

CABINET	DATE 15.12.2021	ITEM NO 9
TITLE Housing Assurance Framework	WARD (S) All	
CHIEF OFFICER Director of Housing and Safer Communities	CABINET MEMBER Housing	
DECISION CLASSIFICATION <i>Non- Key</i> <i>Non-exempt</i>	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes	

1. **Decision required**

This report makes the following recommendations to Cabinet:

- 1.1 To note the proposed changes to the consumer regulation of social housing landlords, including local authorities, following the Social Housing White Paper and the Building Safety Bill.
- 1.2 To approve the Assurance Framework with regards to all four Housing Consumer Standards, and any future amendments or additional standards, for members to be assured that action and improvements are taking place and reported appropriately.
- 1.3 To note the creation of a route map that will be shared with members to keep track of activity with regards to the Home Standard, and in particular landlord safety and compliance
- 1.4 To note the current and future activity with the Housing and Safer Communities Directorate to best manage complex and potentially vulnerable housing situations.

2. **Links to the Royal Greenwich high level objectives**

- 2.1 This report relates to the Council's agreed high level objectives as follows:
 - A Safer Greenwich – by ensuring that residents are safe in their homes.
 - A Strong Vibrant and Well-run Borough – ensuring that the Council is effectively assured of the safety of their tenants and leaseholders.

3. **Purpose of Report and Executive Summary**

- 3.1 This report discusses potential upcoming changes with regards to how local authorities will be regulated with regards to housing landlord services and changes being proposed through the White Paper on Social Housing.
- 3.2 Given this, the report also discusses and proposes a new Assurance Framework and governance structure for the Royal Borough to ensure that it is meeting the Consumer Standards for the Regulator of Social Housing, and specifically in regards to the Home Standard and landlord compliance and safety.

4. **Introduction and Background**

Changes to Consumer Regulation of Social Housing Landlords

- 4.1 The introduction of the White Paper on Social Housing (WPSH) proposed reforms to social housing regulation. It contained a range of significant proposals which were identified under six themes, summarised in paragraph 4.6. These proposals will require primary legislation, expected next year. As a first step, stakeholder engagement and consultation on new tenant satisfaction measures on landlords' performance covering the regulatory *consumer standards* (see paragraph 4.4), will be undertaken, with a view to introducing them in 2023. The key changes are outlined in paragraphs 4.7 to 4.9.
- 4.2 The Regulator of Social Housing (RSH) is the government body tasked with overseeing the regulation of the social housing sector, regulating both local authority and housing association landlords, collectively known as Registered Providers (RPs). The RSH adopts an *assurance-based co-regulation* approach. This means the boards of housing associations or councillors in local authority landlords are responsible for ensuring they comply with the regulatory *standards* set by RSH
- 4.3 The RSH's *standards* are specific obligations RPs are required to adhere to. These are split between *consumer standards* – the service residents receive and *economic standards* – the financial viability of the RP. The *consumer standards* apply to both housing association and local authority landlords. Currently economic standards only apply to housing associations landlords.

4.4 The 4 *consumer standards*, as introduced by the Housing and Regeneration Act 2008 are:

- [Home Standard](#) - sets expectations for registered providers of social housing to provide tenants with quality accommodation and a cost-effective repairs and maintenance service.
- [Tenancy Standard](#) - sets expectations for registered providers of social housing to let their homes to tenants in a fair, transparent and efficient way.
- [Neighbourhood and Community Standard](#) - sets expectations for registered providers of social housing to keep the neighbourhood and communal areas associated with the homes they own clean and safe, co-operate with relevant partners to promote the wellbeing of the local area and help prevent and tackle anti-social behaviour.
- [Tenant Involvement and Empowerment Standard](#) - sets expectations for registered providers of social housing to provide choices, information and communication that is appropriate to the diverse needs of their tenants, a clear approach to complaints and a wide range of opportunities for them to have influence and be involved.

4.5 The RSH has a series of enforcement powers. For local authorities, the main sanction to remedy a breach of the regulatory standards is the issuing of an enforcement notice. The RSH has issued notices against a number of local authorities. Most recently in London, the RSH issued an enforcement notice in May 2021 against Croydon Council, when it found it breached the Home Standard and the Tenant Involvement and Empowerment Standard. Tenants suffered damp and mould in their homes, and Croydon failed to provide an effective process for tenants to raise complaints. In 2019, an enforcement notice was also issued against Lambeth Council, when the RSH found it had breached the Home Standard due to failures in relation to fire safety, gas safety and asbestos management. However, the RSH withdrew this notice in May 2021, as it was satisfied Lambeth had resolved the problems.

4.6 The six themes in the WPSH applicable to social landlords' service provision are:

- **To be safe in your home**
- **To know how your landlord is performing** (including on repairs, complaints and safety, and how it spends its money, so you can hold it to account)
- **To have your complaints dealt with promptly and fairly** (with access to a strong ombudsman who will give you swift and fair redress when needed)

- **To be treated with respect** (backed by a strong consumer regulator and improved consumer standards for tenants)
- **To have your voice heard by your landlord** (for example, through regular meetings, scrutiny panels or being on its board)
- **To have a good quality home and neighbourhood to live in** (with your landlord keeping your home in good repair)

4.7 The proposals in the WPSH will change the emphasis of the regulatory regime from reactive regulation to a proactive and more interventionist one in relation to the *consumer standards*. Following the passage of legislation giving authority to implement the regulatory reforms, consultation will take place on revising the *consumer standards* and developing the operational approach to regulate against those standards. Areas of high importance will be building safety; landlords' performance; and enhanced engagement opportunities for residents. Measures will include the removal of the *serious detriment test* and replacing it with enhanced monitoring and oversight of landlords' performance on the consumer standards issues, including 4-yearly inspections of council and housing association landlords with over 1,000 homes.

4.8 The key reforms affecting operational service delivery outlined in WPSH will:

- Require landlords to be more transparent about their performance
- Strengthen the formal complaints process for residents' grievances about their housing management services and also landlords' obligations in relation to dealing with complaints.
- Ensure landlords demonstrate effective and tangible engagement with residents in developing services, scrutinising decisions and in monitoring service standards.

4.9 The RSH's enforcement powers will be strengthened. This will include removing the cap on the level of fines the RSH can issue; introducing *Performance Improvement Plans* for landlords failing to comply; reducing the notice period for surveys on the condition of properties; and introducing a new power to arrange emergency repairs if needed where a survey uncovers evidence of systemic landlord failures.

4.10 From industry experience and conversation with the RSH we are aware that one of the key areas that they will focus on is organisations have an Assurance Framework to ensure how they are meeting regulatory standards and how the organisation is providing visibly and being held to account for delivering improvements and change.

Royal Borough of Greenwich's Landlord Assurance Framework

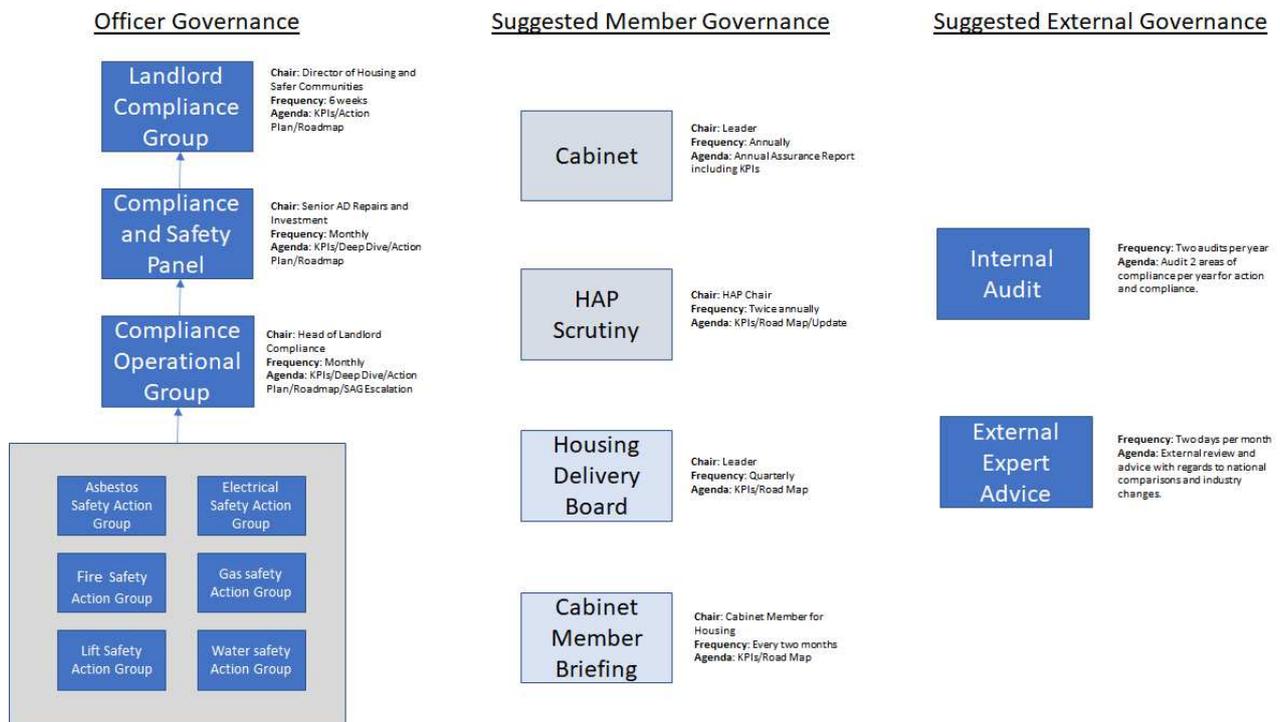


Figure One: proposed governance structure within Housing Assurance Framework

- 4.11 Figure One sets out a proposed governance regime with the Royal Boroughs Housing Assurance Framework.
- 4.12 There has been an officer governance regime in place for 3 years regarding landlord compliance, which has been added to and strengthened over the last 12 months. This report proposes a Member governance structure and external governance structure in Appendix 2 attached to this document. Taken as a totality, it is believed that that this is an in-depth and appropriate quantum of governance to be able to allow operational tasks to continue yet ensure that activity, outputs and outcomes are tracked and understood.
- 4.13 **Officer Governance**
Officer governance has been structured and in place for a number of years. There are multiple layers of governance to track activity.
SAGs - the service currently run a number of Safety Action Groups (SAGs) for each key area of Landlord Compliance and Safety. These groups have their own Terms of References, Action Trackers and KPIs which can be

tracked and audited and meet monthly. Each SAG is chaired by a different operational manager responsible for that area. For example, the Fire Manager will chair the Fire Safety SAG. There are also a number of other SAGs, such as CDM, to track other areas of safety.

COG - Compliance Operational Group is monthly and chaired by the Head of Housing Compliance. Held monthly with its own terms of reference its role is to hold the SAGs chairs to account and ensure that activities are being progressed and actions achieved. It is also there as an escalation point for any issues raised by the operations teams, which can then be documented and recorded. The COG is responsible for creating and combining monthly performance reporting to report to CSP and LCG. The group is attended by all SAG chairs.

CSP - Chaired monthly by the Senior Assistant Director of Repairs and Investment the role of this group is to have a strategic overview of Landlord Safety and Compliance and hold operational teams and Heads of Service to account. The group is attended by the Head of Landlord Compliance and Safety and other Heads of Service with then R&I team (Head of Repairs, Head of Investment) due to them being responsible for running a number of the safety works programmes. This group will also monitor activity with regards to the “Roadmap” (discussed further in this report) and an overview of the “Operational Action Plan”. The remit of this group is to ensure that appropriate resource and focus is being given to safety as a priority for the authority. This group will also review KPIs and a summary of Housing Compliance.

LCG - Every six weeks a Landlord Compliance Group takes place, chaired by the Director of Housing and Safer Communities. Within the Governance of the Council the DHSC has the responsibility for Housing health and safety and this meeting is their assurance that the authority is discharging it’s duties correctly. The meeting takes a “deep dive” into two specific areas of compliance, presented by the service managers, as well as reviewing KPIs and progress with the improvement roadmap.

4.14 Member Governance

A new Member Governance Structure is proposed as part of this report, as shown in the table above, to ensure that Members are kept aware of progress in this area, able to challenge officers and ensure that delivery of improvements continues to be focussed on and achieved.

Cabinet Member Briefing – This would consist of a meeting every two months to update the cabinet member regarding current Key Performance Indicators, any escalated issues that members should be aware of and a “horizon scan” of any future changes expected in legislation. Attended by the Senior AD for Repairs and Investment and the Cabinet Member

Housing Delivery Board – a quarterly update from the Director of Housing and Safer Communities, supported by the Senior AD for Repairs and Investment, on the current performance regarding landlord safety and compliance, an update on any safety Capital programme expenditure and significant issues that need to be raised. The meeting is chaired by the Leader of the Council and attended by the Cabinet Member for Housing, Cabinet Member for Finance, also the Chief Executive, Director of Finance and Director of Regeneration.

Housing Anti-Poverty Scrutiny – a twice yearly report from officer to housing scrutiny for a more detailed view into Housing Compliance and Safety. The scrutiny panel being able to receive a written update and also question officers from the service on delivery and performance.

Cabinet – an annual assurance report will be submitted to Cabinet to give an overview of current performance for the Housing Consumer Standards , including housing safety and compliance key performance indications and the direction of travel.

- 4.15 **“External” Governance** – It is only correct that the Council receives external assurance of action that the Council is taking with regards to these activities therefore two “external” assurance approaches are suggested. **Internal Audit** - The Council’s Internal Audit Team to complete twice yearly reviews of compliance activity within Housing and also review of actions plans and delivery. This may require specialist resources being employed by the service so they can give assurance to the council that any regulation and legislation is being followed and that Housing are reporting correctly on their outputs.

External experts advise – The service will procure and retain external expert advice that will act as a “critical friend” with regards housing landlord compliance. This “critical friend” will help housing review plans, give support in delivery and give written assurance to members that the direction of travel is correct.

Road Map and Action Plan

4.16 As mentioned previously the service has created an overarching Roadmap of strategic action with regards to Landlord Safety and Compliance. This is documented below and will be tracked as part of Officer and Member Governance:

Assessment of correct IT systems – Currently, a number of systems are used to track and monitor housing compliance. With a number of systems in use and some of them being manually updated we need to review the strategic approach to data capture to ensure that systems work well together and that no data is “lost” between systems. A “single view of the truth” needs to be created.

Operational Policies – The operating procedures (“Policies”) and for all of the main compliance areas need to be updated and approved

Component Registers - Once an agreement has been reached on the strategic approach to IT systems, registers of all our components and assets that need maintenance and inspection need to be consolidated from existing records and created in that system.

Resources – New resources will be needed in the service, including restructured resources, to ensure that there is a clear line of accountability and responsibility for each area of landlord compliance.

Training - Once a decision has been made on systems and policies and processes updated, all staff will need retraining to ensure that they are adhered to and staff and residents are kept safe.

Communication - Clear communication will be needed throughout this roadmap to ensure we are listening and transmitting information well. We will also need to ensure that our tenants are being kept up to date with any changes that affect them and how they are being kept safe by the council as their landlord

Assurance around complex housing cases

4.17 In addition to Landlord Safety and Compliance there has been a significant national coverage regarding living conditions for tenants and significant repairs issues that have been ongoing and unresolved for many years. A review of our current processes has taken place at a senior level to give some assurance over whether complex cases are taken seriously enough by the local authority and what more we can do to improve outcomes for our tenants

4.18 We currently have a number of processes in place to capture and discuss cases that arise which are deemed as “complex” and requiring senior review or intervention

- **Complex Case Panel** - held by the Housing Allocation Team, this panel will review cases where others in the authority (not limited to housing) may believe that a resident required a improved priority on the Housing Choice Based Lettings system or a direct offer of a property. Chaired by the Housing Allocations Manager or deputy any officer across all council services can present a case at this panel for discussion. Further to this a set meeting been arranged monthly, championed by the AD Housing Services and Senior AD for Health and Adult services, which gives space for colleagues from Adults of Childrens Social Care the opportunity to speak with Housing manager and look to resolve any complex issues they may have.
- **Vulnerable Person Policy and Vulnerable Adults Case Conference (VACCS)**- RBG has a corporate policy with regards to Vulnerable Adults and specifically with regards to any enforcement action to be taken against them. Vulnerable Adult Case Conferences are regularly called and attended by Housing Tenancy and/or Income Teams to discuss complex cases and the correct approach to any action that needs to be taken. These are an opportunity for multidisciplinary teams to come together and review cases against vulnerable adults before any further action is taken.
- **Existing training** - Over the previous few years the Housing Service have completed Public Health training in “Making Every Opportunity Count” (MEOC). This training given to Caretakers and Tenancy Teams trains staff in spotting vulnerabilities and gives them signposting and understanding of options and services available to residents. The Tenancy Service also completed Dementia Awareness Training and are now accredited as a Dementia Friendly Team. Finally, the service as a whole achieved the DAHA (Domestic Abuse Housing Alliance) accreditation in 2021 showing its commitment to working with vulnerable residents.
- **Disrepair** - The Repairs and investment service currently have a caseload of over 150 “disrepair” cases where legal proceedings have been threatened or issued. that it is managing. The majority of these cases have been inspected with works order raised to rectify the issues. Clearly this was a provision that was impacted due to covid and not being able to enter residents' homes to complete inspections. The

majority of claims are due to damp and this accounted for over 60% of cases in 2020/21. To ensure that these cases are being monitored and addressed correctly, temporary resources have been added to the disrepair team which will be made permanent through restructuring. This will add 2 additional officers to the 4 existing officers.

4.19 To continue to help improve outcomes we will also be looking to:

- **Training** – we are looking to work with Public Health colleagues to roll out MEOC Training to all Repairs and Investment Trade staff so when they are entering tenants homes, if they identify vulnerability or concerns they are aware how and when to raise them.
- **Hoarding** – The Tenancy Management will be bringing in specific resources, one officer with the potential for an additional one in future, to focus on the growing number of hoarding cases that we are experiencing within our housing stock. These resources will be specialist trained and able to work with tenants to alleviate issues with regards to hoarding and improve the safety of the specific tenant and others.
- **Damp and Mould resources** - There is a current restructure being consulted on within the Repairs and Investment Service. These proposals increase resources within the surveying team for our responsive repairs service and will be tasked with more in-depth and quicker resolution of damp and mould issues. The proposals add an additional 4 FTE to this service and are aimed at recruiting a higher skill level and experience for this surveying function.
- **Tenancy and Repairs Panel** – the service will constitute a new panel whereby staff members are able to raise cases and issues which they believe require a more considered response from a repairs or tenancy management view point, including potential decant or permanent move. This panel will be chaired by the Head of Tenancy Services and attended by the Head of Repairs

5. **Available Options**

5.1 The available options would be to:

- A. Agree the recommendations in this report and strengthen governance around Housing Consumer Standards.
- B. Do not agree the recommendations.
- C. Proposed different recommendation regarding governance and assurance in this area.

6. Preferred Option

6.1 To approve the Housing Assurance Framework and associated governance as suggested in the report.

7. Reasons for Recommendations

7.1 Given the changes being proposed in the White Paper and the change in focus from the RSH it is seen as important that Members have a much stronger governance structure around, and knowledge of, the consumer standards. The proposed structures should give members assurances that residents are being listened to and their safety taken seriously.

8. Consultation Results

8.1 Consultation has not taken place with residents with regards to this Housing Assurance Framework, although consultation regarding safety and communication did take place as part of the new Housing and Homelessness Strategy consultation exercise in 2021

8.2 It is the intention that specific consultation will be carried out with tenants and residents for the best way to communication landlord safety and knowledge they will need moving forward.

9. Next Steps: Communication and Implementation of the Decision

9.1 If approved, Officers will start to build reporting for the specific member assurance and governance as documented in the report. Officers will also work with Internal Audit to put a plan or audits in place for the coming years.

10. Cross-Cutting Issues and Implications

Issue	Implications	Sign-off
Legal including Human Rights Act	The Council can adopt such reasonable policy/ procedure as it considers appropriate in the discharge of its statutory functions. The proposed Assurance Framework is set out in paragraph 4 of the report. No legal issues arise from	Azuka Onuorah Head of Legal Services. 29 th November 2021

	the White Paper on Social Housing. Further advice will be provided if the provisions become law.	
Finance and other resources	<p>The report makes the following recommendations to the decision maker:</p> <p>To note the proposed changes to the consumer regulation of social housing landlords following the Social Housing White Paper.</p> <p>There are no financial implications arising out of this report.</p>	<p>Akosua Boachie</p> <p>Accountancy Business Change Manager 30th November 2021</p>
Equalities	<p>The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users. The report contributes to the Councils Equity and Equality Charter and the Council's Equality Objectives as the adoption of an Assurance Framework with regards to all four Housing Consumer Standards, will ensure that the Council can be assured and can demonstrate that action and improvements are taking place and reported appropriately</p>	<p>Richard Parkin Senior AD – Repairs and Investment 21/11/21</p>
Climate change	<p>This report does not have specific bearing with regards to climate change</p>	<p>Richard Parkin Senior AD – Repairs and Investment 21/11/21</p>
Procurement & Social Value	<p>Significant procurement activity will be needed over the coming years to ensure that Housing meeting its health and safety and compliance requirements.</p>	<p>Richard Parkin Senior AD – Repairs and Investment 21/11/21</p>
ICT	<p>The digital team has been working closely with HSC in recent months, and agrees the proposed direction of</p>	<p>Kit Collingwood-</p>

	travel regarding a full systems review and development of relevant asset registers. The digital team has people available to undertake much of this work, and recommends that we supplement with agency staff to expedite the systems review. We are committed to working with HSC to see through the steps set out in this report with regards to technology and service design.	Assistant Director of IT 24/11/2021
Information governance	The nature of the proposals set out in this report makes it likely that there will be changes to how we store and process the personal data of our tenants. As new processes and systems are developed, appropriate Data Privacy Impact Assessments should be carried out to identify and minimise any risks to individuals' data.	David White, Head of Compliance, 26/11/21
Risk	This report discusses the risk to the council not having a strong enough assurance framework in place with regards to Housing	Richard Parkin Senior AD – Repairs and Investment 21/11/21

11. Report Appendices

11.1 The following documents are to be published with and form part of the report:

- *None*

12. Background Papers

12.1 None

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