

Report for: HOMES POLICY DEVELOPMENT GROUP

Date of Meeting: 21 November 2023

Subject: **MID DEVON SERVICE DELIVERY REPORT: Q1
AND Q2 2023-24**

Cabinet Member: Councillor Simon Clist, Cabinet Member for
Housing and Property

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

Exempt: None

Wards Affected: All wards

Enclosures: Annex A: Tenant Satisfaction Measures (TSMs) -
performance data for 2023-24: Quarters 1 & 2

Annex B: Tenancy Enforcement Activities -
performance data for 2023-24: Quarters 1 & 2

Annex C: Rent Recovery - performance data for
2023-24: Quarters 1 & 2

Annex D: Building Repairs & Maintenance:
performance data for 2023-24 – performance data
for 2023/24: Quarters 1 & 2

Section 1 – Summary and Recommendation(s)

The report continues a previous arrangement to provide a quarterly update to Members on enforcement and other activity undertaken by Mid Devon Housing (MDH), albeit in a new format for 2023/24 onwards.

The report also contains information on performance against the Tenant Satisfaction Measures (TSMs). 2023/24 is the first year in which MDH will be required to report on a set of tenant satisfaction measures, which includes perception and performance data, as directed by the Regulator for Social Housing (RSH). This report provides an update on the data against each TSM, where it is available, to provide assurance and

an indicator of what the final outturn may show. It is for noting in the format agreed at the meeting of the Homes Policy Development Group on 13 June 2023.

Recommendation:

That the PDG notes the outturn performance for Quarter 2 2023/24 as provided in Annexes A, B, C and D

Section 2 – Report

1 Introduction

- 1.1 MSH has approximately 3,000 homes in its management located across the District.
- 1.2 This report provides a summary of activity and performance for Q2 ending 30 September 2023 and the previously reported data for Q1 for comparison.
- 1.3 In accordance with the above, data for Quarters 1 and 2 in 2023-24 is provided under the following categories:
 - Annex A – Tenant Satisfaction Measures (TSMs)
 - Annex B – Tenancy enforcement activities
 - Annex C – Tenancy safeguarding activities
 - Annex D – Building repairs and maintenance

2 New assurance requirements and reporting

- 2.1 As a result of the changes being introduced following the implementation of the Social Housing Regulation Act 2023, the RSH requires social landlords to provide effective assurance to Members with regard to relevant, updated performance relating to service delivery. For this reason, the report which follows shows the data in a slightly different format to that used previously.
- 2.2 As first seen for the Q1 2023-24 report presented to the PDG in August 2023, the updated version of the report incorporates tenant satisfaction measure (TSM) data. The perception data to inform our return to the RSH, in line with a new regulatory requirement, will be collected annually and therefore there is no information to show in relation to some of the measures. However, the report shows the position with regard to the performance indicators which will be measured. This is provided with the aim of reassuring Members that this data is being collected, and to show what potential outturns can be expected at year end, which will be included in the data submission is made to the RSH.
- 2.3 The annexes also contain data showing how different teams within MDH are performing generally in relation to key areas of work. It is important that Members receive reports on the work relating to tenancy management, income collection and ensuring that MDH homes are safe and well maintained, in line with legislative and regulatory requirements, and good practice.

- 2.4 This service delivery report sets out the following specific data:
- 12 new performance data TSMs
 - 10 new perception survey data TSMs (annual survey data)
 - Tenancy enforcement data
 - Rent collection and debt data
 - Full repairs data including Decent Homes
 - Voids data (metrics determined by updated Voids Management Policy)
- 2.5 With regards to complaints performance reporting, whilst the new TSMs include some three measures of complaints, as required, a separate in-depth annual report is provided on complaints data and key lessons of learning in line with the separate requirements of the Housing Ombudsman Service Complaints Handling Code. The last annual report was considered by the Homes Policy Development Group at its meeting on 13 June 2023.
- 2.6 The tenant perception survey (questionnaire) required to deliver compliance with part of the new mandated Tenant Satisfaction Measure (TSM) standard is being provided by a specialist contractor working on behalf of the Council. This went live on 3 November 2023 and will run for twenty-days. MDH undertook a procurement exercise in a partnership with two other local authority providers of accommodation to deliver maximum efficiency.
- 2.7 This survey will generate opportunities for local benchmarking of the results alongside national benchmarking in due course. The aim is to review this benchmarking data to support an understanding of service improvements and help identify where resources should be prioritised. This will also link into an independent consumer regulation health check exercise commissioned for completion January–February 2024 (see 3.12 below) as part of our wider preparations for the new consumer regulation regime including RSH inspections.
- 2.8 Feedback on the outcome of the tenant perception survey should be available when the service delivery report for 2023/24 Quarter 3 is published in the New Year. A report of the health check exercise will follow thereafter.

3 Performance and context

- 3.1 Comments and informative narrative on performance are provided against each metric within Annexes A - D with further context provided below.
- 3.2 In the absence of TSM benchmark data, where possible we have provided a Housemark benchmark instead. Alongside hundreds of other registered providers of social housing (private and local authority, large and small), MDH provide performance data to Housemark which is used to deliver its monthly Pulse reports on housing sector performance and trend. Whilst these reports are highly informative, the metrics used by Housemark may not be fully compatible with the Government TSMs or our local metrics in all instances so are best viewed as indicators rather than strict comparators.

Building Services

3.3 During Q2, overall performance against targets or benchmarks has continued to be strong with the main exception of continued pressure on voids turnaround times. As noted in Q1, this is no reflection of the hard work or efficiency of the voids team or the wider service including allocations. Continued vacancy pressures across several trade roles has meant the service rightly placed a focus on safety and compliance in the existing stock and consequently shifted some resource away from the voids work temporarily.

Building Services – voids specific

3.4 As with many other housing providers, targets for our voids team also continue to be impacted upon by backlogs, relatively high volumes of void properties and the poor condition of properties being returned. As noted against Q1 reporting, we have updated and reintroduced pre-void inspections (managed tenancy end) by our Neighbourhood Teams which were suspended during Covid and during periods of high team vacancy rates in 2022/23. Staffing resource has now increased within these teams and these inspections should result in improvements in the condition of some returned properties.

3.5 For standard voids where some comparable Housemark data is available, MDH performance for Q1-Q2 (Year to date) at 68.33 days compares reasonably with national data (61.6 days upper quartile figure). Nationally, almost all landlords are continuing to see an impact on re-let times compared to pre-pandemic levels due to pressures set out above with only slight positive movement where it's expected that year-end results will continue to be higher than historic norms, before falling back in 2025.

3.6 Efforts are continuing around trade vacancies in what is unfortunately a highly competitive recruitment market with private sector remuneration and demand outstripping the public sector in key roles. These issues are presenting challenges to many registered providers and not just MDH. Nonetheless, specific roles in Building Services are currently subject to a policy compliant re-evaluation (grading) process and the service also continues to focus efforts on apprentice recruitment to grow our own teams.

3.7 Despite all of the above challenges, the level of activity achieved has meant the overall 97% occupancy target has been met, with 2.67% of current stock void and therefore 97.33% being occupied at the end of Q2, as slight increase from 2.39% in Q1.

Tenancy Management

3.8 With regard to tenancy management, there was some turnover of staff in both the income and estates teams during Quarter 2. This has had an impact on performance to an extent, as there were vacancies to cover in both teams. However, following some recruitment activity, both teams are back to full strength and Officers will be moving away from managing key priorities and undertaking a wider range of activity as Quarter 3 progresses.

3.9 In respect of the allocations end of the voids process, with a new voids and allocations officer now in post, the team are now carrying out viewings at an earlier stage whilst the voids team are still onsite once safe to do so, which again is what used to happen pre-pandemic. This will start to result in properties being let more quickly going forward.

Service-wide

3.10 Meanwhile, preparation continues to ensure that MDH will be compliant with new legislative and regulatory requirements as these are announced and introduced following the implementation of the Social Housing Regulation Act 2023.

3.11 The MDH senior management team will be meeting monthly with Team Leaders going forward to discuss performance across the service, and will be conducting reviews to ensure that services will be compliant with the new regulatory standards which are due to be effective from April 2024, following a consultation recently undertaken by the RSH.

3.12 Furthermore, an external 'critical friend' review of the preparation by MDH for the new consumer regulation review has been commissioned and will take place at the end of January 2024, led by Chris Grose Training and Consulting. Chris Grose is a highly experienced and respected housing professional with significant experience of working at a national level with the Home Office and other Government departments. He has also held operational and senior positions at various organisations including Local Authority housing providers, the Chartered Institute of Housing (CIH) and national law firm Capsticks LLP. Chris is well known in the sector and sits on the CIH South West Board so is an ideal housing lead to review our housing service and support its continued development.

3.13 The review will involve remotely observing the public PDG meeting on 16 January 2024 and also undertake the following:

- Meeting with Senior MDH leadership team and Cabinet Member for Housing and Property (in person)
- A series of detailed meetings with various departments within the housing service across Tenancy Management and Building Services (in person)
- Discussions with involved tenants (in person or remote)
- Observation and comments with regards to various documents i.e. Policies/Strategies/Website/KPI's/Performance Reports/Risk Register etc
- Development of a detailed report with clear headings, executive summary and action plan with recommendations
- RAG rated table of specific expectations in line with the proposed consumer standards

We anticipate being able to share the final report with the meeting of the PDG in March 2024 or the following meeting depending on final report timing.

4 Recommendation

4.1 The following recommendation is made:

That the PDG notes the outturn performance for Quarter 2 2023-24 as provided in Annexes A, B, C and D.

Financial Implications

The activity of MDH is funded through the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls. The Housing Ombudsman Service (HOS) charges a mandatory membership fee based on the number of homes in the management of the registered provider (RP) of social housing. There was a recent consultation for the RSH to introduce its own mandated regulation fee, also based on the number of homes.

Legal Implications

The tenancy agreement defines MDH's relationship with tenants and sets out the rights and responsibilities of both parties. This takes account of legal and regulatory requirements.

The Council is an RP and therefore is required to comply with the regulatory framework operated by the RSH. The regulatory framework has been reviewed. The Tenant Involvement and Empowerment Standard contains provisions relating to the management of complaints.

There is also a requirement for MDH to manage complaints in accordance with the Complaints Handling Code (the Code) which is issued by the HOS. Landlords are expected to self-assess against the Code. Landlords are required to use the learning from complaints to drive service improvement.

Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Act 2023, has now been implemented and gone into statute. New regulations are expected in relation to some of the key provisions set out in the White Paper.

Risk Assessment

The Council has approximately 3,000 homes in management and the performance of MDH impacts upon the lives of many thousands of tenants and their families. This represents a huge responsibility and investment, consequently a major area of risk. Not providing 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.

Finally, a failure to provide adequate information on service performance for the purposes of governance and scrutiny is a specific area of non-compliance with the requirements of the RSH. This regulator has new powers to impose performance improvements and potentially fine registered providers where performance is poor and/or adequate assurance is not provided.

Impact on Climate Change

None directly arising from this report.

Equalities Impact Assessment

MDH has a collection of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. These are currently being reviewed with the aim of aligning them more closely with the Regulatory Standards. There is a regulatory requirement for registered providers of social housing to tailor their services to meet the needs of tenants. MDH requests diversity data from tenants to enable compliance to be monitored.

MDH is required to work with people from all sections of society and having an agreed policy ensures that all tenants and other stakeholders are treated in the same way with adjustments being made to meet their needs, as necessary. The Housing Ombudsman Service Complaints Handling Code which MDH adhere to also requires landlords to have an awareness of accessibility so residents are easily be able to access the complaints procedure via several routes.

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.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 07 Nov 2023

Statutory Officer: Maria de Leiburne

Agreed on behalf of the Monitoring Officer

Date: 07 Nov 2023

Chief Officer: Simon Newcombe

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 6 November 2023

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 10 November 2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

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

Email: snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers:

Mid Devon Housing strategies and policies:

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

The Regulatory framework for social housing:

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

Tenant Satisfaction Measures

<https://www.gov.uk/government/news/regulator-of-social-housing-to-introduce-tenant-satisfaction-measures-from-1-april-2023>

Complaint handling code

<https://www.housing-ombudsman.org.uk/landlords-info/complaint-handling-code/>

White Paper – The Charter for social housing residents

<https://www.gov.uk/government/publications/the-charter-for-social-housing-residents-social-housing-white-paper>

Annex A: Tenant Satisfaction Measures (TSMs) – performance data for 2023/24: Quarters 1 & 2

Overall Satisfaction						
	Q1	Q2	Q3	Q4	YTD	Comments
TP01: Overall satisfaction	N/A	N/A			N/A	Annual Indicator – tenant perception survey

Keeping Properties in Good Repair						
	Q1	Q2	Q3	Q4	YTD	Comments
TP02: Satisfaction with repairs	N/A	N/A			N/A	Annual Indicator – tenant perception survey
TP03: Satisfaction with time taken to complete most recent repair	N/A	N/A			N/A	Annual Indicator – tenant perception survey
TP04: Satisfaction that the home is well maintained	N/A	N/A			N/A	Annual Indicator – tenant perception survey
RP01: Proportion of Homes that do not meet the Decent Homes Standard	2.34%	2.40%			Rolling %	There are 22 properties that are outstanding, all of which are on a future list of works
RP02: Repairs completed within target timescale	97.77%	99.47%			98.62%	A good improvement on the Q1 percent despite the challenges faced, especially regarding rolling vacancies

Maintaining Building Safety						
	Q1	Q2	Q3	Q4	YTD	Comments
TP05: Satisfaction that the home is safe	N/A	N/A			N/A	Annual Indicator – tenant perception survey
BS01: Gas safety checks	99.87%	99.91%			Rolling %	There were two outstanding properties, one is with legal and the other is being managed by Housing
BS02: Fire safety checks	100%	100%			100%	On target
BS03: Asbestos safety checks	77.68%	63.94%			Rolling %	We currently comply with the Control of Asbestos Regulations and have an asbestos contract in place to fulfil this TSM obligation going forward
BS04: Water safety checks	100%	100%			100%	On target
BS05: Lift safety checks	100%	100%			100%	On target

Respectful and Helpful Engagement						
	Q1	Q2	Q3	Q4	YTD	Comments
TP06: Satisfaction that the landlord listens to tenant views and acts upon them	N/A	N/A			N/A	Annual Indicator – tenant perception survey

TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them	N/A	N/A			N/A	Annual Indicator – tenant perception survey
TP08: Agreement that the landlord treats tenants fairly and with respect	N/A	N/A			N/A	Annual Indicator – tenant perception survey

Effective Handling of Complaints						
	Q1	Q2	Q3	Q4	YTD	Comments
TP09: Satisfaction with the landlord's approach to handling complaints	N/A	N/A			N/A	Annual Indicator – tenant perception survey
CH01: Complaints relative to the size of the landlord	22	20			Rolling %	This measure is based on the number of complaints the landlord receives for every 1,000 homes they own. In recent years, following a concerted effort made by the Housing Ombudsman Service to encourage tenants to raise issues of concern with their landlords, MDH has seen a marked increase in the numbers of complaints. Over the course of 2023/24 to date, however, it would appear that the workload has remained fairly stable despite the relative increase in case complexity. It should be noted that all MDH staff are encouraged to ask tenants if they wish to make a complaint following any expression of dissatisfaction, in order to ensure

						that MDH is following the provisions of the Complaints Handling Code which will change during 2024/25
CH02: Complaints responded to within Complaint Handling Code timescales	81.25%	90.00%			85.63%	Stage 1 = 95.56% and Stage 2 = 73.33% Good improvement on Q1. Every effort is made to comply with the timescales as set out by the Housing Ombudsman Service but, in a small organisation, such as MDH, sometimes it is not possible for Officers responsible for responding to complaints to do so within target, as a result of conflicting priorities or absence from work where direct input is required from the case officer(s)

Responsible Neighbourhood Management						
	Q1	Q2	Q3	Q4	YTD	Comments
TP10: Satisfaction that the landlord keeps communal areas clean and well maintained	N/A	N/A			N/A	Annual Indicator – tenant perception survey
TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods	N/A	N/A			N/A	Annual Indicator – tenant perception survey
TP12: Satisfaction with the landlord's approach to handling anti-social behaviour	N/A	N/A			N/A	Annual Indicator – tenant perception survey

NM01: Anti-social behaviour cases relative to the size of the landlord	3.72	2.03			N/A	The requirement to report performance on the Tenant Satisfaction Measures is new for 2023/24. Given that every social landlord in England will be reporting the same information at the same time going forward, we are aiming to benchmark our own results against those of other providers of social housing with effect from next year once the first annual data is available in order to gain greater insight
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Annex B: Tenancy Enforcement Activities – performance data for 2023/24: Quarters 1 & 2

Neighbourhood & Community Standard – Housing Revenue Account – Estates Team						
	Q1	Q2	Q3	Q4	YTD	Comments
Fraud cases opened	2	0			2	The Estates team, which is responsible for tenancy and estates management, now has an additional Officer in the establishment and a new Officer joined MDH during the latter part of Quarter 1. The team has been working proactively with other partners but another Officer left the team during Quarter 2 and there remains a vacancy to be covered. This has contributed to the team having to focus on the key priorities of health and safety, serious anti-social behaviour and safeguarding, as appropriate, in order to minimise risk.
Fraud cases referred to an external investigator	1	0			1	
Acceptable Behaviour Agreements signed	0	0			0	
Good Neighbourhood Agreements signed	0	0			0	
Community Protection Notice warnings issued	0	0			0	
Community Protection Notices issued	0	0			0	
Possession Actions commenced on grounds of ASB	2	0			2	
Closure Orders – obtained	0	0			0	
Injunctions sought	0	0			0	

Evictions on grounds of anti-social behaviour/ other tenancy breach	0	0			0	
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Annex C: Rent recovery – performance data for 2023/24: Quarters 1 & 2

Income Recovery – Housing Revenue Account – Income Team							
	Q1	Q2	Q3	Q4	YTD	Target	Comments
Current dwelling rent arrears at quarter end %	2.48%	2.47%			2.47%	<5%	Stable Q1 to Q2 There has been some turnover in the team recently and existing Officers had to cover a vacancy during Quarter 2. This vacancy was managed through short-term prioritisation to ensure performance remaining within target
Notice of Seeking possession served	52	89			141	N/A	These are served to protect the interests of the Council and also as a reminder to tenants that they need to reach out if they are experiencing financial issues. This is the first stage in the procedure to repossess a home but if the tenant makes an arrangement to repay the debt in instalments or brings the rent account up to date, enforcement action will not be escalated on the basis that the notice served made the tenant aware and that they remedied the breach of tenancy conditions
Judgement obtained	5	4			9	N/A	There are some cases where the nature and/or extent of the debt necessitates action to protect the interests of the Council. The Income team will endeavour to encourage

							tenants to engage with MDH and/or to seek help if they are experiencing financial difficulties but if there is no improvement in the position, Officers have no option but to secure the debt and to seek a relevant Possession Order
Warrants issued	4	5			9	N/A	Although this is one of the final stages leading up to eviction, tenants still have opportunities to seek stays of execution; and our Officers will continue to advise people to seek independent advice about their circumstances and about the impending action right up to the date of the eviction
Evictions on grounds of rent arrears	1	1			2	N/A	The low numbers show how the advice and engagement provided following the issue of the warrant can help to prevent evictions, which are seen as a last resort. Officers will only move forward if the tenant involved has made no effort to work with MDH or the Court in an effort to avoid losing their home

Annex D: Building Repairs and Maintenance – performance data for 2023/24: Quarters 1 & 2

Homes and Neighbourhood & Community Standards – Housing Revenue Account – Building Services							
	Q1	Q2	Q3	Q4	YTD	Target	Comments
Decent Homes Standard %	97.67%	97.60%			Rolling %	100%	<p>Slight deterioration in Q2</p> <p>Duplicates TSM RP01 above. Internal target ahead of national benchmarking data being available in 24/25.</p> <p>There are 22 properties that are outstanding, all of which are on a future list of works</p>
Emergency repairs completed on time %	97.84%	100%			98.92%	100%	<p>Improvement in Q2</p> <p>Despite the ongoing issues regarding staffing levels still been able to achieve the target % in Q2. This has been achieved through reprioritisation, meaning the service had to redeploy staff from other in short-term teams to achieve this which in turn has effected those teams performance, notably voids.</p> <p>This may directly influence the mandated tenant perception survey results against TSMs TP01 and TP02 (in particular)</p>
Urgent repairs completed on time %	97.26%	98.79%			98.03%	95%	<p>Above target</p> <p>This may directly influence the mandated tenant perception survey results against TSMs TP01 and TP02 (in particular)</p>

Routine repairs completed on time %	98.77%	99.58%			99.18%	95%	Above target This may directly influence the mandated tenant perception survey results against TSMs TP01 and TP02 (in particular)
Repairs completed first visit %	99.44%	98.71%			99.08%	95%	Above target This may directly influence the mandated tenant perception survey results against TSMs TP01 and TP02 (in particular)
Gas safety checks %	99.87%	99.91%			99.89%	100%	Slight improvement in Q2 Duplicates TSM BS01 above. Internal target ahead of national benchmarking data being available in 24/25. There were two outstanding properties, one is with legal and the other is being managed by Housing. This may also influence the mandated tenant perception survey results against TSMs TP01 and TP05 (in particular)
Fire risk assessments %	100%	100%			100%	100%	On target/maximum performance This may also influence the mandated tenant perception survey results against TSMs BS02, TP01 and TP05 (in particular)
Water safety checks (Legionella) %	100%	100%			100%	100%	On target/maximum performance

							This may also influence the mandated tenant perception survey results against TSMs BS04, TP01 and TP05 (in particular)
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Voids

Voids performance* – Housing Revenue Account – Building Services and Allocations Teams							
	Q1	Q2	Q3	Q4	YTD	Target	Comments
Standard voids including temporary accommodation	63.97	72.68			68.33	35 working days	<p>Worse in Q2</p> <p>There are a number of major factors that are affecting our ability to achieve all of the void performance targets, they include record numbers of voids received, deteriorating standards of voids received, staffing shortages and redeployment and the processes involved around the development programme where we are having to hold a number of voids so that we can meet the expectations of tenants who we are moving from properties that will be demolished and the fact that the works involved in these voids are greatly increased.</p> <p>Repairs and building safety will always be prioritised over voids performance, hence short-term redeployment from the voids team into other teams within Building Services retain ongoing assurance and protect health and welfare of current tenants.</p>
Major voids	167.88	141.42				55 working days	<p>Improvement in Q2</p> <p>See comments above</p>

Decent homes voids	101.67	101.36				75 working days	Slight improvement in Q2 See comments above
Development voids	N/A	N/A				1 calendar year	-
Occupancy rate (whole stock)	97.61%	97.33%				97%	Above target but slight deterioration in Q2 Despite the comments above we are still above the performance target set for overall stock occupancy.

* Definitions and targets as per adopted Voids Management Policy 2023