

Report for: HOMES POLICY DEVELOPMENT GROUP

Date of Meeting:	28 January 2025
Subject:	MID DEVON HOUSING SERVICE DELIVERY REPORT FOR Q2 2024-25
Cabinet Member:	Councillor Simon Clist, Cabinet Member for Housing and Property
Responsible Officer:	Simon Newcombe, Head of Housing and Health
Exempt:	None
Wards Affected:	All wards
Enclosures:	Annex A: Tenant Satisfaction Measures (TSMs) – performance data for 2024-25: Quarter 1 and 2 Annex B: Tenancy Enforcement Activities – performance data for 2024-25: Quarter 1 and 2 Annex C: Rent Recovery – performance data for 2024-25: Quarter 1 and 2 Annex D: Building Repairs and Maintenance – performance data for 2024-24: Quarter 1 and 2

Section 1 – Summary and Recommendation(s)

This report is presented in support of an ongoing commitment to provide a quarterly update to Members of the Policy Development Group 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/management data on a rolling annual basis.

TSM data has been previously provided on a first full-year basis for the 2023/24 outturn. In year, management data for relevant TSMs is available and therefore

provided for the first two quarters of this year (Q1 and Q2), however the perception survey data is not yet available.

In total, three separate TSM perception surveys will be completed in 2024/25 and the results aggregated in accordance with the required RSH methodology once adequate data is available to meet sample size and reporting requirements. As such, there is no TSM perception survey results provided for this report. It is anticipated that draft results may be available from Q3 onwards and the final results must be in place for April 2025. These final results will form the next annual TSM perception survey data return to the RSH alongside the full TSM management data outturn for 2024/25.

Recommendation:

That the PDG notes the outturn performance for Quarter 2 2024/25 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 the second quarter of 2024/25 ending 30 September 2024. Q1 results previously reported are provided for comparison.
- 1.3 Data for Q1 and Q2 is provided within 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 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 four consumer standards, recently updated through the Social Housing (Regulation) Act 2023. RPs, such as MDH, must have due regard to the required outcomes and specific expectations as set out in these standards, which are:
 - The Safety and Quality Standard
 - The Tenancy Standard

- The Transparency, Influence and Accountability Standard
 - The Neighbourhood & Community Standard
- 2.3 The Rent Standard, an economic standard, also applies and MDH is required to comply with this.
- 2.4 Councillors also have a responsibility to ensure that MDH is being open and accountable with regard to how the organisation meets its objectives and regulatory requirements. 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 the Council to account.
- 2.5 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 and acted upon as required. As set out in the introduction, some of the data in this report will be included in the next annual data return which will be made to the RSH during the first quarter of 2025/26.
- 2.6 In line with the new regulatory requirements, perception survey data will be collected this year. For 2024/25, MDH are conducting three surveys instead of a single winter survey as undertaken for the first TSM return for 2023/24 in order to obtain better, more representative data. The first of this year's surveys went live in August for a two-week period and the second survey was completed over the autumn period. Draft data may be available from the end of Q3 if an adequate number of responses is received. The final verified data for 2024/25 will be available in April 2025. Going forward, it is intended to complete surveys every quarter/4 times annually with verified data being available after the year end.
- 2.7 In the surveys, individual tenants can provide limited feedback in response to some questions and are able to do this anonymously. Many tenants choose to give their name and address and officers will follow-up on any service requests or complaints received in this way.
- 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 the RSH has collected all relevant data and it has been published, provided that all partners wish to participate in this.
- 2.9 Wider performance information is provided on key areas of work across different teams within MDH as set out in the attached annexes. It is important for Members to be reassured that the homes in our 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.

2.10 This service delivery report sets out the following specific data:

- 12 performance/ management data TSMs
- Tenancy enforcement data
- Rent collection and debt data
- Full repairs data including Decent Homes
- Voids data

2.11 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 was completed and reviewed for 2023/24 at a previous PDG meeting and the next such report for 2024/25 is due in June 2025.

2.12 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 in the most appropriate way.

3 Performance and context

3.1 Annexes A to D contain comments and informative narrative on performance provided against specific metrics and there is further context provided below.

3.2 The RSH have not yet published any national detailed TSM benchmark data based on the 2023/24 return which would enable us to benchmark against comparative social landlords. A headline report was published in November 2024 which provides some comparison data however does not distinguish between all forms of social housing tenure, different stock sizes and types or between private and local authority providers. As such it is of limited use and more detailed information may not be available until after the 2024/25 return. When the 2024/25 data is available for MDH allowing us to have a sense of trend across two consecutive yearly outturns and/or more detailed national data is published, a further report will come to this PDG setting out how MDH compares with other organisations across the TSM dataset.

3.3 In the meantime, MDH will focus on any TSM results where the score was 60% or less. The actions required to address any issues arising from this review of

the data have already been fed into the wider MDH Impact Improvement Plan. Preliminary data from the initial TSM perception survey this year indicates an improvement in scores across the board however caution needs to be exercised until the full yearly results have been obtained. Furthermore, the historic rent error issue reported to tenants in November 2024 may impact on some of the survey results, notably for the perception satisfaction questions.

- 3.4 MDH team leaders meet with senior managers and the Head of Housing on a monthly basis to discuss performance against a range of indicators across the business. This delivers a greater understanding and insight and ensures that performance is routinely monitored which in turn delivers an understanding of any pressures. This informs the allocation of resources, as appropriate.

4 Building Services

- 4.1 Performance relating to this area of work is dependent upon having a full complement of operatives who have the necessary skills to manage the workload. As previously reported, unfortunately, there continues to be challenges with regard to recruitment due to prevailing market conditions and service staffing levels in front-line roles were at lowest point for around 10-years during Q1 and Q2. This, combined with long term sickness, can have an impact on the ability of the team to manage the priorities. For these reasons, priority continues to be given to completing the most urgent works to ensure that they were completed on time, as well as to those routine repairs having the most impact upon tenants. Similar issues also affected the administrative team responsible for processing repairs requests. Taking these resourcing issues into account, managers are satisfied with the level of performance, especially as targets have been met, although, there is, of course, always room for improvement to ensure that 100% of repairs are completed on time.
- 4.2 Overall, our service priority is, and always has been, on keeping people safe, which we have been able to do by appropriately triaging and completing the most urgent repairs. Encouragingly all repairs were completed within target for the first quarter and very close to target for Q2, even if 100% of repairs could not be completed on time or at first visit and performance is upper quartile in comparison with the social housing sector average.
- 4.3 The service has taken steps through role re-evaluation and re-grading to address some of the recruitment and retention issues and has recruited new building services trade apprentices. The positive benefits of this should be seen within Q3 and Q4 performance.
- 4.4 Customer satisfaction within planned maintenance remains strong despite some challenging performance issues associated with a very limited number of contractors.

4.5 Members will note from previous reports that we have an internal target to achieve 100% of all our properties holding a full management survey for asbestos which includes material sampling, alongside an additional requirement to have 100% of our properties holding a full electrical safety check ahead of potential regulatory changes. This does not mean our properties are not presently safe or properly assessed within the requirements of current safety legislation and the RSH. More information is given below.

4.6 Asbestos Safety Checks

A management survey can, but does not always require a sample of a suspected asbestos containing material (ACM) to be taken; however the only way to determine if a material contains asbestos is to take a sample and have this analysed. MDH want to be able to provide more accurate information so are only reporting on the number of properties where we have a management survey that has included samples.

Overall, MDH continues to hold a current asbestos register for all properties in our stock. This adopts a no-risk approach and makes conservative assumptions on the presence of ACM based on property design and age in specific areas of each building which may subsequently be confirmed or otherwise through sampling where the register will then be updated. This enables our tenants, staff and contractors to stay safe at all times and approach any works with the appropriate level of caution and risk management.

Where MDH do not have samples of an ACM that we want to work on, then the suspected material is sampled and analysed. To avoid any doubling up on surveys, for a number of years we have been asking for management surveys with samples or sampling where required due to a more detailed refurbishment and demolition survey, which is only used for intrusive works, such as new kitchens and bathrooms.

As we modernise properties and/or undertake works during property void periods this will therefore result in ACM being removed from properties even where there is no specific safety reason for doing so (i.e. the ACM is safe and in good condition) and the register is updated accordingly.

Overall, this is a proactive risk-reduction approach where we can remove some properties completely from the register or reduce the scope of the register entry where some material is removed or it is confirmed as not being ACM.

4.7 Electrical Safety Checks

Historically MDH carried out a Visual Inspection Report (VIR) every 5 years and an Electrical Installation Condition Report (EICR) every 10 years which is in line with current regulations as Social Housing is currently exempt from The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, and we report compliance on these figures.

However, we are expecting that Social Rent properties will be brought in line with these regulations soon with a minimum five-year transition period and the

Government may introduce a new TSM for electrical safety. 'Housemark' nationally have changed the way we report with them already and are only recording EICRs.

As an EICR needs to be carried out every 5 years it would not be sensible to do lots at once we need to spread them out over a 5 year period which will equate to around 600 a year going forward, so in reality at the end of this year we will need to be around 50% and then 60% next year and so on. This will ensure we are fully compliant at the end of the transition period.

Until the regulations and a potential TSM has been confirmed we are not formally reporting data, nonetheless, for assurance purposes it can be confirmed that as of November 2024 performance stood at close to 45%. MDH will continue with the roll out of EICRs and ongoing monitoring as set out above

4.8 RSH review of 2023/24 TSM management data

The RSH also undertook a regulatory review of our 2023/24 management data submitted within the previous TSM return. As part of this they sought further data and assurance with regard to our fire, asbestos and electrical safety performance and formally confirmed they were fully assured as to the MDH policy and approach in October 2024. Our proactive approach to electrical safety was recognised and will feed into the wider national review.

5 Building Services – Voids Specific

5.1 The team which manages this work has been busy this year managing a large number of voids in both the housing revenue account and on behalf of the general fund strategic housing functions. The condition of the properties being returned has, on occasions, continued to be poor, and it remains a combination of these factors which has impacted the ability of the team to achieve set targets. Standard and major voids have been prioritised in order to ensure that the supply of available homes is maintained. However, some work, including that relating to decarbonisation, has taken longer than hoped due to external resourcing issues and therefore the target relating to the turnaround time for these properties was missed.

5.2 Notwithstanding this, there has been between a 20-40% improvement (reduced turnaround times) in key void categories as set out in Annex D compared to the outturn for 2023-24.

6 Tenancy and Estate Management

6.1 The Neighbourhood team works in partnership with other agencies to manage tenancy-related issues and those on the MDH estates, including anti-social behaviour (ASB). Following a period of holding a vacancy in the team, a new Officer has been recruited and commenced work during Q1 of 2024-25. This brought the team back up to capacity and Annex B shows performance with regard to some of the tools available to the team. Many of these can be used

to support the management of reports of nuisance and in particular, following training, the team are now equipped to deploy a wider range of ASB tools including formal Community Protection Warnings and Notices.

- 6.2 In line with good practice, our officers will endeavour to resolve any issues reported at an early stage. This can involve a range of options, including partnership working, informal mediation undertaken by team members and referrals for formal mediation. Therefore, the statistics in the Annex do not always reflect the extent of the work which is required when managing nuisance and anti-social behaviour.
- 6.3 Tackling fraud continues to be a priority with several cases opened during Q1 and Q2. Tenancy fraud can encompass many issues, but if someone is living in a home where they do not have a right to be, that has an impact on the availability of that property for a household in greater housing need. For this reason, officers will be proactive about investigating any concerns and making the necessary referrals for further investigation and action.

7 Income Collection

- 7.1 The Neighbourhood team has continued its strong work managing the level of debt attributed to current dwelling tenants whilst still sustaining tenancies. At the end of the Q2, debt stood at 2.29%, comparable with the overturn for 2023/24 and better than the performance for the equivalent period last year (2.48%). This is also well within target. Just four evictions have come forward on the basis of rent arrears during the first two quarters of 2024/25.
- 7.2 When managing rent arrears, the team endeavours to work closely with the tenants involved. The aim is to offer an empathetic and supportive approach to encourage individuals to speak to the team about any financial issues they may be experiencing. Referrals for debt counselling and money advice are offered. The aim is to create a culture whereby all tenants are able to pay their rent; and, to this end, the team will offer realistic arrangements to facilitate the payment of rent arrears in instalments.

Historic rent error and rent arrears

- 7.3 In the short-term, a decision was made in Q3 to hold on any pending possession/eviction proceedings for current tenants whilst the historic rent error issue is resolved (see [Cabinet report of 10 December 2024](#)). This decision only applies to those tenants who have been overcharged historically and normal casework will resume as soon as refunds have been issued and the arrears adjusted accordingly. It does not impact tenants who have historically benefitted from a rent undercharge and these rent levels and rent collection arrangements will be unchanged for any current tenants in this group.

- 7.4 As a consequence of the historic rent error, a review of historic rent arrears evictions has been undertaken and MDH are satisfied that the rent overpaid amounts have not been a material factor in any evictions. MDH place a high priority on tenancy sustainment where evictions are a last resort. As such, rent arrears evictions are rare with an average of just over 5 each year prior to and since the Covid pandemic, which is less than 0.5% of the number of overcharged tenancies. During the pandemic evictions were of course placed on hold for long periods of time through national legislation.
- 7.5 Where rent arrears were a factor in evictions, in many cases there were also other tenancy issues. For example; anti-social behaviour, crime, property damage, unauthorised use of the property (e.g. sub-letting, running of a business or selling of sexual services) or other factors such as tenancy fraud. In some cases, evictions have been taken forward with several such breaches where rent arrears were therefore only part of a wider issue. Alternatively, there are some cases where wider issues were sufficiently evidenced but the level of rent arrears were such that it was cost-effective and expedient for MDH to have pursued eviction on rent grounds only.
- 7.6 Where rent arrears were the sole or primary factor in any historic evictions then we have identified further mitigations:
- Rent levels were set in good faith at the time and agreed with the tenant
 - The tenant signed a legally binding tenancy agreement to pay the rent
 - Overcharge amounts on a weekly / monthly basis are relatively low and overall rent levels were still set at typical social-rent levels well below affordable or market rents
 - All overcharged rents were still within Local Housing Allowances, therefore up to 100% rent support was available through benefits for low-income, eligible tenants
 - The eviction process is a multi-staged one with many points of contact with tenants and efforts to engage in early prevention of arrears, payment plans and signposting/facilitation of access to benefits plus other support
 - The level of rent arrears are typically of a magnitude much higher than any historic overpayment amount and many cases have involved zero payment of rent for many months
 - In a number of cases, tenants refused to engage with our income officers and did not access benefits or other support despite facilitation

8 Recommendation

8.1 The following recommendation is made:

- That the PDG notes the outturn performance for Quarter 2 2024-25 as provided in the 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.

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 Transparency, Influence and Accountability 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.

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 are a priority for the Council and in the context of MDH service performance this includes supporting the delivery of several key objectives; investing in our homes, monitoring tenant satisfaction and ensuring our tenants feel safe, secure and happy in our homes.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 15 January 2025

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 15 January 2025

Chief Officer: Richard Marsh
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 14th January 2025

Performance and risk: Stephen Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 08 January 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Head of Housing and Health
Email: snewcombe@middevon.gov.uk
Telephone: 01884 255255

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 \(www.gov.uk\)](https://www.gov.uk)

Tenant Satisfaction Measures:

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

RSH Tenant Satisfaction Measures 2023/24 Headline Report November 2024

[\[Title\]](#)

Housing Ombudsman Complaints Handling Code:

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