

**HOMES POLICY DEVELOPMENT GROUP
15 NOVEMBER 2022**

MID DEVON HOUSING SERVICE DELIVERY REPORT

Cabinet Member(s): Cllr Stuart Penny, Cabinet Member for Housing

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report & Recommendation: To provide the regular, quarterly update to Members on enforcement and other activity undertaken by Mid Devon Housing.

Recommendation: That Members note the report

Financial Implications: The activity of the landlord service, known as Mid Devon Housing (MDH) is accounted for with the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls.

Budget and Policy Framework: Policies agreed by the Homes Policy Development Group govern the work of the landlord service. The HRA is funded in large part by rental income and therefore maintaining the revenue stream must be a key priority for the Housing Service. Nonetheless, this report makes no budget or policy recommendations.

Legal Implications: The Housing Act 1985 applies with regard to the management of Council housing. The relationship with tenants is set out in our Tenancy Agreement. This details the rights and responsibilities of both parties including those obligations relating to repairs. The tenancy agreement also takes account of other relevant legislation including that which amended the original Housing Act, the Localism Act 2011 and the Anti-Social Behaviour, Crime and Policing Act 2014.

Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill is currently on its way through Parliament and, once implemented, this will impact the regulatory framework for social housing with the aim of giving tenants a greater say in service delivery.

Risk Assessment: The Council has approximately 3,000 homes in management which represents a huge investment. Failure to provide an effective housing management service has the potential to result in failure to meet legal and statutory obligations including those relating to health and safety issues, repairs obligations tenancy fraud, and reputational issues which could result in our tenants feeling stigmatised. Failure to collect rental income could impact the ability to fund necessary management and maintenance activities.

Equality Impact Assessment: There is a suite of housing related policies. The use of these helps to ensure that Service delivery is consistent and fair. These are subject to ongoing review with the aim of more closely aligning them with the regulatory standards as set out in the Regulatory Framework for Social Housing. There is a regulatory requirement for registered providers of social housing (RPs) to tailor their service to meet the needs of the tenants and diversity data is requested from tenants at sign up to enable compliance to be monitored

Relationship to Corporate Plan: Homes and the environment are a priority for the Council and this includes increasing the supply of affordable homes in the District and also supporting and growing active tenant engagement

Impact on Climate Change: We recognise that the provision of sustainable communities is important. As part of our commitment to meeting the provisions of the Tenant Involvement and Empowerment Standard within the Regulatory Framework, the Council offers a menu of involvement which provides opportunities for tenants to get involved in Service delivery. We will be reviewing our offer to tenants with regard to their involvement in the running of the Housing Service and as part of this we will be looking at ways to allow people to get involved online thereby reducing travelling expenses. We use social media to promote sustainability and publish information relating to a variety of topics including fuel efficiency, recycling and healthy living.

With regard to the homes in our management, our repairs and improvements strategies are informed by the need to reduce carbon emissions with a decarbonisation programme; and the need to reduce fuel poverty is also a key consideration.

1. Introduction

- 1.1 MDH has approximately 3,000 homes in its management. Responsibility for repairs and maintenance lies with the Operations Manager for Building Services. The Operations Managers for Housing Management oversee work relating to income recovery, tenant engagement, and tenancy and estate management. Since the last meeting of the Policy Development Group, the existing post-holder of the latter post has reduced their hours and is now working in a job share with another experienced Officer who has joined MDH recently.
- 1.2 Annexes 1 to 3 in this report show performance against certain indicators during Quarter 2 of 2022/23 (that is, during the three months starting on 1 July 2022). Quarter 1 performance for 2022/23 as reported previously is included for comparison.

2. Regulatory changes and impacts and focus

- 2.1 Members will be aware that following the fire at Grenfell Tower in 2017, the Government has commenced work to put tenants at the heart of the work of RPs, such as the Council. A much more proactive regulatory regime is being implemented and the Social Housing (Regulation) Bill is currently going through Parliament. The new arrangements operated by the Regulator for Social Housing (RSH) and supported by the work of the Housing Ombudsman Service, will place an even greater emphasis on engagement / transparency alongside performance and the provision of information.
- 2.2 The Government undertook a recent consultation and have now published the new Tenant Satisfaction Measures (TSMs) which will come into effect on 1 April 2023 with the need for RPs to report on these one year later (from April 2024) All RPs will be required to collect and provide the information to support effective scrutiny by tenants. The aim is to show them how their landlord is

performing with regard to the management of their homes and the neighbourhoods.

- 2.3 These TSMs will provide data about social housing landlords' performance and the quality of their services. As such, there will be national benchmarks that are intended to help tenants hold their landlord to account and help the RSH in its future proactive consumer regulation role, as part of implementing the package of changes to consumer regulation set out originally in the Social Housing White Paper, which was published in November 2020.
- 2.4 TSMs will be mandatory and apply to all social housing landlords, including local authorities, housing associations and other RPs over a certain size and will therefore apply to MDH. There are 22 measures across the five themes within the Social Housing White Paper:
 - keeping properties in good repairs
 - maintaining building safety
 - effective complaints handling
 - respectful and helpful tenant engagement, and
 - responsible neighbourhood management
- 2.5 12 of the proposed TSMs focus on tenant satisfaction, engagement and equality and information will be collected using perception surveys (commissioned by landlords themselves) and other engagement work. As widely expected following the consultation issued by the Government, property safety, decent homes and stock management/sustainability, repairs performance and complaints management are covered and management information will need to be provided. This means that information relating to the more traditional measures such as void times, debt recovery, high profile projects such as new build development programmes will not carry the same level of importance as far as the RSH is concerned going forward. Landlords will be expected to move their own focus to work consistency with this.
- 2.6 The RSH will also be looking closely at how social landlords develop their staff and sector professionalism alongside how they understand their tenants as well as their stock in order to ensure the voice of the silent majority of tenants including the most vulnerable is heard.
- 2.7 The RSH have indicated that they expect RPs to develop a public facing, tenant friendly performance dashboard incorporating the TSMs as well as any other local performance metrics that will be useful for tenants to hold it to account. This dashboard will therefore need to be developed in direct consultation with our tenants as well as Members whilst taking into account the regulators formal requirements. Officers have started work on this project.
- 2.8 Given the changes being implemented by the new regulatory regime, the TSMs and wider requirements of the RSH, Officers plan to use the emerging dashboard and updated Annual Reports to bring routine performance reporting into one place under a shared platform. We can use this platform to communicate coherently and consistently to tenants, Members and the regulator how well we are performing in ways we've not done so before. As part

of this we are exploring the use of 'infographics' to present information in an accessible and user-friendly way.

- 2.9 It should also be noted that the statutory Decent Homes Standard is also currently under review and is likely to be expanded to include decarbonisation and further safety measures under the provisions of the Social Housing White Paper and subsequent legislation.
- 2.10 All of these changes set out above will combine to set out an unprecedented level of change. This change represents a fundamental rethink of what is important within social housing that both staff and Members will need to embrace in order to provide effective assurance to tenants and continue to improve service delivery.
- 2.11 In the meantime, Members are asked to note the following performance information which shows how the different teams are performing generally in relation to core areas of work that will always have a level of relevance around managing tenancies, income and keeping the homes in our management safe and well maintained.

2022/23 Q1 and Q2 to date:

- Annex 1 – Tenancy enforcement activities
- Annex 2 – Tenancy safeguarding activities
- Annex 3 – Building repairs and maintenance

3. Performance activity, priorities and challenges

3.1 Tenancy teams

- 3.1.1 The Neighbourhood team is divided in to two. Those Neighbourhood Officers working within the team responsible for tenancy and estate management are largely required to deliver performance associated with the responsibilities set out in the Neighbourhood and Community Standard.
- 3.1.2 Those employed to manage income are bound to maximise income, as much as possible. The existing Rent Standard applies to rent setting, and the work of the Neighbourhood Officers who are tasked with rent collection is governed by housing-related law and the provisions of the tenancy agreement. They report to the same Neighbourhood Team Leader as the Allocations Officers. This results in the better management of risk as the team can flag any particular issues associated with affordability which may impact new tenants.
- 3.1.3 The Allocations Officers are expected to allocate and let homes in such a way as to minimise void loss, whilst at the same time ensuring that any risks associated with new tenants are mitigated. These will include those associated providing quality accommodation that can be treated with respect through to challenging behaviour as well as issues arising from a potential inability to sustain a tenancy. In such cases, the team can identify any support needs, as required.

3.1.4 Devon Home Choice (DHC) is the system through which homes in our management are allocated and let. It provides a needs assessment framework and enables housing applicants to bid for homes suitable for their needs, and in their areas of preference. The aim of DHC is to deliver sustainable communities where people want to live. The policies contained within our Tenancy Standard Framework relate to this area of work; these include the MDH allocations policy, which must be read alongside the DHC policy, the tenancy management policy and the decant policy. It should be noted that there are provisions within the policy framework to enable Officers to effectively tackle tenancy-related fraud, which is a key requirement as stated within the RSH's Tenancy Standard.

3.1.5 During the quarter, the challenges in terms of resourcing the Neighbourhood teams continued and there was a high turnover of staff in the Estates team as well as vacancies occurring in the Income team for which the recruitment process is progressing. To a large extent these mirrored challenges being faced across the Council and the Public Sector more broadly around recruitment and retention.

3.2 Repairs and Maintenance teams

3.2.1 Within Building Services there are 4 distinct teams, each with a responsibility for separate areas of work they all work closely together to create a combined approach to Repairs and Maintenance. It is helpful to summarise how these areas work are set out.

3.2.2 Planned Maintenance. This team are responsible for and manage a number of key performance objectives such as;

- Decent Homes Standard
- Gas Safety
- Fire Risk Assessments
- Asbestos Management and Removal
- Water Safety (Legionella)

3.2.3 Responsive Repairs. This team are responsible for all day to day repairs including;

- Emergency Repairs
- Urgent Repairs
- Routine Repairs
- Cyclical maintenance (Electrical and Solid Fuel)
- Sanctuary works
- Any other planned repairs that do not fit within other teams remits.

3.2.4 Voids Team. This are responsible for all aspects of the void process that sits with Building Services. This is where a tenancy has ended and a property is available for re-let but unavailable due to required works or for other reasons.

- Inspection of void properties
- Programming of works
- Building works identified

3.2.5 Commercial Services. The commercial services team are responsible for any works that are categorised as income for the HRA, these include but are not limited to;

- Garage Modernisation
- Heating replacements/Upgrades
- Gas Boiler replacement programme
- Renewable energy works
- HRA Adaptations
- Rechargeable works for other departments within the Council
- Handyperson Scheme
- External Income works (for private homeowners)
- Private Sector Adaptations and Healthy Homes Grant works
- Also during the Q2 this year they have started work on the two new build properties at Siddalls Gardens, Tiverton

3.2.6 As experienced by the Tenancy Teams, the challenges in terms of resourcing for both Operatives and Office staff has continued, and we are still carrying a number of vacancies carried into this financial year, but are working hard to address this.

4. Recommendation

4.1 Members are recommended to note the report.

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk

Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing
All Leadership Team
All Corporate Management Team
Group/Operations Managers
Legal Services

Further information:

Mid Devon Housing Strategies and Policies:
<https://www.middevon.gov.uk/residents/mid-devon-housing/help-and-support/strategies-and-policies/>

National Regulatory Framework for Social Housing:
<https://www.gov.uk/government/collections/regulatory-framework-requirements#regulatory-standards>

Annex 1 2022/23 – Mid Devon Housing Performance

Tenancy Enforcement Activities

Home Standard – Housing Revenue Account – Estates Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Fraud cases opened	4	0				These figures demonstrate that the teams are alert to the need to investigate fraud and to escalate as appropriate. Tenancy fraud deprives vulnerable people of affordable homes which is why all staff are given training on this.
Fraud cases referred to an external investigator	4	0				
Acceptable Behaviour Contract (ABC) letter signed	0	0				Quarter 2 saw a lot of change in the Estates team with high staff turnover. There were 4 Officers who joined and they have now finished their induction.
Good Neighbourhood Agreements signed	0	0				The team dealt with some very detailed and complex casework and it should be noted that a lot of this has been undertaken in partnership with other agencies.
Community Protection Notice warnings issued	0	0				Towards the end of Q2 one ABC letter was prepared in respect of a tenant who refused to sign the contract. Consequently, the matter has been escalated and a CPN prepared – this will appear in Q3 figures. Overall, this relates a complex case where there has been a formal, multi-agency review under the Community Trigger process resulting in 14 specific actions across Police and MDH being identified and carried out during Q2 and into Q3.
Community Protection Notices issued	0	0				
Possession Actions commenced on grounds of ASB	0	1				
Closure Orders – obtained	0	0				
Injunctions sought	0	3				
Evictions on grounds of anti-social behaviour/ other tenancy breach	0	0				

Income Recovery – Housing Revenue Account – Income Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Current dwelling rent arrears at Q end %	2.42	2.56				Target is <5%. Rent arrears continue to rise but over the quarter the number of current tenants claiming Universal Credit also continued to rise. The migration of tenants onto Universal Credit will mean that more are now paying in arrears as they receive their payments on a four weekly basis directly, rather than a rebate made onto their rent account as was the case with Housing Benefit. Ongoing issues associated with the cost of living are likely to result in some tenants experiencing financial distress.
Notice of Seeking possession served	50	76				These have been served to demonstrate to the tenant involved the seriousness of the situation and to encourage contact; in addition, it is important that Officers protect the interests of the Council. It also enables the Council to engage with the tenant(s) through a Court process where the tenant has previously avoided all contact.
Judgement obtained	1	2				This means that a Possession Order has been obtained due to the seriousness of the situation and size of the debt.
Warrants issued	0	3				Our Officers obtain Warrants in cases where it is felt that they have no option but to evict the tenant due to the size of the debt and a failure on behalf of the tenant to engage.
Evictions on grounds of rent arrears	1	0				Every eviction is a concern due to the social and financial cost to the tenant involved and also in terms of MDHs own resourcing. It is therefore good that none were actioned during the quarter.

Annex 2 2022/23 - Mid Devon Housing Performance

Tenancy Safeguarding Activities

Neighbourhood & Community Standard – Housing Revenue Account						
	Q1	Q2	Q3	Q4	YTD	Comments
Domestic abuse cases opened	0	0				Officers receive training and are able to identify any issues although none were reported during this quarter.
Domestic abuse cases referred to Multi-agency Risk Assessment Conference (MARAC)	0	0				Officers attend the MARAC to offer support and advice as necessary.
Safeguarding referrals made (to all agencies)	0	3				Individual team members have had the necessary training to enable them to identify safeguarding issues and to escalate as appropriate.

Annex 3 2022/23 - Mid Devon Housing Performance

Service Delivery - Building Repairs and Maintenance

Neighbourhood & Community Standard – Housing Revenue Account						
	Q1	Q2	Q3	Q4	YTD	Comments
Decent Homes Standard %	99.8	99.6				Target 100% - The percentage of decent homes is often lower during the middle of the year as annual modernisation contracts take place. We aim to reach 100% by the end of the financial year.
Emergency repairs completed on time %	100.0	100.0				Target 100% - 424/424 repairs.
Urgent repairs completed on time %	99.5	99.1				Target 95% - 447/443 repairs
Routine repairs completed on time %	99.1	97.6				Target 95% - 2189/2137 repairs
Repairs completed first visit %	99.4	99.3				Target 95% - 2905/2886 repairs
Gas safety checks %	99.5	98.7				Target 100% - The majority of properties without a valid gas safety certificate presently are related to access issues and the appropriate enforcement action is taking place. We are also working hard to address some performance issues that we are experiencing with the new contractor. The contract issues are being addressed via a contract management meetings with the contractors.
Fire risk assessments %	100.0	100.0				Target 100%
Water safety checks (Legionella) %	99.9	99.9				Target 100% - Access issues have been the only reason we haven't been able to reach the 100% target.
Number of void properties at Quarter end	59	55				75 in total less 9 held for development and unavailable for re-let and 11 ready being re-let = 55