

HOMES POLICY DEVELOPMENT GROUP 10 NOVEMBER 2020

HOUSING POLICY FRAMEWORK

Cabinet Member(s): Councillor Bob Evans
Responsible Officer: Simon Newcombe, Group Manager for Public Health and Regulatory Services

Reason for Report and Recommendation: To provide an update to Members of the Policy Development Group on plans to deliver a shared policy framework bringing together policies owned and operated by the Building and Housing Services. The new arrangements relating to policy should ensure that it is more closely aligned to the Regulatory Framework for Social Housing and deliver a greater consistency in approach.

The reason for the recommendation is to ensure members are informed on these changes especially as they relate to an updated forward plan and can also be viewed in the context of wider service improvements.

Recommendation: Members note the proposals relating to the review of the housing policy framework

Financial Implications: The management and maintenance of homes on our estates is funded through the Housing Revenue Account (HRA), which is ring-fenced. The main income into this account is derived from the rents paid by tenants.

Budget and Policy Framework: There are no direct budget implications of this report. This report does however set out proposals to fundamentally change how the both the Building and Housing Services elements of the Housing Revenue Account (HRA) work together in a coordinated way to develop a new strategic and service delivery policy framework which is directly aligned to our external regulatory standards.

Presently, there are over thirty separate adopted policies directly relevant to the delivery of our HRA services (and some general fund housing needs services). These policies have been developed largely in isolation and have been adopted ad-hoc over a period of time. As a result, what has emerged is an overall HRA policy framework which lacks both coherence and clear alignment with core regulatory compliance standards. Furthermore, for tenants, the number of seemingly unrelated policies affecting their tenancy and property is challenging to fully understand and may also inhibit wider tenant engagement and involvement. Overall, the outcome is a present policy framework which is complex, time-consuming and increasingly difficult to deliver in an effective and efficient way.

Having a simplified policy framework centred on the five core elements of the Regulatory Framework for Social Housing (four consumer standards and one economic (rent) standard) will address those challenges highlighted above and support greater transparency when it comes to compliance and performance monitoring. It will also enable members have new, focussed input into policy work going forward and in-turn provide greater assurance around service delivery.

Developing a more coherent and simplified policy framework is consistent with (but not dependant on) future proposed restructuring to create a combined HRA service. Any restructure is aimed at ensuring a sustainable HRA capable of delivering further service improvements, however the purpose of this report is not to present these wider changes in full at this stage and any restructure proposal will be subject to a separate business case and consultation process. Nonetheless, this may include provision for policy development resource to support the longer-term development of the policy framework proposals set out herein but will largely impact on the timeline for change rather than the principles of the change itself. However, the requirement to move forward with an updated policy framework is considered necessary at this stage and can be developed and delivered in isolation if need be.

Legal Implications: The regulatory framework for social housing contains specific requirements relating to the need for social landlords to deliver open and transparent policies which are available for stakeholders to view. There is also a statutory obligation in line with the provisions of the ASB, Crime and Policing Act 2014 which obliges the Council to have policy and procedures relating to the management of antisocial behaviour and related issues. Furthermore, the Housing Ombudsman Service which has responsibility for reviewing complaints relating to the landlord function usually requires sight of relevant policy when investigating complaints which have been referred to it.

Risk Assessment: A comprehensive and effective suite of policies relating to service delivery associated with the service helps to ensure statutory and regulatory compliance and delivers greater transparency. It empowers staff and enables them to understand what information they are required to gather to inform decision-making. It also sets out the boundaries with regard to discretion around decision-making. The Housing Ombudsman Service will always check that policy has been followed during an investigation and any failure on behalf of the Housing Service to apply policy in a fair and transparent way could result in a finding of maladministration and associated reputational damage.

The new policy framework will also be structured to directly link to coherent operational procedures as required providing a clear compliance thread and support to consistent service delivery. This will provide greater clarity to both officers and regulators and will involve both the migration of existing procedures and development of new procedures over time.

Equality Impact Assessment: A policy framework ensures that decision-making is open and transparent and that no one tenant or other stakeholder is treated any more or less fairly than any other.

Relationship to Corporate Plan: Homes and the environment are both priorities for the Council. There is a pledge to increase customer engagement within the plan.

Impact on Climate Change: Decisions relating to the management and maintenance of the homes belonging to the Council have the ability to increase or to decrease carbon emissions to a large extent. Having agreed policy makes any such decisions more transparent and enables Members of the Council to influence the direction of travel against appropriate targets.

1.0 Introduction

- 1.1 In recent years, the Building and Housing Services have developed a large number of policies which have subsequently been adopted by the Council. These policies are available to view on the housing pages of the Council's website and some have been reviewed since first adopted. A list of these policies is also shown in Annex 1.
- 1.2 Many of these policies now require updating in order to bring them into line with new legislation and/ or regulatory requirements.
- 1.3 A significant programme of service improvement is being commenced to bring those services responsible for management and maintenance of the Council housing stock more closely together.
- 1.4 It is proposed to create a "One Housing" service and the principles of this change are as follows:
- It would create a sustainable entity with responsibility for the landlord function
 - It would help to deliver regulatory compliance across the four consumer standards within the regulatory framework for social housing
 - The transition to the new service would deliver a single point of contact for tenants and other stakeholders with a common mission, shared goals and joined up service standards and performance metrics
 - The new structure would facilitate business transformation based on the outcome of process reviews and efficiencies; and customer experience and engagement
- 1.5 A shared policy framework is an important strand of this improvement work because it would deliver consistency across the services accounted for within the Housing Revenue Account (HRA) and address the current challenges set out above.
- 1.6 Furthermore, there are some policies which relate to an economic standard within the regulatory framework; the rent standard.
- 1.7 It should be noted that there are also a number of strategic housing strategies and policies which relate to the role of the Council as a housing authority.

2.0 **Policy review and proposals**

- 2.1 In line with the Tenant Involvement and Empowerment Standard within the regulatory framework, tenants should be consulted on proposed changes to policy.
- 2.2 The review of existing policies has been halted by conflicting priorities; during the pandemic, the imperative has been to maintain existing services as much as possible. The agile approach and the need to redesign procedures at speed has impacted upon the time available to responsible officers and has, therefore, affected their ability to undertake policy reviews and associated consultation work.

- 2.3 Consequently, a new format is proposed which would reduce the overall work involved in reviewing each individual policy whilst at the same time delivering greater clarity for stakeholders.
- 2.4 As stated, it is proposed to more closely align the organisation of work across the HRA with the framework associated with the regulation of social housing. To achieve this, changes to the establishment are proposed as discussed above. There are four consumer standards and one economic standard within the framework and potentially each service function will sit within individual teams which are required to deliver the required outcomes and specific expectations of each of these standards. In turn, these can be allied to relevant dedicated policies and procedures.
- 2.5 In addition, the Council is a housing authority and with a number of strategic housing policies and strategies. Some of these functions associated with these are delivered by the Housing Options team. As a potential part of any restructuring proposals, there is scope to combine this team with the Private Sector Housing Standards function (Public Health and Regulatory Services) and responsibility for relevant strategy and policy would move with the team.
- 2.6 In order to deliver the aims of the new One Housing service, it is proposed to combine policies so that there are specific policies to reflect what is required in terms of service delivery outcomes as specified in each standard.
- 2.7 Annex 2 of this report sets out how the thematic and functional elements of the current policies can be incorporated into each new policy covering one of the consumer or economic regulatory standards (excluding those general fund Housing Needs functions as discussed in section 2.5). Each policy would set out the principles of the relevant standard and how these link to thematic annexes containing the operational detail by function. Over time, these annexes can be updated relatively easily and directly linked to new or amended procedures.
- 2.8 The policies would be reviewed on a rolling cycle with one policy as a minimum being reviewed annually in order to reduce the amount of work arising from this requirement, and the burdens on Members. More information is provided in section 3.4.
- 2.10 The wider restructuring business case required for the combined service proposal may include a new Housing Policy Officer to provide a dedicated resource to manage this work, undertaking necessary consultation as required. The Officer would be required as part of their role to keep abreast of good practice and also changes to legislative and regulatory requirements. If agreed within this business case this Officer would also be able to co-ordinate a review of the tenancy agreement, a large project in itself, which will be due shortly.
- 3.0 **Action Plan**
- 3.1 This takes into account the requirement to refresh the existing Tenant and Empowerment strategy in order to take forward new ways of engaging with tenants where face to face meetings must now be minimised; and is timely because the results of the recent Tenant Census have just been made available

to the Council. This will be a relatively short piece of work and existing projects are currently underway to deliver increased tenant engagement, which is a commitment within the Corporate Plan for 2020-2024. It is hoped that the development of this first of the new policies would be completed by mid-2021 and that it could be discussed during the June meeting of the Homes PDG.

- 3.2 When the development of the new policy relating to tenant engagement is almost finished, a review of policies designed to support performance in line with the Tenancy Standard could be started. As part of this project, there will need to be an evaluation of the use of flexible tenancies which have been in operation for some years. This will be a fairly large project and, being realistic, it is therefore likely that the review of the policies associated with the Tenancy Standard will last a year.
- 3.3 Thereafter, it is suggested that those existing policies associated with service delivery relating to the Neighbourhood and Community Standard are reviewed; followed by those associated with the Home Standard and then those associated with the Rent Standard.
- 3.4 In accordance with the above and taking into account a recent internal exercise which assessed current regulatory compliance and existing policy review dates, the following priorities and timeline are proposed:
 - i. Tenant Involvement and Empowerment Standard Policy 2021/22
 - ii. Neighbourhood and Community Standard Policy 2021/22
 - iii. Homes Standards Policy 2022/23
 - iv. Tenancy Standards Policy 2022/23
 - v. Rent Standards Policy 2023/23 (or sooner if required)
- 3.5 Running simultaneously, there will be a review of those strategic documents in relation to the housing needs function which will be undertaken by officers working in the Public Health and Regulatory Service.
- 3.6 Overall, all these policies will link into (and take account of) the overarching corporate Housing Strategy 2021-25 currently under development.

4.0 **Recommendation**

- 4.1 That members note the proposed plan to deliver five core new policies which will amalgamate a large amount of existing policy and strategy.
- 4.2 As set out above, each core new policy will come before the PDG in turn for review with the required decision route of a recommendation that Cabinet recommend to Council each new policy is adopted.

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Circulation of the Report:

Members of the Housing PDG
Cllr Bob Evans, Cabinet Member for Homes
Leadership Team
Corporate Management Team and other Group/Interim Service Managers
Legal Services

List of Background Papers:

Regulatory framework for social housing

<https://www.gov.uk/government/collections/regulatory-framework-requirements>

MDDC housing strategies and policies

<https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/>

Annex 1

Existing Housing Policies

- Aids and Adaptations Policy
- Allocations Policy
- Asbestos Management
- ASB Policy
- Car Parking Management Policy
- Compensation Policy
- Decant Policy
- Domestic Abuse Policy
- Fire Risk in Communal Areas Policy
- Garage Management Policy
- Gas Safety Policy
- Harassment Policy
- Hoarding Policy
- Homeless Prevention & Rough Sleeping Strategy 2020-2025
- Improvements to Council Properties Policy
- Income Management Policy
- Introductory Tenancy Policy
- Leasehold Management Policy
- MDDC Housing Strategy 2015-2020
- Neighbourhood Management Policy
- Our Service Standards
- Pets and Animals Policy
- Recharges Policy
- Telecare Policy
- Tenancy Changes Policy
- Tenancy Inspection Policy
- Tenancy Policy
- Tenancy Strategy
- Tenant Involvement Policy
- Tenant Involvement Strategy
- Void Management Policy
- Vulnerability Policy

Annex 2 – Proposed Policy Framework

One Housing Policies

