

Housing & Communities Overview & Scrutiny Panel – 18 June 2025

Part 1 Social Housing Regulation Act (2023) Progress Report Number 3 (Tenancy Standard)

<p>Purpose</p>	<p>To provide Housing and Communities Overview and Scrutiny Panel with an overview of the Council’s progress of the Housing Department’s landlord function in meeting the requirements of the Social Housing Regulation Act (SHRA 2023).</p> <p>The Act and its associated consumer standards came into force for all stock-owning registered landlords including councils in April 2024.</p> <p>This report focuses on the Council’s progress against the Tenancy Standard and identified gaps in provision. It is one of the four consumer standards landlords must deliver to meet the regulatory requirements set by the Regulator of Social Housing (RSH)</p> <p>The <i>Tenancy Standard</i> as stated by the RSH: <i>"Outcomes social landlords must deliver about the fair allocation and letting of homes and how tenancies are managed and ended by landlords".</i></p> <p>Our approach and preparation for improving outcomes for our tenants and preparing for future Inspection by the RSH against this standard is presented in this report.</p>
<p>Classification</p>	<p>Public</p>
<p>Executive Summary</p>	<p>This report follows reports made in January and March and provides an update on the Council’s progress in meeting the requirements of the Tenancy Standard.</p> <p>A self-assessment and gap analysis identified the Tenancy Standard as an area with a number of current gaps; second only to the Transparency Standard. The report evaluates</p>

	<p>performance across the four key expectations of the Tenancy Standard:</p> <ul style="list-style-type: none"> • Allocations and Lettings • Tenancy Sustainment and Evictions • Tenure – legal requirements • Mutual Exchange <p>The report also reflects on recent RSH inspection judgements across the sector, drawing lessons to inform NFDC’s ongoing improvement work. Key areas of focus include policy accessibility, governance, and tenant engagement.</p> <p>Following the March 2025 report on the Transparency, Influence and Accountability Standard, this report continues the Council’s commitment to preparing for regulatory inspection.</p>
Recommendation(s)	<p>1. That the Housing & Communities Overview & Scrutiny Panel consider the Housing Department’s compliance against meeting the Tenancy Standard as part of the preparedness for Inspection and positive tenant outcomes and make any further recommendations to the Portfolio Holder for Housing and Homelessness, which includes acknowledgement that the Tenancy Policy (2017) is currently being revised to address any gaps with compliance with the Tenancy Standard.</p>
Reasons for recommendation(s)	<p>This report supports the Council’s Corporate Plan 2024–28, particularly in delivering on priorities related to resident wellbeing, housing needs, and community safety. It also outlines the financial, legal, and operational implications of achieving full compliance with the Tenancy Standard.</p>
Ward(s)	All

Portfolio Holder(s)	Councillor Steve Davies, Housing and Homelessness
Strategic Director(s)	Richard Knott – Housing and Communities
Officer Contact	Paul Thomas Assistant Director - Housing 02380 285 725 paul.thomas@nfdc.gov.uk

Introduction and background

1. A comprehensive background to the implementation of the Social Housing Regulation Act (SHRA 2023) was given in the January report to this Panel. It was agreed that each of the four consumer standards would then be looked at in turn against our gap analysis at subsequent meetings, in the order where we considered there was the most work to be done.
2. Progress against the Transparency, Influence and Accountability (TIA) standard was considered in March. This is the second report in the series, and focus this time is the Tenancy Standard. These reports aim to give an accurate picture of the current state of compliance with the standard and the improvement plans in place to ensure Members receive assurance that the service understands the gaps and has a clear plan to implement these.
3. We are still waiting to receive confirmation as to when the Regulator plans to inspect NFDC and continue to prepare to ensure we can demonstrate evidence of compliance against all the four consumer standards, whilst continuing to deliver high quality services to our tenants.

Tenancy Standard

4. A gap analysis (more details below under 'Preparedness for Regulatory Compliance') against the SHRA Consumer standards highlighted the Tenancy Standard as an area with a high number of assessed gaps, coming second behind the Transparency, influence, and accountability standard. This has been illustrated in chart 1.
5. Each Consumer Standard is broken down into specific expectations. The following four are within the Tenancy Standard.
 - Allocations and lettings
 - Tenancy sustainment and evictions
 - Tenure

- Mutual Exchange

6. This report has been broken down in these specific expectations and performance measured against the outcomes of the self-assessment and gap analysis process. The self-assessment process had a fifth area, 'Taking the Lead.' This is not part of the consumer standards and relates to HQNs professional knowledge, questioning how aware of the areas within this standard the governing body are.

Preparedness for Regulatory Compliance

7. The Council continues to take proactive steps to prepare for the new regulatory regime, as outlined in the March report to Panel. Part of this process was the completion of a self-assessment against the consumer standards, resulting action plans and gap analysis tracker.

8. A full explanation of the methodology of the self-assessment process was provided in the March report to Panel. It is worth noting that the self-assessment includes the specific expectations of the consumer standards as well as areas from the Code of Practice and the Housing Quality Networks professional knowledge.

9. It is also worth noting that of the 'high' and 'critical' gaps (24 high and 3 critical) 17 are directly related to either the Tenancy or Mutual Exchange Policy (15 High and 2 Critical). The remaining 'critical' gap relates to the Tenancy Sustainment and Eviction expectation of the standard (para. 21).

Chart 1: Current Gaps across all standards

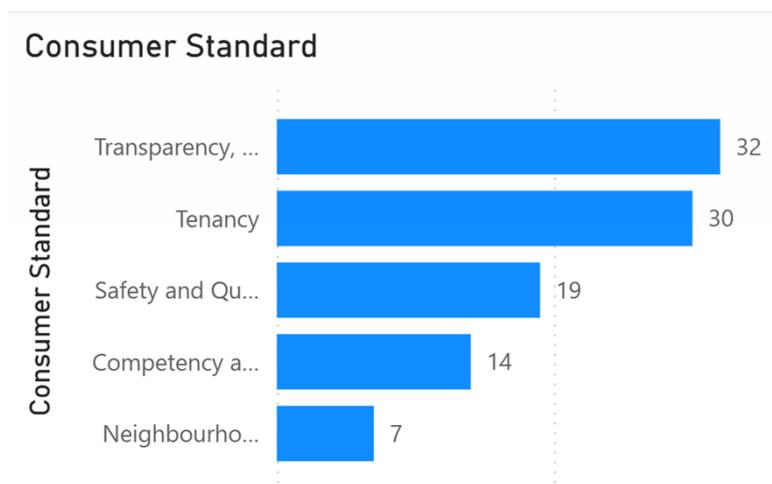
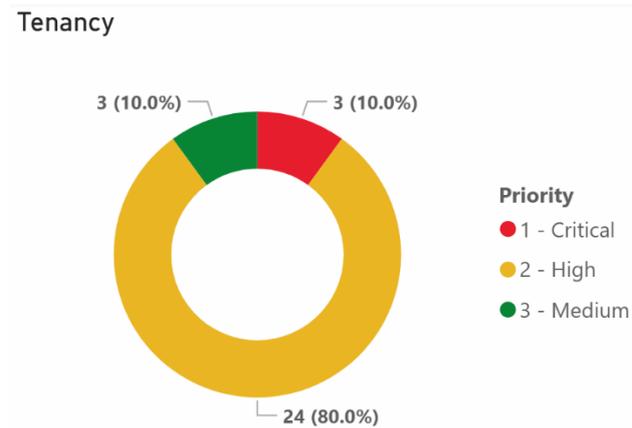


Chart 2 below demonstrates the priority rating for the 30 identified gaps within the tenancy standard.

Chart 2: Priority Ratings.



Allocations and lettings

10. The RSH has written the consumer standards for all social housing landlords, both local authority and housing association. Therefore, some of the wording that describes the breakdown of the expectations can, from a Local Authority perspective, appear confusing.

For example, *'Registered providers must co-operate with local authorities' strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing need.'*

11. It is important to remember in these instances the RSH is interested in the Council's landlord functions, and how it interacts with other Council Departments, and not the functions of the strategic housing functions of the Council.
12. NFDC has an Allocations Policy which determines the priorities and process of the allocation of social housing accommodation in the district, how applications will be assessed, and how decisions will be made. This policy was itself a new policy introduced following extensive consultation in January 2020, replacing the previous 2012 policy. However, we are aware this requires a review and is scheduled for renewal later in 2025/26.
13. *'Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account.'*
14. As the strategic housing authority, the Council facilitates the Choice Based Lettings process and leads the partnership of XX other

registered providers which was relaunched last year. It would be preferable if the attendance of the (Choice Based Lettings) Home Search Partnership Liaison meetings increase to include a greater number of other Registered Providers of social housing in the district, and this is something we added to our action plan.

15. This would aid greater communication between Housing Associations and the Council to discuss and agree challenges around allocations and is on the work programme but is not a high priority currently.
16. It has been identified that while under-occupation and overcrowding (consumer standard ref' 2.1.3) is identified during estate management visits, there is currently a lack of data to understand the makeup of households, therefore an inability to actively identify those tenants in greatest need. To rectify this gap in service delivery, how the information gathered from the data collection project (Outlined in March report to Panel) will be used will form part of the business planning following completion of the project in June 2025.
17. This will include how this data will be used to identify those tenants at greatest need, to understand the characteristics of the people who live in our homes and how it will be used to identify, prevent, and address problems.
18. To take action to prevent and tackle tenancy fraud NFDC has good collaborative working between the corporate fraud and compliance team and the housing service. Housing is included within the corporate fraud policy and a review of the corporate fraud strategy is currently underway. This has been prioritised as medium in the gap analysis. While most of the evidence for compliance is in place the need for internal refresher training was identified which has yet to be completed.
19. An external company has been procured to undertake a review of the Council's Homelessness Strategy. This will give a much more independent, robust and accurate understanding of the local housing need, which will then in turn enable greater consideration to the needs of tenants and potential tenants when allocating homes.

Tenancy sustainment and evictions

20. *'Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants' advice and assistance.'*

21. A restructure within the housing service has taken place over the last 18 months which has implemented improvements within the Tenancy management teams to better support tenants in maintaining their tenancies. This has included separating the generic tenancy management functions into specialist Tenancy Sustainment and Anti-Social Behaviour teams of Neighbourhood Housing Officers who are better placed and trained to offer the support required.
22. When we are seeking to end a tenancy or licence, advice and assistance is always offered. However, apart from the pre-court action protocol for rent arrears, there is no formalised process or procedures currently in place. A plan to formalise this process is being developed. This procedure will be written alongside the review of the Tenancy Policy.
23. The Council have and utilise working links with partner organisations who are also able to provide appropriate support to assist in sustaining tenancies. The Council also has a registered Mental Health Homelessness Practitioner who sits within the Homelessness and Housing Options Team. This has strengthened those links with the mental health services even more and improved the outcomes for residents who are experiencing mental health problems but are not currently able to access the support of the NHS.
24. The sign-up process for new tenants is currently being reviewed to help ensure a smooth process, that tenants receive the appropriate information, and they can sustain their tenancy. This includes offering a review of what can be completed digitally if that is the tenant's preference.
25. When tenants move into their new home, they are offered a referral to the third-party organisation Scratch, who provide services to relieve the effects of hardship, disadvantage, and poverty. A package, including household items and domestic appliances can be offered via this arrangement.

Tenure

26. *'Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.*

They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.'

27. All applicable statutory and legal requirements in relation to the use of tenancy agreements are met and adhered to. The Allocations Policy and Tenancy Policy, while both scheduled for renewal, are complied with to ensure tenancies are offered accordingly.
28. The Tenancy Policy is a key document outlining what tenancies are offered, the approach to tenancy management, including tenancy sustainment and tenancy fraud.
29. As already mentioned, the information provided by the data collection project and ongoing data collection, will be used to help identify the needs of specific households. For example, by way of identifying a vulnerability or children in the household. This can then be used in a proactive way, rather than being reactive to tenants' request for support.
30. This data will also be used to demonstrate how the needs of vulnerable tenants will be considered when designing an approach to tenancy management.
31. The Council have a good history of tenant engagement and have worked to be even more transparent when it comes to decision making and consultation about changes to policy and practice. While we like to think this is standard procedure, we are realistic and believe this is a continued process to embed in the culture of the housing service.
32. Tenant Involvement Group (TIG) minutes are published on the Tenant Engagement pages of the website, enabling 'non-involved' tenants to view what discussions have taken place with involved tenants around policy and decisions.
33. While we are aware they can often be lengthy and wordy documents, the formal democratic governance meetings of the council are all open meetings and published online. There is also the option to watch the meetings on the Council's You Tube channel. These are also promoted to all tenants in HomeTalk magazine, which a hard copy is delivered to all tenants, leaseholders and shared owners.
34. Within this specific expectation of the Tenancy Standard there are fourteen identified gaps that relate to the Tenancy Policy. While there is a current NFDC Tenancy Policy the gaps are highlighted on the gap analysis tracker to ensure they are recognised within the forthcoming review.

Mutual Exchange

35. *'Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.'*
36. For tenants who hold a secure tenancy, they can swap their home with another social housing tenant. This is called a mutual exchange. The Home Swapper service is used to assist those tenants who want to swap their home.
37. All information and application can be provided on request and is published on the Council webpages.
38. We acknowledge that the Mutual Exchange (& Void) Policy requires renewal. This will bring it in line with current legislation relating to the support and service offered. This review is currently taking place and is scheduled alongside the Tenancy Policy review.

Analysis of Inspection Judgements – Tenancy Standard.

39. While regulatory inspections began in April 2024, there have been only 4 judgements that mention failings within the Tenancy Standard. These have all come about from planned inspections, as opposed to responsive engagement by the regulator, for example following a self-referral.
40. NFDC's self-assessment and Gap Analysis process highlighted in this report gives a good picture of the current position against the standards, however, it is of use and interest to look at these judgements in comparison to where we think NFDC is currently positioned
41. Three of the judgements are from C2 inspected landlords. The RSH description of what a C2 means there are some weaknesses in delivering the outcomes of the consumer standards and improvements are needed. One is from a C3 inspected landlord where there are serious failings in the landlord delivering the outcomes of the consumer standards and significant improvement is needed.
42. It is important to bear in mind when reading inspection judgements, they are very much a snapshot of the process and conversations between the RSH and the landlord. We can however gain valuable insight into some of the reasoning and issues faced by landlords within this area of regulation.

43. The reasoning for the C3 judgement was due to an allocations strategy not updated since 2013 and the introduction of an annual lettings plan (enabling the Council to allocate empty homes outside of the published choice-based lettings scheme) in 2023. This led to a lack of transparency in the allocation of empty homes. As mentioned previously the review of NFDC's allocations policy is scheduled for 2025/26.
44. Until the review takes place the current policy defines the procedures to be followed when allocating housing accommodation and is considered robust and transparent. This policy clearly states that all vacancies will be let under the choice-based allocations process, unless specifically excluded, as stated within the policy.
45. Two of the C2 judgement comments relate directly to policy. Either weakness in the accessibility of them or there not being a clear policy in place that outlines its approach to tenancy management. The third judgement comment requires some interpretation, *'...needs to do more to ensure that it has effective monitoring and oversight in place to achieve the outcomes of this standard.'* We can assume this relates to work practices and governance arrangements.
46. As stated in this report, the review of the current NFDC Tenancy Policy is central to much of the improvement plan against this standard. Part of this includes the communications of this Policy review, once ratified, to the whole tenant population.

Corporate plan priorities

47. Priority 2: Empowering our residents to live healthy, connected and fulfilling lives. The Corporate Plan 2024-28 states that delivery of this priority will be supported by the delivery of a new Anti-Social behaviour strategy.
48. Priority 3: Meeting Housing Needs – particularly in relation to the number of council homes achieving Energy Performance Certification Band C and percentage scores for the 5 safety and compliance management Tenant Satisfaction Measures (TSMs).

Consultation undertaken

49. Consultation with tenants, Members, senior management as well with colleagues across the housing sector has been a strong focus of the preparation process.

50. Tenant consultation should be factored into any service development at the point of project planning.

Financial and resource implications

51. Any expenditure required by the proposed action plan will be met from existing budgets within the Housing Revenue Account (HRA) and have already been factored in the draft 30-year business plan. New policies and systems of work required in the shorter term at a service level are ongoing to improve service delivery and outcomes. Once the service plan is fully adopted the policies will be updated in line with any changes required and the budget will be continuously reviewed.
52. Failure to raise standards, meet the regulatory requirements of the consumer standards and respond appropriately to complaints could lead to fines and compensation levied by the Housing Ombudsman or the Local Government and Social Care Ombudsman. Identify the financial and resource (including HR and Procurement) implications arising from the recommendations, including those arising from consultation with the Council's Section 151 Officer.

Legal implications

53. The Regulator of Social Housing launched its new regulatory framework on the 1 April 2024 which outlines our requirements as a social housing provider including compliance with its consumer standards.

Risk assessment

54. This report gives assurance that NFDC currently provides a good overall service to its tenants as evidenced by the TSMs and the risk profile is acceptable and professionally managed. It is nonetheless considered prudent to add gaps in consumer standards to the corporate risk register due to the unknown timescales for inspection to maintain corporate oversight on this business-critical issue, but also what this means for the satisfaction services deliver to our tenants.

Environmental / Climate and nature implications

55. Whilst the report has no direct implications, the work of NFDC will include improving the energy efficiency of our local housing stock, providing better services on our estates, including open spaces, and the positive contribution to neighbourhoods. This may present further opportunities to contribute to the Council's neighbourhood and climate objectives in the longer term.

Equalities implications

56. The Consumer Standards are likely to have a positive impact on NFDC tenants as there is a requirement under the Transparency, Influence and Accountability standard for landlords to 'understand the diverse needs' of tenants, including those arising from protected characteristics, language barriers, and additional support needs and assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services.

Crime and disorder implications

57. It is anticipated there will be potential indirect and direct positive impacts on the Council's tenants and neighbourhoods. The interventions proposed through our improvement to tackling Anti-Social Behaviour as part of the consumer standards is likely to lead to an initial increase in the number of cases prosecuted in the courts, or by the Police, whilst long term interventions proposed should lead to a long-term reduction in crime and disorder.

Data protection / Information governance / ICT implications

58. The collection, retention and deletion of tenant data is governed by GDPR and associated guidance. All data will be collected and maintained in line with the required legislation. The Policies are required in the shorter-term at a service level to improve service delivery and outcomes. Once the service plan is fully adopted the policies will be updated in line with any changes required and will be continuously reviewed.

New Forest National Park / Cranborne Chase National Landscape implications

59. The approach of ensuring the Housing Service is fully compliant with the consumer standards including for housing neighbourhoods as well as home may involve increased and better partnership working with the National Park Authority where the Council's housing stock is also located and managed by the housing landlord.

Conclusion

60. The Council is well-positioned to respond to future regulatory inspections and is embedding a culture of continuous improvement across its housing services. By aligning this work with the Corporate Plan through a self-assessment and gap analysis, key areas for improvement have been identified and proactive steps to address them are being taken as follows: -

Allocations and Lettings – *While a policy is in place, improvements are needed in data collection, partnership engagement, and policy review.*

Tenancy Sustainment and Evictions – *Structural changes have improved support, but formal procedures for ending tenancies are still under development.*

Tenure – *Legal requirements are met, but the Tenancy Policy requires updating to reflect current needs and ensure proactive support for vulnerable tenants.*

Mutual Exchange – *The service is operational, but the supporting policy is under review to ensure compliance with current legislation.*

61. While the Council is broadly compliant with statutory and regulatory expectations, the review of core policies, particularly the Tenancy and Mutual Exchange Policies, remain a priority. Strengthening internal procedures, improving data collection, and enhancing tenant engagement will be essential to achieving full compliance and delivering better outcomes for tenants and applicants.
62. This report demonstrates the Council's continued commitment to meeting the requirements of the Tenancy Standard under the Social Housing Regulation Act 2023. Thus, ensuring our approach to tenancy management supports healthy, connected communities, and meets the evolving needs of our tenants.

Appendices:

None.

Background Papers:

[Regulator of Social Housing
Consumer Standards](#)