

Housing and City Development Scrutiny Committee

15 April 2024

Consumer Standards for Social Housing

1 Consumer Standards

- 1.1 The Regulator of Social Housing (RSH) has revised and published its new Consumer Standards, which all social housing providers will be required to adhere to come April 2024. These, along with Tenant Satisfaction Measures (TSMs), will form the backbone of the new regulatory regime brought about by the Social Housing (Regulation) Act 2023.
- 1.2 Following the tragedy of the Grenfell Tower fire in 2017, the Government published the Social Housing Green Paper 'New Deal for Social Housing' and the Social Housing White Paper. This signalled an increased Government focus on social housing, in particular in respect to building safety and ensuring greater transparency for residents, enabling them to scrutinise performance and have a voice in how their homes are managed.
- 1.3 The Social Housing (Regulation) Act received Royal Assent on 20 July 2023 and lays foundations for changes to how social housing is managed. The Act brings forward a stronger and more proactive regulatory regime to improve standards in the sector and hold landlords to account for the service they provide to their tenants.
- 1.4 The RSH has been clear that its approach will be both resident and outcome focused, with enhanced powers to issue unlimited fines and order performance improvement plans. The RSH is an independent body, responsible for setting standards that all registered providers of social housing must meet and holds landlords to account for compliance with these standards. Its remit covers both Local Authorities and Registered Providers.
- 1.5 The RSH is moving to a much more proactive approach. Currently, it can usually only intervene on a consumer issue where a 'serious detriment' test is passed. This restricts investigations to those landlords who are believed to be in breach of the standards. The new Act removes this test and the RSH will be able to intervene in more resident complaint cases.
- 1.6 There are four standards as follows:
 - 1) Safety and Quality Homes Standard – focuses on the safety and quality of tenants' homes, requiring landlords to address hazards within strict timescales:
 - Stock condition and quality: the landlord should keep a record of their stock condition, based on physical assessments, and use it to provide good quality,

well-maintained and safe homes that meet the Decent Homes Standard and have no category one hazards.

- Health and safety compliance and assurance: the landlord should comply with all health and safety legal requirements and statutory guidance and have sufficient assurance that they meet the relevant requirements and reflect the level of risk and impact on their residents. The landlord should also consider and mitigate the safety risks to their residents in their services.
 - Repairs, maintenance and improvements service: the landlord should provide an effective, efficient and timely service for repairs, maintenance and planned improvements for their homes and communal areas. The landlord should also enable easy reporting of issues, set and communicate clear timescales, and keep residents informed about the progress. The landlord should also deliver the service according to the needs of tenants and provide value for money.
 - Housing adaptations service: the landlord should assist residents seeking housing adaptations to access appropriate services, communicate clearly how those services will assist them, and co-operate with relevant organisations to provide the service. The landlord should also enable residents with disabilities to continue to live in their homes, if they want to, and explain the application process for adaptations.
 - New regulatory framework on safety: the landlord should be aware of their responsibilities under the new safety laws and orders, and monitor the plans of the Department for Levelling Up, Housing and Communities, the Home Office, the Health and Safety Executive and RSH to introduce the new framework. The landlord should also appoint a health and safety lead and a principal accountable person to oversee the safety of their homes and have comprehensive data and registers for various safety aspects.
 - Resident engagement and satisfaction: the landlord should engage with residents about the safety and quality of their homes, know their priorities on safety issues, and ensure their messages on safety are clear. The landlord should also gauge resident satisfaction with the safety and quality of their homes, as required by the consumer standards, and make it easy for residents to obtain information and raise issues about their homes.
- 2) Transparency, Influence and Accountability Standard – mandates clear communication, tenant influence on services, and landlord accountability:
- Fairness and respect: the toolkit emphasises the importance of fostering a culture of fairness, respect, and courtesy throughout the organisation, and of addressing any complaints of discrimination or harassment from residents.
 - Resident involvement and empowerment: the toolkit highlights the need to give residents meaningful opportunities to influence and scrutinise the strategies, policies, and services of the landlord, and to support resident-led activities and initiatives.

- Service accessibility and adaptation: the toolkit advises on how to ensure that services and communication are accessible and adapted to the diverse needs of residents, including those with protected characteristics, language barriers, or additional support needs.
 - Performance information and transparency: the toolkit outlines the requirements for collecting and publishing information on the tenant satisfaction measures, as well as information on how income is spent, how complaints are handled, and how services are improved.
 - Change management and consultation: the toolkit explains the need to consult affected residents on any significant changes in landlord or management arrangements, and to provide clear and comprehensive information on the reasons, advantages, and disadvantages of the changes.
 - Governance and compliance: the toolkit stresses the responsibility of the board or governing body to oversee the compliance with the consumer standards and the code of practice, and to communicate with the regulator on any material issues or non-compliance.
- 3) Neighbourhood and Community Standard – emphasises the maintenance of communal areas and fostering positive community relations:
- Co-operation with residents and partners: the toolkit asks landlords to work co-operatively with residents, other landlords and relevant organisations to contribute to the upkeep and safety of shared spaces and promote social, environmental and economic wellbeing in the areas where they provide social housing.
 - Diversity and integration: the toolkit asks landlords to respond to the diversity of their different communities and ensure that all residents have fair and equal access to neighbourhood and estate management services. It also asks landlords to encourage integration and challenge segregation in local communities.
 - Complaints and learning: the toolkit asks landlords to learn from the complaints that their residents have about how their neighbourhoods and communities are managed and put in place changes to their policies and practices to address the issues raised.
 - Anti-social behaviour (ASB) and hate incidents: the toolkit asks landlords to work in partnership with appropriate agencies to deter and tackle ASB and hate incidents in the neighbourhoods where they provide social housing. It also asks landlords to have clear policies and processes for dealing with such cases and to support the affected residents.
 - Domestic abuse: the toolkit asks landlords to work co-operatively with other agencies to support the victims of domestic abuse and their children within safe accommodation. It also asks landlords to have a policy for how they respond to cases of domestic abuse and to take a victim-centred approach.

- Board/governing body responsibilities: the toolkit asks landlords to ensure that their board/governing body is fully aware of its responsibilities for managing their estates, communal areas and shared spaces and for tackling ASB, hate crime and domestic abuse. It also asks landlords to provide the board/governing body with relevant and up to date information on these issues.
- 4) Tenancy Standard – pertains to fair treatment in property allocation, tenure terms, and tenant exchanges:
- Allocations and lettings service: the toolkit outlines the expectations and guidance for registered providers of social housing in England on how to allocate and let their homes in a fair and transparent way.
 - Co-operation with local authorities: the toolkit emphasises the need for registered providers to co-operate with local authorities' strategic housing functions and assist them in meeting local housing needs, including homelessness and nominations agreements.
 - Tenancy management: the toolkit sets out the requirements and good practices for registered providers on how to offer and manage tenancies that are compatible with the purpose of the accommodation, the needs of the households, and the efficient use of the housing stock.
 - Tenancy sustainment and eviction prevention: the toolkit advises registered providers to support residents to maintain their tenancy or licence and help prevent unnecessary evictions, by providing timely advice and assistance, signposting to appropriate support services, and offering flexible payment options.
 - Tenancy fraud: the toolkit urges registered providers to take action to prevent and tackle tenancy fraud, by carrying out effective checks before and during a tenancy, publicising their approach and outcomes, and providing guidance to staff on how to detect and act against suspected fraud.
 - Mutual exchange: the toolkit requires registered providers to support relevant residents living in eligible housing to mutually exchange their homes, by offering a mutual exchange service that allows them to access available matches without a fee, providing support and information, and facilitating the exchange process
- 1.7 The RSH will inspect all large social landlords, including council housing authorities, every four years. These inspections will assess compliance with the new standards and will result in a 'C' rating reflecting the level of adherence: C1 being the highest and C4 being the lowest. The RSH's approach will be proactive, moving away from the previous reactive system.
- 1.8 Tenants and other stakeholders can refer cases to the RSH when they believe a landlord is not meeting the standards. The RSH will engage in responsive

regulation, considering these referrals and taking action when necessary. Landlords are expected to provide documentary evidence of compliance, which the RSH will scrutinise.

- 1.9 The RSH has a full year of inspections planned. Housing Authorities will typically get around six weeks' notice of an inspection. Inspectors will engage with the Housing Ombudsman, look at the TSM data and triangulate with other available information prior to an inspection. The RSH will engage with the authority to agree the terms of the inspection and ask for data. Inspections will include attending a tenant engagement meeting, Inspections will also include engagement with officers, councillors and senior managers.
- 1.10 The RSH has indicated it expects only a few housing services to achieve C1 standard. If a service is graded at C3 or C4, the RSH will continue to work with them.

2 Implementation Planning

- 2.1 Using the Housing Quality Network (HQN) Toolkit, a review of the Standards within Housing Services has been undertaken. The review indicates that over half (53%) have a medium to high confidence rating in terms of policies, procedures or evidence being in place. However, this still leaves considerable work to be undertaken.
- 2.2 The review has been used to develop an action plan, which is then being embedded in each relevant Service Plan. Progress towards implementation is monitored by the Housing Department Leadership Team and will also be routinely reported to this Committee.
- 2.3 The table below provides a breakdown of responses received from responsible officers and the confidence ratings applied by the Business Transformation team. For each sub-heading there are differing numbers of actions. So, for 'stock quality' there are 3 actions (1 medium, 2 low) whilst for 'decency' there are 5 actions (2 high, 3 medium):

	RAG Status		
	H	M	L
Safety & Quality			
1a. Stock quality		1	2
1b. Decency	2	3	
1c. Health & safety		9	14
1d. Repairs, maintenance & planned improvements	1	9	11
1e. Adaptations	2	2	4
1f. Taking the lead			3
Transparency, Influence & Accountability			
2a. Fairness & respect		1	2
2b. Diverse needs			1
2c. Engagement with tenants		6	14

2d. Information about landlord services			7
2e. Performance information	2	6	6
2f. Complaints	1	16	7
2g. Self-referral			
Neighbourhood & Community			
3a. Maintenance of shared spaces		2	4
3b. Local cooperation		1	2
3c. Safer neighbourhoods	1	13	3
3d. Domestic abuse	1	4	
3e. Taking the lead			4
Tenancy			
4a. Allocations & lettings		17	
4b. Tenancy sustainment & evictions		2	5
4c. Tenure	3	8	4
4d. Mutual exchange		6	
4e. Taking the lead		2	1
Competency & Conduct			
5a. Competence & conduct			8
5b. Professionalisation			7
Total	13	108	109

2.4 Many of the outstanding actions are relatively quick and simple to resolve, such as reviewing existing policies to ensure they remain fit for purpose. However, there are some more significant tasks being addressed, including a 100% stock condition survey, establishment of the Housing Action Board to better engage with residents and an independent review of the Council's compliance systems to confirm that it is keeping homes safe.