

Report for: HOMES POLICY DEVELOPMENT GROUP

Date of Meeting:	19 March 2024
Subject:	MID DEVON SERVICE DELIVERY REPORT: QUARTER 3 (Q3) 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 & 3 Annex B: Tenancy Enforcement Activities – performance data for 2023-24: Quarters 1, 2 & 3 Annex C: Rent recovery – performance data for 2023-24: Quarters 1, 2 & 3 Annex D: Building Repairs & Maintenance – performance data for 2023-24: Quarters 1, 2 & 3

Section 1 – Summary and Recommendation(s)

This report has been presented in support of a rolling commitment to provide a quarterly update to Members on activity undertaken by Mid Devon Housing (MDH), including some relating to enforcement.

It also contains relevant information relating to performance as measured in line with the guidance relating to the Tenant Satisfaction Measures (TSMs). The Regulator of Social Housing (RSH) requires registered providers of social housing (RPs) to provide a report on a set of TSMs which includes perception and performance data, and 2023/24 is the first year in which MDH and all other large social landlords is required to do so.

The aim of this report is to provide an update on relevant data which includes some required as part of the TSM submission, where available, in order to provide assurance. It is hoped that the data will also provide some indication of the final outturn expected at the end of the year.

Recommendation:

That the PDG notes the outturn performance for Quarter 3 2023/24 as provided in Annexes A, B, C and D

Section 2 – Report

1 Introduction

- 1.1 MDH has approximately 3,000 homes in its management located across the District.
- 1.2 This report provides a summary of activity and performance for Q3 ending 31 December 2023 and the previously reported data for Q1 and Q2 for comparison.
- 1.3 In accordance with this, data for Quarters 1, 2 and 3 in 2023-24 is provided in the following annexes:
 - Annex A: Tenant Satisfaction Measures (TSMs)
 - Annex B: Tenancy Enforcement Activities
 - Annex C: Rent Recovery
 - Annex D: Building Repairs & Maintenance

2 Assurance requirements and reporting

- 2.1 RPs are now required by the RSH to provide effective assurance to Members and this should include relevant, updated performance data relating to service delivery.
- 2.2 The RSH takes a co-regulatory approach which means that Councillors are responsible for ensuring that MDH is meeting their standards. There are currently five consumer standards, although following the implementation of the Social Housing (Regulation) Act these have been under review and revised standards were published on 29 February 2024 which come into effect on 1 April 2024. RPs such as MDH are required to have due regard to the outcomes and specific expectations as set out in these standards, which are now amalgamated into the following four consumer standards:
 - The Safety and Quality Standard

This requires landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services

- The Transparency, Influence and Accountability Standard

This requires landlords to be open with tenants and treat them with fairness and respect so they can access services, raise concerns when necessary, influence decision making and hold their landlord to account

- The Neighbourhood and Community Standard

This requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods, and feel safe in their homes.

- The Tenancy Standard

This sets requirements for the fair allocation and letting of homes, as well as requirements for how tenancies are managed by landlords

- 2.3 The Rent Standard, an economic standard, also applies and MDH is required to have regard to this.
- 2.4 From 1 April 2024, the RSH will also inspect large landlords, with 1,000 or more social homes at least once every four years to ensure they are meeting the consumer standards, consequently this will apply to MDH.
- 2.5 Councillors also have a responsibility to ensure that MDH is being open and accountable with regard to how the organisation meets its objectives. In line with the principles of co-regulation, RPs are also required to support tenants so that they can shape and scrutinise service delivery and hold Councillors to account.
- 2.6 Performance data recorded in support of the TSMs is shown in the report. The aim is to ensure that Members can be reassured that data is being collected. However, it also designed to provide an indication relating to the potential outturns at year end, which will be included in the data submission which will be made to the RSH during the first part of 2024-25.
- 2.7 The perception data to inform our return to the RSH, in line with a new regulatory requirement, is collected annually although MDH may review our approach to this. Currently, information collected by a third party contractor during the latter part of 2023 from all tenants is still being analysed. There is a separate briefing on the agenda for the meeting in relation to this.
- 2.8 This work was procured by a partnership involving MDH and two other local authority providers with retained housing stock. As a result, there will be opportunities for local benchmarking alongside national benchmarking once all RSH has collected all relevant data and it has been published.

- 2.9 At the end of January, MDH commissioned an external review of compliance against the regulatory framework. The findings of this will be used, together with the analysis of the data collected during the perception survey, to inform an understanding of necessary service improvement. This in turn, will provide an indication with regard to where resources should be prioritised going forward. The insight gained will inform the development of an improvement plan, which is currently a work in progress.
- 2.10 The work of different teams within MDH is shown in the annexes as set out below. Information is provided on key areas of work. It is important for Members to be reassured that the homes in management are safe and secure and to understand how teams are performing in relation to certain indicators relating to tenancy and estate management. There are legislative and regulatory requirements which RPs must adhere to. However, it is also important that service delivery also takes account of MDH's own policies and good practice.
- 2.11 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)
- 2.12 The TSMs include three measures designed to demonstrate how RPs are performing with regard to service delivery in connection with complaints. If a tenant remains dissatisfied following the conclusion of their complaint, they can escalate that complaint to the Housing Ombudsman Service (HOS). In the new regulatory framework, recently introduced, the role of the HOS has been expanded. Every year, RPs must undertake a review of compliance against the Complaints Handling Code, issued by the HOS. This has recently been reviewed by the HOS and there is now a requirement to submit an annual complaints performance and service improvement report to the PDG, in support of this. This report will need to be published on the section of the website relating to complaints alongside the response of the PDG and the Cabinet to this. In addition, it should be noted that there is a Memorandum of Understanding between the HOS and the RSH which allows the transfer of information with the aim of ensuring that any regulatory failings associated with service delivery as performed by RPs are identified and dealt with appropriately.
- 2.13 MDH provides a detailed report on complaints data and key issues of learning to inform service improvement on an annual basis. The last annual report was discussed at the meeting of the PDG on 13 June 2023.

3 Performance and context

- 3.1 Annexes A to D contain comments and informative narrative on performance provided against the metrics and there is 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 provides 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.
- 3.2 Information relating to the annual satisfaction data collected in support of the Government's TSM return will be provided at the end of Quarter 4.

4 Building Services

- 4.1 Resourcing issues have impacted performance relating to routine repairs during the last quarter. Managers have oversight of the issues and have been prioritising work in order to ensure that repairs to our properties are undertaken in preference to those required to communal areas. Generally, however, performance was really strong during Quarter 3.
- 4.2 Ensuring that our homes are safe and warm is a priority for MDH and performance relating to this area of work has been generally excellent with several relevant indicators showing that work has been on target during the year. With regard to asbestos safety checks, there is a programme of inspections which deliver the outcome required, that is, a more detailed understanding of the issues across all of the housing stock, by the end of 2026.

5 Building Services – Voids Specific

- 5.1 MDH has plans to increase the number of homes in management by redeveloping parts of our estates, to deliver new homes for people in need. This means that some units have to be held to accommodate those being decanted to facilitate the new developments, whilst others have to remain empty pending demolition. This has an impact upon the performance figure.
- 5.2 There are other factors which need to be taken into account. Resourcing issues relating to staffing have been a particular challenge in recent months but some of these have now been resolved and it is hoped that performance will improve as a result. A high turnover of void units and the condition of the homes being returned once a tenancy ends are also important factors impacting performance. Some properties coming back as voids do not meet the Decent Homes Standard due to the fact that the outgoing tenant refused improvements during the term of their tenancy.

- 5.3 It should also be noted that MDH does not refuse to accept housing applicants on the basis that they do not meet the threshold as defined following a financial risk assessment. Other RPs do this and essentially this means that MDH has proportionally more vulnerable people with complex needs living in our homes than other providers. The evidence of this will be seen at the end of a tenancy when sometimes a property will not be in a good state of repair when possession is regained.
- 5.4 Performance improved during Quarter 3 with the average number of working days taken to re-let standard voids owned by the Housing Revenue Account (HRA) being 34 at the end of the month. However, the yearly average relating to this indicator was impacted by the drop in performance during September when the figure was 153 days.
- 5.5 Despite the above pressures, the key overarching occupancy rate at the end of Quarter 3 remains above target at 97.32%.

6 Tenancy and Estate Management

- 6.1 There were some resourcing issues in the Neighbourhood teams during Q3 and cover arrangements were implemented. The Estates team continues to work in partnership with other agencies to manage nuisance and anti-social behaviour in a proactive way to some serious cases.
- 6.2 Officers are also involved with the Early Help initiative designed to provide support to children and families enabling them to resolve any issues at an early stage before more targeted intervention by Social Services is required. In addition, the team works intensively with some particular tenants who are vulnerable, in an effort to help these people to better sustain their tenancies. Hoarding is increasingly being seen as an issue; such cases need a delicate and sensitive approach whilst the team work with the tenant and also try to draw in support from other agencies.
- 6.3 The team manages the reviews of flexible tenancies, and, as at the end of Quarter 3, there were 112 of these to be completed in line with legislative timescales; each of these reviews takes approximately 4 to 5 hours, including travelling time.
- 6.4 The Neighbourhood Team Leader is currently working with other colleagues to finalise the timetable for the Neighbourhood Walkabouts for 2024/25 and it is likely that the first tranche will be completed during June into July, with the second tranche taking place during the late Autumn. The dates, once finalised, will be published and Members will be notified.

6.5 The Neighbourhood Officers working to maximise the collection of income are delivering excellent performance given the challenging external environment and the ongoing cost of living crisis, with current dwelling rent arrears being 2.71% at the end of Quarter 3 against a target of 5%. The team tries to work with tenants, and enforcement action is the last resort in cases where all other attempts to elicit payment have failed. The Officers work closely with other colleagues in Revenues and Benefits as well as with support agencies including CHAT and Wiser£Money to achieve good outcomes for tenants experiencing financial-hardship.

7 Recommendation

7.1 The following recommendation is made:

That the PDG notes the outturn performance for Quarter 3 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 Act.

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.

Our “Getting to Know You” project has been designed to refresh our knowledge relating to the diversity of our tenants and over the next two years, we will be surveying them in an effort to better understand their needs.

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: 05 Mar 2024

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 11 Mar 2024

Chief Officer: Simon Newcombe

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

Date: 29 February 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 05 March 2024

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 via call back

Background papers:

Mid Devon Housing Strategies and Policies:

[Procedures, Policies and Strategies - MIDDEVON.GOV.UK](#)

The Regulatory Framework for Social Housing:

[Regulatory framework - GOV.UK \(www.gov.uk\)](#)

Tenant Satisfaction Measures:

[Tenant Satisfaction Measures Standard - GOV.UK \(www.gov.uk\)](#)

Housing Ombudsman Complaints Handling Code:

[Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)