

HOUSING SERVICES RESOURCES 23/24 - ARISING FROM THE NEW SOCIAL HOUSING REGULATION CHANGES

1. RECOMMENDATION

That the Housing and Homelessness Overview and Scrutiny Panel note:-

- 1.1 The resources the Housing Service has requested as part of the 23/24 HRA budget to deal with the changes and improvements required under the Social Housing Regulation Bill, the new Tenant Satisfaction Measures regime and the new Social Housing Residents Charter.

2. INTRODUCTION

- 2.1 This report sets out the resources required (which will form part of the HRA 23/24 budget) to meet the requirements placed upon the Council due to a fundamental new housing improvement regime, starting in Spring 2023, with the introduction of 22 new Tenant Satisfaction Measures, the soon to be enacted Social Housing Regulation Bill and the Social Housing Residents Charter.
- 2.2 The full HRA 23/24 budget report is at item 5 on the Agenda, and this report gives background information as to the nature of the new resources required to enable the Council to fulfil its obligations and to ensure continuous improvement across the Council's Housing services.
- 2.3 EMT have endorsed the need for the extra resources, which will now be taken through the decision making process as part of the 23/24 budget to both Cabinet and Council at their respective meetings on 15 and 27 February 2023.
- 2.4 Members of the Housing and Homelessness Overview and Scrutiny Panel have had a series of briefings over the last year on the new Social Housing changes. Officers within Housing have been preparing for the new regime for the last 18 months, including looking at the resources required to deliver what is, a step change, in the performance of social housing regulators across the country.

3. BACKGROUND

- 3.1 Preparation for the changes to social housing regulation have been many years in the making, with the catalyst being the Grenfell Tower tragedy in 2017 and will represent the largest national change in Housing for over 40 years. The collective new improvement regime seeks to address the issues identified from the tragedy, sector wide disrepair claims and increasing prominence of issues caused by damp and mould, and puts the safety and quality of social housing, and how tenants are treated by their landlords, at the very forefront of everything that registered providers do.
- 3.2 The new regime will see several new key measures introduced to drive up standards in social housing. These include the following:
 - 3.2.1 The Regulator of Social Housing's powers will be significantly enhanced to allow 'Ofsted-style' routine inspections, and non-routine inspections where it becomes aware of landlords failing to meet the new consumer standards.

- 3.2.2 The Regulator will have greater enforcement powers, including the ability to enter properties with 48 hours' notice, and to carry out emergency repairs, with landlords footing the bill.
 - 3.2.3 A new penal system whereby social housing landlords face unlimited fines for breaching consumer standards.
 - 3.2.4 A requirement for each social housing landlord to submit data against 22 new Tenant Satisfaction Measures annually, as set out at Appendix 1. Ten of these relate to management data and 12 relate to tenant satisfaction. The process to gather the data and to seek views of tenants starts in Spring 2023, with the Regulator publishing the first set of data in the Autumn of 2024 in national league tables.
 - 3.2.5 The new measures will focus on housing quality and safety, tenant engagement, neighbourhood management including the response to anti-social behaviour and complaint handling and will run in parallel with a set of Consumer Standards to ensure that tenants receive the service they deserve, and problems remedied quickly.
 - 3.2.6 All social housing tenants will be put on a level playing field with the ability to compare how their landlord performs with all other landlords across the country for the very first time and will be able to demand information about standards and quality of service.
 - 3.2.7 The Regulator and the Housing Ombudsman will share data on poorly performing landlords, highlighting any failures they observe to each organisation, informing them where they may need to act.
 - 3.2.8 Both the Regulator and Housing Ombudsman will publish findings of maladministration and breaches of standards in the public domain, with the potential for reputational damage for failing landlords.
- 3.3 Following the tragic death of Awaab Ishak in Rochdale, due to untreated mould, housing landlords have been *"Put on Notice"*, by the Secretary of State, who in late November wrote to all housing landlords in a series of letters and stated, *"Our Social Housing Regulation Bill will enable a rigorous new regime that holds all landlords to account for the decency of their homes and the service they provide. The Regulator of Social Housing will proactively inspect landlords – and will have the power to issue unlimited fines. It will be able to intervene in those cases where tenants' lives are being put at risk because landlords are dragging their feet in actioning repairs. And in the very worst cases, it will have the power to instruct those properties are brought under new management."*
- 3.4 Cases of damp and mould are now high profile nationally and the Council's own Housing Hub has already received an increased number of calls and reports of issues; The Council's Housing Services reacts to all reports of damp and mould and as part of this report is requesting further resources to enable faster, more responsive treatment of mould where it occurs, requiring additional triage, analysis, and case management to further improve the service provided to tenants. This is picked up further in Section 4.4.
- 3.5 Whilst the Council has made significant improvement and investment across its Housing Services, there is more that can be done to enable the Council to respond appropriately and timely, to the new duties, which are wide ranging and significant.

- 3.6 Housing Service Managers, working in conjunction with the Strategic Director, have carefully and extensively reviewed the areas of housing where additional resource is required. These are in the following areas: statutory compliance and housing quality, performance management and resident and neighbourhood engagement, and anti-social behaviour.

4. AREAS WHERE NEW RESOURCES ARE REQUIRED

4.1 Statutory Compliance and housing quality

- 4.1.1 The Social Housing Residents Charter and the Regulator of Social Housing's Home Standard place significant emphasis on safe, secure, and quality homes. Ten of the 22 TSMs relate to the collection of data on the Council's response to repairs and safe and quality housing.
- 4.1.2 One key aspect of the new legislation and regime is the requirement for registered providers to appoint a named officer to be the health and safety lead. This is a statutory role and the person appointed will be responsible for ensuring that the landlord is complying with health and safety rules and assessing whether it is at risk of non-compliance and report to the Social Housing Regulator of any risks and failures to comply.
- 4.1.4 The role will also involve advising the Regulator on how these risks and failures can be addressed, whilst self-referring any breaches of health and safety responsibilities. It is clear from the legislation that the social landlord will need to make sure its nominated employee has enough authority, time, and resources to carry out, what are, significant duties. With the recent resignation of the Housing Compliance Service Manager, structures have been considered with the outcome of merging the Council's Compliance Team with the Maintenance Team, as both functions are so intrinsically linked, to sit under a new combined role of Housing Maintenance and Compliance Service Manager (Ritchie Thompson). However, it will be necessary to ensure that there are appropriate resources sitting beneath this senior role to ensure that all functions are discharged to a high standard. The sections below sets out the additional new resources required across both Housing compliance and maintenance functions.

4.2 Gas and Electrical Compliance

- 4.2.1 Mechanical and electrical is one of the largest compliance activities, with this area covering gas, oil, solid fuel, Air Source Heat Pump servicing, maintenance, installation and repair, pressurised cylinders, TMV's, commercial gas plant, electrical testing, inspection, installation and repair, emergency lighting, etc. The Council is a registered business under Gas Safe, OFTEC and NICEIC accreditations and can self-certify relevant work required under Building Regulations.
- 4.2.2 A new post of Mechanical and Engineering and Compliance Manager is being sought, who will assume responsibility for this important area to support the existing day-to-day operational supervisors and be directly answerable to the Service Manager and will act in the capacity of 'responsible person' under the Council's regulated business registrations. It will also assume the role of the management of other core compliance and cyclical servicing activities including legionella checks, lift servicing, mechanical ventilations units,

sprinkler systems, solar panels and play areas. For the sake of clarity, fire safety has its own existing dedicated senior manager resource, due to the significance of that duty.

- 4.2.3 Updated British Standards and Building Regulations relating to standards and guidance for the water treatment, dosing and testing of heating systems place an onus on the council to adhere to the guidance for existing gas central heating systems, including fitting inline filters to all systems, inhibitor dosing upon installation and at 5 yearly intervals alongside water testing annually thereafter throughout the life of heating systems. These additional requirements add additional time to routine servicing. Therefore, an additional Gas Engineer post is proposed, partially offset by an existing 0.19 FTE vacancy to provide the additional hours capacity to fulfil these requirements. These improved measures will provide protection to boilers, extending life expectancy and energy performance, reducing repair costs in the long term.

4.3 Structural/Disrepair Work

- 4.3.1 Currently the primary responder to reports of structural issues falls to 1 post holder who holds the relevant technical diagnostic experience when complex cases occur. This postholder deals with a variety of other maintenance issues. There is a need to supplement the resources in this regard.
- 4.3.2 It is therefore proposed to create a new Senior Building Surveyor (with relevant structural expertise) who will provide additional support to Housing.

4.4 Damp and Mould

- 4.4.1 The recent national high profile of damp and mould cases demonstrates the severity of this issue if it is not properly managed. Damp and mould issues are now regarded a specialist knowledge area and requires specific training to diagnose such issues and apply a consistent and co-ordinated approach across all such reports. In November 2022 alone, 116 new cases were reported. On average the Council is receiving approximately 48 new cases every month.
- 4.4.2 There is a need to ensure that greater resources are in place to bring about a proactive specialist response to such cases and a number of new posts are proposed in this regard.
- 4.4.3 These are set out below:-
- **Disrepair Supervisor** – this will be the single point of contact within Housing for damp and mould cases and who will co-ordinate the response to such cases, arrange for property inspections, set up and maintain arrangements with external contractors and ensure appropriate record keeping of such cases.
 - **Disrepair Inspection Responder** - will undertake damp and mould case inspections including diagnosis evaluation, priority risk assessment and report on remedy recommendations.
 - **Disrepair Trade Responder** - will undertake primary responsive remediation work as directed. This is an operational role, dealing with proactive mould washing, fungicidal treatments, painting, and other general repairs related to damp and mould.

4.5 Stock Condition Surveys

- 4.5.1 The Council has commenced a 2-year programme for an external surveying company to complete more than 5,000 stock condition surveys. At the same time the surveyors carry out a Housing, Health and Safety Rating System assessment to highlight any property hazards which could be harmful to the tenant. This could include inadequate heating, damp and mould or electrical hazards.
- 4.5.2 Due to the large volume of data and information received following the surveys, a new post of Data Analyst role is sought to analyse the surveys and provide the necessary management reports to feed into programmes and action plans, as well as analyse other areas of service performance.
- 4.5.3 The financial implications of the above new posts are set out in the Financial Implications part of the report at section 5.

4.6 Consumer Standards and Performance Management

- 4.6.1 Social Housing Landlords will need to be able to demonstrate to the Regulator that they fully comply with the suite of consumer standards, improved learning from complaints and performance monitoring that drives up standards. There will be a greater emphasis on engaging with tenants through more formal structures including insight surveys to ensure that the Council is engaging appropriately with its tenants. There is considerable overlap here with the Council's corporate role in engaging with its residents and ensuring a sound Performance Management framework across all Council services.
- 4.6.2 It is proposed that a new joint corporate and housing performance management officer post is created, providing support to both Housing and the rest of the organisation to drive up standards with key performance indicators being developed with the ability to carry out regular tenant insight surveys to enable the Council to keep abreast of tenant's views/ concerns.

4.7 Resident and Neighbourhood Engagement

- 4.7.1 There are 3 new satisfaction measures relating to positive and respectful tenant engagement and communication. The Council will also need to ensure it contributes to how neighbourhoods are made safe, secure and clean by working with partners and tenants. There is 1 TSM relating to the Council's positive contribution to neighbourhoods.
- 4.7.2 The Service currently has 2 roles which support formal engagement activity with tenants, through the Tenant Involvement Group (TIG) and the production of the tenant newsletter, Hometalk. Whilst a strong core group of tenants is still required, the service needs to go further to provide a new offer and approach for tenant engagement for all tenants, through the delivery of a new Customer Engagement Strategy.
- 4.7.3 To lead this important area of work it is proposed to create a new role of Housing Resident Engagement Officer to lead on the following:-
- Establish a digital communication strategy and procure a platform to promote and utilise digital surveys and polls, online message boards and meetings on a regular basis.
 - Launch a tenant recruitment campaign.

- Ensure tenant representatives can work alongside members in the regular scrutiny of governance and performance carried out by the Housing and Homelessness Overview and Scrutiny Panel.
- Formalise engagement processes with the Council's 123 Leaseholders as stipulated by the Charter.
- Lead the Council's work with tenants to understand what is important to them in their own neighbourhoods and lead the community work with partners, such as Hampshire County Council, other Housing Associations, Town and Parish Councils, and other private residents.
- Launch a programme of regular informal engagement drop ins, meetings, forums and workshops across our estates and neighbourhoods taking engagement to where tenants live, in person, in local areas around the district, rather than inviting tenants to meetings at Appletree Court.
- Support tenants receive the necessary training to scrutinise the landlord function.
- Facilitate and accompany tenants on site visits, inspections and scrutiny.
- Drive through a respectful engagement culture with tenants across the service.
- Review Tenant information and communications from all housing services and publish a framework of safety information and useful information for tenants, particularly around their responsibilities.
- Continually review and monitor website content and provide regular updates to content.

4.7.4 To facilitate this enhanced engagement it is proposed to procure a digital tenancy engagement platform and needs surveys at a cost of around £20,000 in year 1.

4.4 Anti-social behaviour

4.4.1 The Social Housing Residents Charter and the Regulator of Social Housing's Neighbourhood and Community Standard place significant emphasis on the Council's response to nuisance and anti-social behaviour (ASB). There are 2 TSMs collecting data on the Council's response to ASB.

4.4.2 The Charter outlines the Government view that, *"Tenants in social housing are more likely to be victims of crime and experience anti-social behaviour (ASB). These are corrosive behaviours, and this Government has been clear that they are unacceptable in all forms. Tenants have a right to feel safe in their homes, without the stress, fear and tensions that anti-social behaviour and crime can cause."*

4.4.3 The Charter also stipulates that landlords will have to be transparent and report on how they are performing on their ASB outcomes. Tenants and the regulator will then be able to use this information to hold landlords to account and drive better performance. The Government has stipulated it will launch information campaigns targeting social housing tenants to better inform them of their rights and the powers of councils and landlords. One such campaign is the powers available to the Council to tenants in tackling ASB. This will include information on the Community Trigger arrangements (also known as the ASB Case Review). This gives victims of persistent anti-social behaviour reported to any of the main responsible agencies (such as local authorities, police or a landlord) the right to request a multi-agency case review of their case where a local threshold is met and will almost certainly lead to tenants

becoming more aware, resulting in increased pressures and demand for action and positive outcomes by the Council.

4.4.4 Currently, reports of ASB are reported to the Tenancy Management Team, who have generic roles in responding to all manner of tenant related issues, breaches, sign ups of new tenants and any other tenancy related enquiries.

4.4.5 There is the need for more dedicated resources to assist the Service Manager for Estates and Tenancy Management who, due to his particular skills and expertise in this area, plays a lead role in this area of work. Coupled with the new enhanced duties under the Charter and TSMs, where housing providers are expected to achieve better outcomes to ASB cases, there is a need to think differently about the skills and resources that are required to deal with ASB. This can be challenging work, and it is important that the right skills, level, expertise and resource is in place to support the Service Manager in this important work.

4.4.6 A further 1 FTE dedicated and specialist ASB resource, is proposed. This new post holder will sit under the Service Manager and will support Housing Services in dealing with ASB cases.

4.5 Tenant surveys

4.5.1 The new regulatory regime requires the Council to survey its tenants on an annual basis to collect the responses to 12 tenant satisfaction measures. The Council is required to return a minimum of 538 survey responses, representative of our tenants, to be compliant, although we will seek to collect additional responses.

4.5.2 To carry out the surveys it is proposed to procure the services of a Market Research Company to assist the Council collect and analyse the necessary data. The cost in year one is likely to be £26,000 and £15,000-£20,000 each year thereafter where we remain working with the same Agency.

4.6 External Assistance

4.6.1 To meet the requirements of the Charter fully, some external resources will be required to help the Council implement its new arrangements to meet the requirements of the new Social Housing changes. A one off sum of £30k is being sought to procure this assistance.

5. FINANCIAL IMPACT OF NEW RESOURCES/ CHANGES IN STRUCTURE

5.1 The total impact of the proposed resources is shown below:

5.2 **Table 4: Total financial impact on budgets for 23/24**

Activity Area	Additional Costs required
Staff resources (Net)	£328,000
One off costs 23/24	£108,000
Ongoing Costs post April 2024	£23,000
Total	£459,000

6. CRIME & DISORDER IMPLICATIONS

- 6.1 The work to implement the full range of requirements of the Charter and Regulation Bill should have a positive impact on local neighbourhoods and communities, in supporting them in partnership be safer, securer and cleaner places to live.
- 6.2 The work to update or introduce new strategies to tackle Domestic Abuse, Nuisance and Anti-Social Behaviour and to improve neighbourhoods will contribute to and reduce the impact of crime on residents.

7. ENVIRONMENTAL IMPLICATIONS

- 7.1 The Charter and Regulation Bill place a key emphasis on both energy efficient housing and access to green spaces in the design of new homes. Work is well underway as the Council has already published a new Greener Housing Strategy in April 2022, led on by the Greener Housing Delivery Manager, who commenced employment in November 2022, which supports actions to reduce carbon emissions and make council owned homes more energy efficient.
- 7.2 A new Neighbourhood Strategy will provide consideration of access to green spaces for new housing schemes, as stipulated in the charter.

8. FINANCIAL IMPLICATIONS

- 8.1 To provide the critical response necessary an additional allocation of £328,000 is proposed to provide the necessary staffing resources required. This is the net cost of the proposals following the deletion of 3 existing posts whose duties will be redistributed. These costs represent the maximum financial implications, as proposed salary costs are based upon the top of a proposed salary band. It is likely some appointments will be offered a salary at a lower salary scale point. These costs are required to be applied to establishment costs from 23/24 onwards. These additional costs have been fed into the forthcoming Housing Revenue Account Business Plan, along with income from the rent increase next year, proposed to be 7%, a proposal to raise void rents at re-let to the formula rent and additional Service Charge income of approximately £215,000 per annum.
- 8.2 In addition, one off non-staffing costs of £108,000 are required to procure software, market research company services to carry out the annual surveys and a data collection survey to capture needs data, plus consultancy costs to support key activities to engage with tenants and move forward with key strategies required to set our approach the ASB, Neighbourhoods, domestic abuse and engagement. There is likely to be an ongoing revenue cost of £23,000 each year to cover the costs of annual surveys and software support.
- 8.3 The early work on the HRA business plan projections demonstrate the additional budgetary costs are affordable within the confines of the inputs and outputs known at the current time. These projections are to be published in January 2023 as an appendix item in the forthcoming HRA financial report which proposes the annual uplift in rents.

9. EQUALITY AND DIVERSITY IMPLICATIONS

- 9.1 Tenants of New Forest District Council's Housing Landlord Service have a range of diverse needs and backgrounds. To some degree all our tenants are impacted in some

way by our services currently but when things go wrong, or our services are not designed specifically to meet diversity standards the impact will be felt even more.

- 9.2 The new regime allows the Council to take a fresh look how services are provided and capture much more meaningful data on our tenants to feed into service design and improvements. The proposed performance and engagement activities will provide increased opportunity for the Council to listen and receive feedback on how tenants feel and how they are impacted by our services.
- 9.3 The Council will aim to improve the service offer to tenants, making this more reactive to diverse needs and to increase safety where it is required. The Council will aim to improve the culture of respect and transparency to tenants where tenants' voices can be heard and not dismissed.
- 9.4 The regime changes and the actions put forward by the council aim to positively impact equality and diversity for existing and future tenants.

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Background Papers:

Published Documents

