

<b>Key Decision Required:</b>	<b>Yes</b>	<b>In the Forward Plan:</b>	<b>Yes</b>
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**PORTFOLIO HOLDER FOR HOUSING AND PLANNING**

**18 JUNE 2024**

**REPORT OF THE CORPORATE DIRECTOR OPERATIONS AND DELIVERY**

**OUTTURN PERFORMANCE AGAINST THE REGULATOR OF SOCIAL HOUSING'S TENANT SATISFACTION MEASURES FOR 2023/24**

(Report prepared by Emma Norton)

**PART 1 – KEY INFORMATION**

**PURPOSE OF THE REPORT**

To advise the Housing Portfolio Holder of the outturn performance against the Regulator of Social Housing's Tenant Satisfaction Measures for 2023/24.

**EXECUTIVE SUMMARY**

Tenant Satisfaction Measures (TSMs) are metrics that all social landlords in England have to collect and report on to the Regulator of Social Housing (RSH).

The Social Housing (Regulation) Act 2023 enacted a set of measures to improve standards for people living in social housing. It set out a new regulatory framework for the consumer regulation of social housing to strengthen the accountability of landlords for providing safe homes, quality services and treating residents with respect. The introduction of TSMs form part of this framework.

Since 1 April 2023, all social housing providers have been required by the RSH to start collecting data to inform TSMs and these are aimed at helping improve standards for people living in social housing by:

- Providing visibility, letting tenants see how well their landlord is doing and enabling tenants to hold their landlords to account
- Letting tenants see how well their landlord is performing in comparison with other landlords
- Giving the Regulator insight into which landlords might need to improve things for their tenants

There are 22 TSMs and these are grouped into the following five themes

- Keeping properties in good repair
- Maintaining building safety
- Respectful and helpful engagement
- Complaints handling
- Neighbourhood management

Ten of the TSMs are measured by landlords through their performance indicators and 12 will be measured by an annual tenant perception survey. The RSH also sets out its

requirements (including mandatory questions and methodology) for data collection and reporting.

Landlord's with 1,000 or more homes are required to send the first years data to the RSH in Summer 2024 and the first set of data will be published by RSH in Autumn 2024

#### **RECOMMENDATION(S)**

**That the Housing Portfolio Holder**

**(a) receives the Councils Outturn Performance Report: and**

**(b) authorises officers to publish both the outturn report on the Council's website and to submit the TSMs to the Regulator of Social Housing by 30 June 2024.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

To receive the outturn performance report before its submission to the Regulator of Social Housing.

#### **ALTERNATIVE OPTIONS CONSIDERED**

The collation and submission of the TSM data is a requirement of the Consumer Standards

In addition to the TSMs, the RSH will also carry out regular inspections and investigate organisational complaints to ensure compliance with the new standards.

Failure to meet the Consumer Standards could result in the Regulator using its enforcement powers which include requiring a registered provider to submit a performance improvement plan or to take particular actions set out in an enforcement notice. The Regulator will also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

## **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**

The service provision that informs the Regulator's TSMs contribute to a number of Corporate Plan 2024-28 themes:

- Pride in our area and services to residents
- Working with partners to improve quality of life

#### **OUTCOME OF CONSULTATION AND ENGAGEMENT**

Consultation and engagement has been undertaken with members of the Council's Tenants Panel regarding the TSM requirements and the Council's outturn performance.

#### **LEGAL REQUIREMENTS (including legislation & constitutional powers)**

<b>Is the recommendation a Key Decision (see the criteria stated here)</b>	<b>Yes</b>	<b>If Yes, indicate which by which criteria it is a Key Decision</b>	<b>X Significant effect on two or more wards</b> <input type="checkbox"/> <b>Involves £100,000 expenditure/income</b> <input type="checkbox"/> <b>Is otherwise significant for the service budget</b>
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	<p><b>And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)</b></p>	<p>27 March 2024</p>
<p>The Social Housing Regulation Act 2023 builds upon the existing regulatory framework for housing and introduces revised standards that come into force on 1 April 2024. These standards contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve.</p> <p>The Equality Act 2010 provides a legislative framework to protect the rights of individuals and to advance equality of opportunity for all. The Act sets out the duties the Council has 'to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it'. It also sets out the circumstances when the Council has a legal duty to make adjustments to their services.</p>		
<p><b>X</b></p>	<p><b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b></p>	
<p>.</p>		
<p><b>FINANCE AND OTHER RESOURCE IMPLICATIONS</b></p>		
<p>There are no significant financial implications associated with this performance report or its submission to the Regulator</p> <p>However, the requirement to carry out an annual survey to inform the perception measures does place a financial burden on the service's budgets.</p> <p>It is also anticipated that the implementation of the revised Consumer Standards and the actions required to meet these will have a financial impact in the longer term.</p>		
<p><b>X</b></p>	<p><b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b></p>	
<p>As highlighted within earlier reports relating to the HRA budgets and business plan, the new era of social housing regulation merging from the Social Housing (Regulation) Act 2023 will have a major impact on the overall financial position of the HRA in future years. It is recognised that the impact will likely be due to the aggregation of a number of emerging requirements such as those set out in this report, rather than perhaps any single item. Although the importance of such regulation is acknowledged and reflects the Council's stated commitment and priority to provide good quality housing, the resulting costs involved either directly or through demand for the necessary additional capacity, were not reflected within the self-financing reforms implemented by the Government in 2012. Such costs therefore represent additional financial pressures that will have to be balanced against the broader challenge of delivering a long term financially sustainable HRA in future years.</p>		
<p><b>USE OF RESOURCES AND VALUE FOR MONEY</b></p>		
<p>The following are submitted in respect of the indicated use of resources and value for money indicators:</p>		

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Council has an adopted Financial Strategy.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,	The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council has an adopted Financial Strategy.

#### **MILESTONES AND DELIVERY**

The Council is required to submit details of its performance against the TSMs to the Regulator of Social Housing by 30 June 2024.

The Regulator is then due to publish the results for all housing providers in the autumn of 2024.

#### **ASSOCIATED RISKS AND MITIGATION**

The collation and submission of this information is a requirement of the Regulator of Social Housing's revised Consumer Standards with came into effect on 1 April 2024.

Failure to meet these standards could result in the Regulator using its enforcement powers which include requiring a registered provider to submit a performance improvement plan or to take particular actions set out in an enforcement notice. The Regulator will also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

In addition to the TSMs, the RSH will also carry out regular inspections and investigate organisational complaints to ensure compliance with the new standards.

#### **EQUALITY IMPLICATIONS**

In line with the Public Sector Equality Duty, the Council has due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

#### **SOCIAL VALUE CONSIDERATIONS**

Creates healthier, safer and more resilient communities: To build stronger and deeper partnership working arrangements whilst continuing to engage and empower tenants.

#### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030**

The collation of data to inform the Regulator's Tenant Satisfaction Measures does not present a direct impact on the Council's target for net zero greenhouse gas emissions from its business operations by 2030. The Council will be mindful of energy efficiency measures, wherever relevant, in the implementation of its policies and procedures which inform this data.

#### **OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS**

**Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.**

<b>Crime and Disorder</b>	The annual tenant perception survey records the level of satisfaction with the Council's approach to handling complaints of anti- social behaviour. It also records the number of complaints of anti-social behaviour received relative to the size of the landlord. The Council will also be able to compare its performance with other housing providers.
<b>Health Inequalities</b>	Efficient delivery of housing services is likely to have a progressive effect in relation to the health of people of the locality.
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance).</b>	The Council will follow subsidy control legislation and regulations, where applicable, in relation to the content and implementation of these policies.
<b>Area or Ward affected</b>	All

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

The Council has retained its housing stock and currently manages over 3,000 homes as well as more than 400 leasehold properties and 389 garages.

The Social Housing (Regulation) Act 2023 aimed to lay the foundations for changes to how social housing is managed. It includes increased regulation of social landlords and new rules for protecting tenants from serious hazards in their homes.

Many of the provisions in the Act are responses to the tragedies of the 2017 Grenfell Tower fire and death of two-year old Awaab Ishak, who died in 2020 from exposure to serious mould.

The Social Housing White Paper published in November 2020 committed to improve the national regulatory system for social housing to make landlords more accountable and to improve the formal national ombudsman complaint system.

This White Paper also included a 'Charter for Social Housing Tenants' and this contains seven commitments that social housing tenants should expect from their landlord and these were as follows:

- To be safe in their homes
- To know how their landlord is performing
- To have complaints dealt with fairly and promptly
- To have their voice heard by their landlord
- To have a good home and neighbourhood to live in
- To be treated with respect
- To be supported to take first steps into home ownership

The subsequent Social Housing (Regulation) Act 2023 allows the Regulator of Social Housing to take action against social landlords before people are at risk and hold

landlords to account with regular inspections. It introduces new social housing consumer standards and gives the Secretary of State power to require social landlords to investigate and rectify serious health hazards.

The Consumer Standards contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve. These standards came into force on 1 April 2024.

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The Consumer Standards are:

- Safety and Quality Homes
- Transparency, Influence and Accountability
- Neighbourhood and Community
- Tenancy

These standards aim to foster better relationships between landlords and tenants, improve housing conditions, and enhance overall service delivery and they came into effect on 1 April 2024

One of these Consumer Standards – Transparency, Influence and Accountability sets out required outcomes that registered providers must achieve in relation to performance information and these are as follows:

Registered providers must:

a) collect and process information specified by the regulator relating to their performance against the tenant satisfaction measures. The information must be collected within a timeframe set by the regulator and must meet the regulator's requirements in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements

b) annually publish their performance against the tenant satisfaction measures. This should include information about how they have met the regulator's requirements set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements. This information must be published in a manner that is timely, clear, and easily accessed by tenants; and

c) annually submit to the regulator information specified by the regulator relating to their performance against those measures. The information must be submitted within a timeframe and in a form determined by the regulator.

In meeting these requirements, registered providers must ensure that the information is an accurate, reliable, valid, and transparent reflection of their performance against the tenant satisfaction measures.

The TSMs are as set out below, grouped into the 5 themes:

Keeping properties in good repair

- Satisfaction with repairs

- Satisfaction that the home is well maintained
- Satisfaction with time taken to complete most recent repair
- Homes that do not meet the Decent Homes Standard
- Repairs completed within target timescales

#### Maintaining building safety

- Satisfaction that the home is safe
- Gas safety checks carried out
- Fire safety checks carried out
- Asbestos safety checks carried out
- Water safety checks carried out
- Lift safety checks carried out

#### Respectful and helpful engagement

- Satisfaction that the landlord listens to tenants views and acts upon them
- Satisfaction that the landlord keeps tenant informed about things that matter to them
- Agreement that the landlord treats tenants fairly and with respect

#### Complaint handling

- Satisfaction with the Council's approach to handling of complaints
- Complaints relative to the size of the landlord
- Complaints responded to within the Housing Ombudsman's Complaints Handling Code timescales

#### Responsible neighbourhood management

- Satisfaction that the landlord keeps communal areas clean and well maintained
- Satisfaction that the landlord makes a positive contribution to neighbourhoods
- Satisfaction with landlords approach to handling anti-social behaviour
- Anti-social behaviour cases relative to the size of the landlord

The information required to inform these measures is collected via either a tenant perception survey or via the landlord's management information.

Additionally, there is a single measure for overall satisfaction that is included in the tenant perception survey with the mandatory question "Taking everything into account, how satisfied or dissatisfied are you with the service provided by your landlord?"

The RSH has established specific technical requirements along with mandatory questions and methodologies for data collection and reporting. Landlords were required to start data collection during the 2023/24 financial year, and landlords with over 1,000 homes will be required to submit our results annually to the RSH from June 2024.

To inform the tenant perception measures, the Council commissioned Kwest Research in 2023 to conduct a survey on our behalf to inform the 12 perception measures. As well as informing the TSMs, this survey enabled the Council to understand how our tenants feel about the services we provide and to be sure we are delivering them in the way and to the standard that tenants want.

The survey was sent to all general needs and sheltered housing tenants and it included the specific wording to inform the perception TSM as well as some questions on topics such as interest in future engagement opportunities.

All tenants were sent a postal survey with a covering letter in October 2023 together with a postage paid reply envelope. The letter also included details on how to complete the survey online. Those who did not respond were subsequently sent two reminder mailings and the closing date for the receipt of responses was 19 January 2024.

In total, responses were received from 745 tenants – a response rate of 24% for general needs tenants (666 responses) and 79 for sheltered housing tenants (33). This response rate equated to an overall margin of error of  $\pm 3.1\%$  which is within the Regulator of Social Housing's technical requirement for s stock of our size ( $\pm 4\%$ )

Data to inform the management information performance indicators has been taken from the Council's own management records.

Officers will work with tenant representatives to review our outturn performance against the TSMs and to compare this with that of other housing providers and will agree an action plan of improvement items.

To hold housing providers accountable, the Regulator of Social Housing will inspect larger landlords (those with more than 1,000 properties) regularly, scrutinise tenant satisfaction data and use enforcement powers when necessary. The goal is to drive continuous improvement in social housing and ensure tenants receive the best possible service.

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None.

#### **APPENDICES**

**Appendix A – Performance against the Regulator of Social Housing's Tenant Satisfaction Measures for 2023/ 24**

#### **REPORT CONTACT OFFICER(S)**

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