

Overview of Social Housing Regulation, Consumer Standards and our External Preparedness Review

Report to: Housing Management Board
Date: 28 February 2024
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Background to New Consumer Standards

- Things are changing rapidly in social housing regulation
- The Social Housing (Regulation) Act 2023 (SHRA) brings significant changes to the way social landlord will be regulated
- Stronger and more proactive consumer regulation will especially impact on Local Authorities (LA's) who haven't been subject to a proactive regulatory regime in recent years.
- The Regulator of Social Housing (RSH) is revising its Consumer Standards. These along with Tenant Satisfaction Measures (TSM's) will form the backbone of the new regulatory regime.
- Social Housing Regulatory landscape also includes the Housing Ombudsman and new Building Safety Regulator.

Appointment of Health and Safety and Consumer Standard leads

- All providers must appoint named persons to lead on health and safety requirements and consumer standards
- Housing providers are required to appoint a "health and safety lead". This person would monitor health and safety compliance, assess risks, and report failures and risks to the RSH. LAs will also continue to enforce health and safety laws.
- LAs are required to name a senior consumer relations officer to be clearly identified by tenants. This should be a senior executive who oversees consumer inspections, reactive engagement in potential standards violations, landlord performance data collection and consumer regulation.
- There must also be named person leading on complaints performance, fire safety and building safety
- Contact details for named persons must be published and accessible to residents

Enhanced Consumer Standards

The SHRA introduces proactive consumer regulation by strengthening the RSH, allowing intervention in cases where landlords are performing poorly on consumer issues.

- Landlords are required to report annually on [Tenant Satisfaction Measures](#) (TSMs) to the RSH.
- The RSH has the power to intervene in cases where landlords are performing poorly on consumer issues.
- The SHRA removes the 'serious detriment test' allowing for the RSH to intervene in more tenant complaint cases.
- the RSH is [currently consulting on the revised consumer standards](#). The RSH current [Regulatory standards](#) (updated March 23) and their [consumer regulation review 2022](#) indicate the likely changes.
- Standards cover all interactions with residents

Savills Consumer Standards Review

We have appointed Savills to undertake a 'critical friend review'.

- The aim is help us identify where we are against consumer standards, including strengths and weaknesses
- Savills have completed the initial data review and are undertaking meetings with BCC colleagues in February
- Savills will provide:
 - An evidence map showing every standard and evidence seen to demonstrate where we comply. Also show where there are opportunities to strengthen or where we don't comply. Something from which we can build and action plan.
 - The findings and action plans will be presented to management teams, senior leadership, councillors and key resident groups

Savills Consumer Standards Review cont.

Savills review will assess BCC's position against the four existing and upcoming revised Consumer Standards and Tenant Satisfaction Measures:

Home standard (soon to be safety and quality standard):

- Asset management strategy
- Stock condition survey
- Investment plans
- Repairs and maintenance
- Choices offered to tenants
- Right first time and KPI's
- Landlord Compliance of Big 6 - policies, procedures, data, assurance - how do we know we are compliant

Tenant involvement and empowerment standard (soon to be transparency, influence and accountability standard)

- Tenant voice
- Website
- Service standards
- Performance reporting directly to tenants

Savills Consumer Standards Review cont.

Savills review will assess BCC's position against the four existing and upcoming revised Consumer Standards and Tenant Satisfaction Measures:

Neighbourhood standard (soon to be neighbourhood and community standard)

- Review of Website and information available to residents
- Performance reporting
- Domestic abuse
- How to report incidents and outcomes of these

Tenancy standard

- Lettings and allocations to the councils own stock
- Tenure and occupancy agreements
- Mutual exchanges
- Decants
- Lettings - policy, transfer operations, over-crowding, exchange, who is moving into homes, timescales for lettings, reporting

Tenant Satisfaction Measures (TSM's)

- Preparedness for submitting the data
- What we are planning to do with that data

Empowered Regulator of Social Housing

As part of the Social Housing Regulation Act (SHRA), the Regulator of Social Housing (RSH) will be given the power to routinely inspect social landlords and enforcement powers, shifting from reactive to proactive regulation.

- The act bolsters the role for the RSH, enhances consumer standards (adding objectives of safety, transparency, and energy efficiency to its formal objectives).
- The RSH is gearing up to inspect every large social landlord, including local authorities on a rolling four-year basis.
- RSH focus on embedding a culture of responsibility for compliance as well as a culture of openness with encouraging self-referral when providers identify emerging problems.

Getting ready for Regulation and Inspection

Summary of short-term BCC actions:

- BCC should inspect itself (Savills review)
- Develop improvement plans in response to self-inspection
- Raise staff awareness
- Focus on building new relationships with regulators and Housing Ombudsman (HO)
- Focus on strengthening data, service standards and resident engagement
- Prepare for proactive inspections and reactive short notice inspections in the event of self/external referral

Key dates:

January 2024

- Savills to start the Consumer Standards data review and hold exploratory session with colleagues

February 2024

- Savills present findings from the Landlord Compliance Data Review
- Savills present findings and themes identified in the Consumer Standards Review
- RSH publish the new code and standards

April 2024

- New code and standards come into force and statutory inspections due to start