Highlight reports will be reviewed fortnightly in collaboration with Trueman Change and presented during the monthly operations meeting.
- 8.1.7 Project leads are expected to adhere to the governance structure and programme controls, with risks and issues escalated through appropriate channels as required, mandatory attendance at highlight report check-in meetings and monthly operations and presenting to Board and relevant scrutiny committees as required. Further information on programme structure and documentation is included as Annex 01.
- 8.1.8 Project Leads attended a 'Project Initiation Workshop' on 4/10/2023 to outline the programme structure and governance controls. There are 8 projects to be delivered under this programme and project leads have been identified, as below:

No.	Project	Lead	Key work packages
1	Safety	Paul Weston Steve Langston	- Landlords health & safety responsibilities - Decent homes standards - Investment profile and disrepair - Mould and damp spotlighting
2	Quality	Martin Harper Paul Weston	- Quality of the home and repairs policy/standards - Communal spaces and inspections – risk management - Services designed with tenants (e.g. lettable standards)
3	Neighbourhood	Jo Sands Lisa Hall	- Partnership working to support tenant's well-being in neighbourhood – vulnerability - Place shaping and partnerships with key providers - Environmental service standards - Grounds and waste management service standards
4	Transparency	Lee Birch Leanne Lea	- Tenants voice and role in decision making - Tenant involvement strategy - Tenant satisfaction strategy and survey to be done by 2024 on 12 TSMs for perception (linked to Customer services access with Nicole Smith)
5	Engagement & Accountability	Zoe Wolicki Nikkie Hesketh	- Complaints handling in line with ombudsman code

		Nicola Smith	<ul style="list-style-type: none"> <li>- Intelligence and service responses – learning from complaints</li> <li>- Tenant – know you scheme</li> <li>- EDI – tailored access and bespoke customer services</li> </ul>
6	Tenancy	Lee Birch Sarah Finnegan	<ul style="list-style-type: none"> <li>- Tenancy conditions &amp; Agreement</li> <li>- Allocations policy</li> <li>- Tenant incentive and home swapper</li> </ul>
7	Data Submission	Gareth Youlden	<ul style="list-style-type: none"> <li>- Local Authority Data Return / NROSH changing.</li> <li>- 22 tenant satisfaction measures</li> <li>- Tenant Satisfaction Survey</li> </ul>
8	Professionalisation	Zoe Wolicki Jackie Noble	<ul style="list-style-type: none"> <li>- Qualifications for all housing managers proposed</li> <li>- Gap analysis</li> <li>- Consultation RSH on migration period</li> </ul>

8.1.9 The governance and oversight structures for this programme are complex due considerations of the consumer standards. It is anticipated that individual projects will be required to attend relevant scrutiny committees as part of their monitoring and reporting requirements. A high-level governance structure has been attached as Annex 02.

*Terms of Reference & Assurance via Housing & Homelessness Advisory Board*

## 8.2 Terms of Reference & Assurance via Housing & Homelessness Advisory Board

8.2.3 The Terms of Reference for the Housing and Homelessness Advisory Board were agreed on 15/08/23. These terms reflect the Board's support of putting tenants at the heart of decision making as required by the new Social Housing Regulations.

8.2.4 An amendment to the terms was agreed on 6/9/2023 to reflect the requirement for an equality impact assessment for members to ensure effective participation. The terms of reference for the Housing and Homelessness Advisory Board can be found in Annex 03.

8.2.4 The Board agreed that it would not have decision making powers, however its recommendations and discussions will be tracked to inform future cabinet decision making.

*Presentation to Housing & Homelessness Housing Advisory Board (15/8/23 [and 6/9/23](#))*

## 8.3. Presentation to Housing & Homelessness Housing Advisory Board (15/08/23 and 6/9/2023)

8.3.1 The Housing & Homelessness Advisory Board convened on 15/08/23 and 6/9/2023, and were presented on a comprehensive presentation detailing the work to date on the Social Housing Regulatory Programme, a highlight report outline projects to be delivered under the programme and related workstreams and an improvement plan which has been amended with the Tenants Consultative Group to be smart and easily accessible.

8.3.2 The role of the tenant within this programme is understood to be of significant importance. A workshop to conduct a consultation with the Tenant Consultative Group was facilitated on the 4/07/2023 to provide an opportunity to discuss and review the Council's 'Self-Assessment Improvement Plan'. This plan aims to ensure compliance against the existing and forthcoming social housing regulatory standards, a copy of which is included as Annex 04.

8.3.3 A draft governance chart has been developed to highlight the incorporation of scrutiny and board oversight in the programme's governance structure. Scrutiny and board



oversight is tailored to the individual projects within the programme and reflects the scope of the scrutiny committees.

- 8.3.4 The Housing & Homelessness Housing Advisory Board will next convene on the 22/11/2023 and 15/02/2023. The agenda will be circulated to members 5 working days prior to the meeting.

*Tenant Satisfaction Measures – Latest performance Report*

**8.4 Tenant Satisfaction Measures – Latest Performance Report**

8.4.1 The Tenant Satisfaction Measures (TSM) provide transparency on how well a social housing landlord is performing in their duties to provide tenants with good quality homes and services.

8.4.2 There are 22 TSMs, covering 5 themes. It is envisaged that 10 of the TSMs will be measured by landlords directly, and 12 will be measured by landlords carrying out tenant perception surveys. A copy of the latest Tenant Satisfaction Measures can be found as Annex 06.

*Specification for Tenant Perception Survey as Required by the Regulatory Social Housing by April 2024*

**8.6. Specification for Tenant Perception Survey as Required by the Regulatory Social Housing by April 2024**

8.6.1 The Council is required to commission an independent organisation to undertake an independent Tenant Perception Survey across all 4320 Council Residents. This survey must meet the Regulator of Social Housing Requirements (as stated within the Regulator of Social Housing's guidance and technical documentation – see [Gov.uk](https://www.gov.uk)).

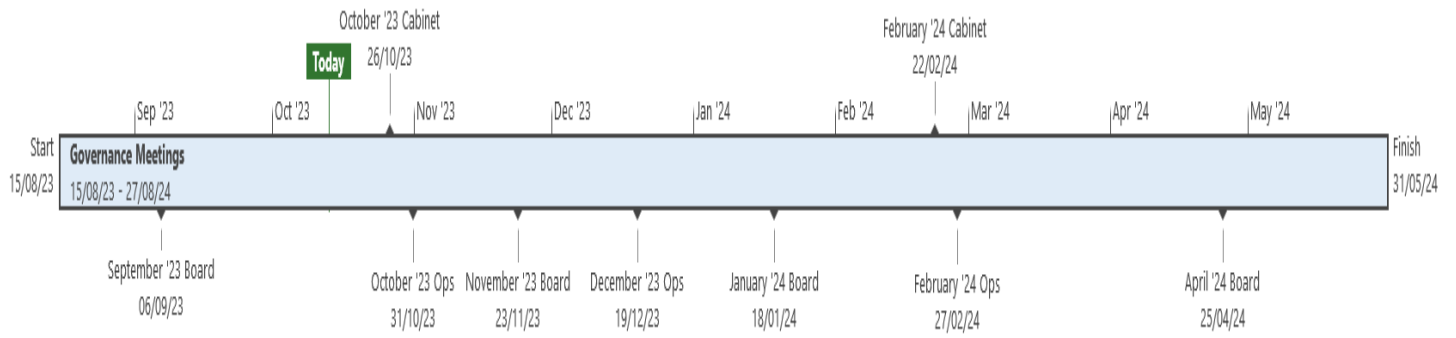
8.6.2 The Tenant Perception Survey is a requirement under the Tenant Satisfaction Measures Standard, that dictates all registered providers of social housing must collect and report annually on their performance from April 2024. This intends to increase transparency on landlord performance and indicates to the regulator which landlords may need to make improvements for their tenants.

8.6.3 A full specification for the appointed contractor has been created in preparation of the procurement process to appoint a contractor with the necessary technical and legal expertise to administer this survey.

**9. Next steps**

9.1 The project's key governance milestones have been mapped, highlighting the key dates around highlight reports, operations meetings, Housing and Homelessness Advisory Board and Cabinet, seen here:





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