

**HOMES POLICY DEVELOPMENT GROUP
17 JANUARY 2023**

TENANT INVOLVEMENT & EMPOWERMENT BRIEFING REPORT

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

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

Reason for Report: To provide an update to Members on the work relating to tenant involvement and empowerment and how this supports statutory and regulatory obligations including important changes to the social housing regulatory regime.

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 and ultimately Cabinet or Council govern the work of the landlord service. Existing policies are being reviewed to ensure that they are more closely aligned with the regulatory framework for social housing. There is a budget set aside for activity associated with tenant engagement.

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 and safety.

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. This Bill is expected to go into statute during 2023.

Risk Assessment: Failure to offer opportunities for tenants to get involved in the work of MDH could result in non-compliance with the legislative and regulatory framework.

Equality Impact Assessment: MDH needs to tailor the service to meet the needs of tenants in line with the provisions of the Tenant Involvement and Empowerment Standard. Our approach to understanding these needs is being reviewed to ensure that all relevant information is collected and acted upon. Failure to do so could result in negative feedback and action from the Regulator for Social Housing (RSH) and/ or the Housing Ombudsman Service (HOS), which investigates complaints made by tenants.

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 which limits their carbon footprint and that of MDH. We use social media to promote sustainability and publish information relating to a variety of topics including fuel efficiency, cost of living and healthy living.

1. Introduction: Regulatory Requirements

- 1.1 The existing Tenant Involvement and Empowerment Standard within the regulatory framework for social housing states that registered providers (RPs) such as the Council are required to provide choices, information and communication that is appropriate to the diverse needs of their tenants in the delivery of all standards.
- 1.2 There are some specific requirements relating to the involvement and empowerment of tenants which include offering opportunities to tenants to enable them to influence and be involved in: the formulation of their landlord's housing-related policies and strategic priorities; decision making about service delivery; the scrutiny of the performance of MDH and the making of recommendations about how performance might be improved; the management of their homes, where applicable; the management of repair and maintenance services; and agreeing local offers for service delivery.
- 1.3 There are also a number of specific expectations contained with the Standard. These include requirements relating to consultation with tenants, supporting tenants to build their capacity to be more effectively involved and supporting tenants to exercise their Right to Manage or otherwise exercise housing management functions, where appropriate.
- 1.4 RPs are also expected to provide performance information to tenants to enable them to undertake effective activity relating to scrutiny, and to consult on the scope of local offers for service delivery.

2. Tenant Satisfaction Measures

- 2.1 As members will have seen from a several recent PDG papers and a briefing by Kate Dodsworth (Director of Consumer Regulation at the RSH) provided to members, tenants and staff on 9 December, the new social housing proactive consumer regulation regime firmly places tenants at the heart of our decision-making. The new regime includes some key regulatory changes to our tenant involvement approach and as a result our work to engage and empower those that live in a Council home is more vital and necessary than ever.
- 2.2 Changes to the regulatory framework will introduce a new standard, the TSM Standard, which will create a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services.

This will involve a set of tenant satisfaction measures (TSMs) that social housing landlords will be required to report on.

- 2.3 These changes have resulted in a series of some twenty-two TSM metrics which are a mix of core management and performance data alongside information obtained from tenant perception surveys.
- 2.4 The TSMs are listed in full in Annex A and there are nine TSMs prefixed by a TP (01-09) which the regulator has introduced specifically to capture tenant satisfaction information. These satisfaction measurements are applicable to our overall performance as well as being specific to repairs, maintenance, home safety, listening to tenant views, the engagement with tenants and our handling of complaints.
- 2.5 We must start capturing and recording data against all of the TSMs from 1 April 2023 on an annual basis with the first reported data return to the RSH due from April 2024.
- 2.6 Rather than wait until we have collected the first full (mandated) year of data, MDH are running a pilot project relating to the collection of data during late 2022/23 with a view to understanding the current position in terms of tenant satisfaction. A survey has been commissioned and all tenants were asked to feedback in relation to the TSM questions. The aim is to assess the results once they are available to review our service from the tenant perspective and to gain a greater understanding of where service improvement may be required. Members will be provided with feedback in due course.
- 2.7 MDH is also currently working with two other local authority landlords locally to procure a contractor to undertake the required formal tenant participation survey data relevant to the TSMs during 2023/24. Best practice dictates that the collection of data is undertaken by a third party in the interests of openness and transparency. By working in partnership, hopefully, efficiencies can be realised alongside opportunities to undertake early local benchmarking.

3. Customer Engagement Team

- 3.1 The Customer Engagement team has responsibility for delivering outcomes required by the RSH as they relate to tenant involvement and empowerment. The Customer Engagement Co-ordinator is the Team Leader, and this role supervises a 1 FTE (full time equivalent) Housing Policy Officer and two 0.5 FTE Tenant Involvement Officer posts. It is a relatively new team that has been pulled together as part of the wider service restructure and formation of MDH as a unified housing service and builds up previous tenant involvement resource.
- 3.2 The team is currently in a state of flux due to two members having obtained alternative employment elsewhere in an effort to further develop their careers in housing. Recruitment is ongoing in relation to both the roles left vacant as a result. This recruitment will build on some key work we have already started is an opportunity for us to consider how key members of the team understand and will embrace the regulatory changes in front of us, bringing new ideas and approaches forward.

4. Development of the MDH approach to tenant engagement

- 4.1 During the year since the team was first set up, a great deal has been achieved and this includes work to support the bringing together both sides of the business associated with delivering services to Council tenants, and the creation of the combined MDH housing provider.
- 4.2 MDH's social media presence was refreshed and the team is building customer engagement by the means of interesting and informative posts on relevant platforms.
- 4.3 The new Director of Consumer Regulation at the RSH met with members, staff and tenants of MDH in December 2022 and delivered a well-received and timely briefing concluding with an open question and answer session. She was invited to speak to these stakeholders about the new regulatory regime, the requirements of her organisation as they relate to local authority landlords; and also about the implications of the new regime of inspections which are due to commence once the Social Housing Regulation Bill is implemented. It was evident from the briefing how much the RSH welcomed a proactive approach and recognised the work we have commenced together with our open engagement with the regulator which were cited an example that will be shared with others.
- 4.4 The regulatory framework requires RPs to issue an Annual Report and the latest edition which relates to performance during 2021/22 will be published online and on paper before the end of December 2022. This publication was created in partnership with a tenant who volunteered to assist with this project.
- 4.5 The team has also set up a template to be used when publishing periodic newsletters to tenants. The first few editions issued following the end of the pandemic are available to view online on the MDH pages on the Council website.

5. Peer Challenge

- 5.1 The Local Governmental Association (LGA) has developed a new peer challenge specifically to help stock-holding councils to improve their management of social housing, in the context of the expectations outlined in the charter for social housing residents: social housing white paper.
- 5.2 MDH have held early meetings with the LGA with a view to preparing for and scheduling a social housing peer review at Mid Devon during 2023.
- 5.3 The peer review or challenge is intended to support us to:
 - Reflect on, receive feedback on and learn how to improve the service provided to social housing residents
 - Assess readiness and plans for the new consumer regulation regime which includes embedding accountability to residents
 - Identify and share best practice

- 5.4 The scope of the peer challenge can be modified to meet the specific needs of each Council, and includes:
- Corporate strategy, governance and leadership
 - Finance and capacity to deliver
 - Safety in the home
 - Performance and response to complaints
 - Resident voice and engagement
 - Housing and neighbourhood quality
- 5.5 Resident voice and engagement is clearly a specific theme within the peer review that will contribute to our wider understanding of tenant involvement. Nonetheless, many, if not all, of the other themes will have some relevance and will work across the wider TSMs.
- 5.6 The peer challenge has been co-designed with the sector and will be delivered by a team of dynamic and experienced housing officers and member peers. The peers will act as critical friends to assess the strengths of MDH and our partners and identify areas for improvement for the future. There will be built-in opportunities for members to be involved in the challenge and are a key part of the process.

6. Policy Review Work

- 6.1 Work has commenced to align housing-related policy and procedure more closely to the regulatory framework. During the course of the review of documents previously adopted, policies and procedures have been streamlined and updated to adequately reflect new legislative and regulatory requirements and good practice. Going forward, in an effort to support work to help tenants who may be experiencing financial distress, the fuel poverty strategy will be refreshed.
- 6.2 As part of the review of policy, the new tenant involvement and empowerment standard policy was adopted to support compliance with the Tenant Involvement and Empowerment Standard within the regulatory framework for social housing.
- 6.3 There was a tenant focus group which was set up to discuss the review of the MDH Anti-Social Behaviour (ASB) policy. This is still very much a work in progress because the Housing Ombudsman Service (HOS) has recently issued guidance on noise nuisance. This states that noise arising from washing machines and other routine household noise should no longer be treated as anti-social behaviour. Therefore, the draft policy will be amended to reflect the new guidance and this revised policy. Subsequently, together with other policies which relate to work undertaken to deliver compliance with the Neighbourhood and Community Standard, it will be put out to consultation with stakeholders including tenants and other agencies such as the Police.
- 6.4 Furthermore, working with colleagues in the Building Service, the team will support a tenant focus group to look at issues associated with damp and mould.

7. Awareness Raising

- 7.1 In an effort to showcase the good work relating to community engagement, articles relating to work undertaken during Neighbourhood Walkabouts and during ASB Awareness Week were sent to organisations promoting good practice and published in Housing Quality magazine issued by Housing Quality Network (HQN) and in the magazine published by Resolve, an organisation for RPs which is dedicated to sharing good practice with regard to the management of anti-social behaviour.
- 7.2 The team also made a nomination in relation to the Resolve awards to showcase work undertaken during ASB Awareness Week which involved events in the three main towns in the District. These were set up by the Customer Engagement team and were also attended by the Police. BBC Radio Devon reported on these events.
- 7.3 In addition, the team is working towards achieving the Illegal Money Lending Team (IMLT) Partner recognition, with the application being due to be submitted in February 2023.

8. Understanding the needs of tenants and information

- 8.1 The regulatory framework requires RPs to tailor their services to meet the needs of their tenants. The collection of data and data retention regarding our tenants is therefore of key importance and the MDH approach to this is currently under review.

9. Consultations

- 9.1 The Customer Engagement team has also supported work to consult tenants, as required by housing legislation, and will continue to do so. These consultations usually relate to issues which impact specific estates, such as in cases where one person wishes to buy a piece of land from the Housing Revenue Account (HRA). However, consultation is also required when there are proposed changes to communal pieces of land, or in relation to decisions being considered by the Council, for example, in relation to the rent increase.
- 9.2 There is a consultation hub on the MDH pages of the Council's website where tenants and other stakeholders are given an opportunity to feedback on draft policies which have been reviewed.

10. Tenant Champion Roles

- 10.1 In an effort to offer more opportunities to tenants to get involved with the work of MDH a number of new voluntary roles have been created:
- Complaints Champion
 - The Estates Champion
 - Publications Champion
 - Zero Carbon Champion

10.2 These have been advertised and, in addition, the tenant expenses scheme has been reviewed and updated. Training and support will be provided to anyone interested in getting involved in this way.

10.2 These informal but important job roles are available to view on the MDH pages of the Council website.

11. Tenants' Meeting Place

11.1 During the pandemic, the Council stopped using the tenant's common room in Tiverton in the interest of minimising the spread of infection. The team has used the opportunity to review relevant policies and procedures and work is ongoing to develop more robust arrangements associated with the letting of the facility to external agencies, ensuring that all relevant health and safety considerations have been taken into account.

11.2 In recognition of the impact of the ongoing cost of living increase, the team now runs a weekly Winter Warm Club at the Westfield Road common room. Tenants and family members are invited to attend and are offered a chance to chat with members of the MDH team whilst enjoying refreshments in a warm, safe space.

11.3 Other agencies including South West Water and the Community Champion at Morrisons supermarket have accepted invitations to attend to meet with our tenants and to talk to them about how they can make savings and access additional help with the cost of living. Neighbourhood Officers also attend from time to time and the aim is to roll out this initiative to other geographical areas across the District once staffing levels are more stable.

11.4 Furthermore, working with colleagues in the Building Service, the team will support a tenant focus group to look at issues associated with damp and mould.

12. Recommendation

12.1 That Members note the report

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Circulation of the Report:

Members of the Housing PDG
Cllr Stuart Penny, Cabinet Member for Housing and Property Services
Leadership Team
Corporate Management Team
Service/Operations Managers

Further information:

Regulator of Social Housing website
<https://www.gov.uk/government/organisations/regulator-of-social-housing>

Housing Ombudsman Service website
<https://www.housing-ombudsman.org.uk/>

England Illegal Money Lending Team website
<https://www.stoploansharks.co.uk/who-we-are/>

Annex A – Regulator of Social Housing Tenant Satisfaction Measures

Overall satisfaction

TP01: Overall satisfaction

Keeping properties in good repair

TP02: Satisfaction with repairs

TP03: Satisfaction with time taken to complete most recent repair

TP04: Satisfaction that the home is well maintained

RP01: Homes that do not meet the Decent Homes Standard

RP02: Repairs completed within target timescale

Maintaining building safety

TP05: Satisfaction that the home is safe

BS01: Gas safety checks

BS02: Fire safety checks

BS03: Asbestos safety checks

BS04: Water safety checks

BS05: Lift safety checks

Respectful and helpful engagement

TP06: Satisfaction that the landlord listens to tenant views and acts upon them

TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them

TP08: Agreement that the landlord treats tenants fairly and with respect

Effective handling of complaints

TP09: Satisfaction with the landlord's approach to handling complaints

CH01: Complaints relative to the size of the landlord

CH02: Complaints responded to within Complaint Handling Code timescales

Responsible neighbourhood management

TP10: Satisfaction that the landlord keeps communal areas clean and well maintained

TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods

TP12: Satisfaction with the landlord's approach to handling anti-social behaviour

NM01: Anti-social behaviour cases relative to the size of the landlord