



Ministry of Housing,
Communities &
Local Government

A new deal for social housing

A Consultation



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A new deal for social housing

Introduction

This consultation seeks views on making sure that social housing provides safe and secure homes that help people get on with their lives. The consultation is open to everyone. We are interested to hear from a wide range of interested people including residents, landlords and lenders.

The consultation is divided into 5 parts:

Part 1: Ensuring homes are safe and decent

Part 2: Effective resolution of complaints

Part 3: Empowering residents and strengthening the Regulator

Part 4: Tackling stigma and celebrating thriving communities

Part 5: Expanding supply and supporting home ownership

Respondents are invited to respond to each specific part and the relevant responses to each part will be considered in taking forward that particular proposal.

This consultation begins on 14 August 2018 and runs for 12 weeks until 11.45pm on 6 November 2018.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A at the end of this survey. Individual responses will not be acknowledged.

About you

1. Are you responding:

On behalf of an organisation

As a private individual

If you are responding as an individual, please tell us the following details below. It is not mandatory to answer, but it would help us understand if we need to reach out to all groups to respond to this consultation.

About you - organisation

6. If you are responding on behalf of an organisation, please tell us which sector your organisation is in:

Local Authority

Tenant Management Organisation

Housing Association

Trade Association

Cooperative

Tenant Representation Group

Other

7. If you chose 'other' please tell us the sector which your organisation is in:

8. If you are responding on behalf of an organisation, please tell us the name of your organisation:

Wythenshawe Community Housing Group

9. We may want to contact you about your response. If you are willing for us to do this please provide an email address.

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Chapter one - Ensuring homes are safe and decent

Dame Judith Hackitt's independent review of building regulation and fire safety states that residents have an important role to play in identifying and reporting issues that may impact on the safety of the building and in meeting their obligations, including co-operating with crucial safety-related works, to ensure their own safety and that of their neighbours.

10. How can residents best be supported in this important role of working with landlords to ensure homes are safe?

WCHG's first priority is the safety of its tenants. Following the tragic events at Grenfell the Group worked with the DCLG and took immediate action to review the cladding on its structures and was one of the first organisations to report that aspects of its cladding on Village 135 had failed the test having only been opened in 2017. We have removed all materials even those below the current threshold height on this scheme as we believe that this is the minimum that our tenants expected. This was supported by clear communication to the tenants involved to provide reassurance that the work was completed to a high standard and replacement cladding met with revised regulations.

Going forwards the Group believe that clarity is needed for tenants to regain confidence in the planning and testing regime. The government should provide clear guidance which is assessable to all social housing tenants to refer to and organisations to use to explain fire regulations to tenants regardless of their accommodation type.

The Group clearly communicates its own fire risk assessments to the tenants that are affected in order that they fully understand the steps that are being taken to keep them safe. Tenants should be able to challenge these and raise concerns with the organisation directly and if they feel that the answer is not sufficient raise to another party. Fire Risk Assessments should be publically made available via landlord websites and offices to support tenant's knowledge of fire risk.

Communication with tenants is key to ensure that they continue to have the correct information at their disposal to make informed decisions.

WCHG gathered views from 600 tenants of the contents of the Green Paper and their views on the safety of their home are provided below.

Over 90% of tenants expressed that they felt safe and secure in their homes. Feedback from tenants was positive about WCHG and the work that had been done to increase security through neighbourhood wardens, CCTV and additional lighting on the estate. There have also been investment into tenant's homes and specifications are reviewed to ensure that they provide a safe home for tenants.

These factors are monitored by the Group's survey of tenants and residents; which monitors satisfaction of the neighbourhood as a place to live.

90% of tenants were also happy that the Group has improved their home to a high standard. Tenants spoke of the pride that they take in their home and desire to maintain to a high standard. Where tenants were dissatisfied it concerned desires to improve their homes further with newer bathrooms and kitchens, removing condensation / damp issues and having a quicker repairs service. WCHG continue to work with tenants on improving services and have a clear investment strategy in place. Where bathrooms or kitchens are identified as being below standard they are replaced in order to ensure that the tenant can enjoy their home. Condensation is a project that the Group continues to tackle in homes built in the 1940s and 1950s, the Group has invested in a range of initiatives to mitigate the condensation caused by modern living and undertaken a range of awareness campaigns on how to avoid it. The Groups repair service benchmarks well in the sector and performance is continually reviewed and communicated to tenants in order to inform expectations. Repairs are triaged at the first point of contact to ensure that emergencies or those repairs for people with vulnerabilities are dealt with as a priority.

There have been recent changes to drive up safety that apply to the private rented sector but not the social sector. For example, in 2015, we introduced a requirement to install smoke alarms on every storey in a private rented sector home, and carbon monoxide alarms in every room containing solid fuel burning appliances. Government has recently announced that there will be a mandatory requirement on landlords in the private rented sector to ensure electrical installations in their property are inspected every five years.

11. Should new safety measures in the private rented sector also apply to social housing?

Yes

No

Not sure

Please explain your answer further below, if you wish to.

Consistency is needed across all housing tenures regardless of the landlord. This will ensure that tenants can move between different providers but understand the requirements of the landlord. WCHG already has robust policies in place for ensuring the all properties are visited on an annual basis, those without gas are still visited to undertake a health and safety assessment to identify any issues. Electrical testing is also undertaken on a 5 year schedule to ensure that tenants remain safe in their homes.

The Decent Homes Standard requires social homes to be free of hazards that pose a risk to residents, to be in a reasonable state of repair, to have reasonably modern facilities and services such as kitchens and bathrooms and efficient heating and effective insulation.

12. Are there any changes to what constitutes a decent home that we should consider?

Yes

No

Not sure

Please explain your answer further below, if you wish to.

The Governments Decent Home Standard was set in 2006 and set out the minimum standard for a home. In the last 12 years our tenant's expectations and aspirations have increased given changes in society and the economy. This is reflected in surveys of our tenants and residents.

Since 2006 the Group has seen an increase in food and fuel poverty, therefore any changes in the standard should focus on alleviating these pressures. Energy efficiency of homes is key to improving this for tenants. Significant work has already been completed to homes in Wythenshawe and further work to retrofit properties from the 1950s would require additional investment to support innovative solutions.

The Group is also keen to ensure that homes are built to meet the needs of tenants over their lifetime. Current letting policies are moving social housing in Manchester towards working households who are more likely to have young children. Our recent survey of tenants and residents has shown us that this demographic require a home with a harder wearing specifications in order to ensure that their home can deal with the day to day wear and tear of children. The Group are also keen to ensure that new homes are designed to be adaptable to tenants needs as they grow older so that they can retain their support networks and are able to retain their tenancy and independence for as long as possible.

13. Do we need additional measures to make sure social homes are safe and decent?

Yes

No

Not sure

If you answered yes, are there measures you would suggest? Please answer below.

Further measures are needed to improve the energy efficiency of homes and reduce the costs of running a home. This needs to be supported with a national campaign to improve the quality of all homes.

When the Decent Homes Standard was drafted, Apple was still 12 months away from launching the first iPhone and since this time we have seen exponential growth in data requirements and smart homes applications. Therefore the revised standard should consider including some reference to a connected household. This would also help support the Governments Digital by Default Strategy. Housing providers are well placed to work with a range of digital providers to enhance the offer to those tenants who may be furthest away from accessing services digitally.

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Chapter two - Effective resolution of complaints

We want to understand whether more residents need to be able to access independent advice and potentially advocacy to support them in making a complaint.

Alternative dispute resolution and mediation services can be critical in allowing issues to be resolved swiftly and locally, while sustaining positive relationships between the parties involved. We are considering whether and how we might strengthen the mediation available for residents and landlords after initial attempts at resolution have failed.

14. Are there ways of strengthening the mediation opportunities available for landlords and residents to resolve disputes locally?

Yes

No

Not sure

If you answered yes, you can provide suggestions below.

The Group is keen to resolve complaints at the first point of contact in order that there is minimal disruption for tenants and that the Group can put in place rectifying actions. The Group would support moves to increase the range of solutions that could be used to resolve complaints including mediation and dispute resolution services. One of the key aspects for this, is support for complainants suffering mental health issues and ensuring that appropriate support is in place to guide them through the complaints process.

Mediation services should be supported with an appropriate level of training and support in order to ensure that tenants get the correct support through the process and that the mediator is aware of the outcomes that the provider are able to offer. The process needs to be accessible to both sides and be timely so as to not prolong the complaints process for all those involved.

The Group uses a range of services to provide mediation in all aspects of its work. The Group is keen to see these developed nationally and to a set standard in order to ensure that all parties are represented effectively.

Where a complaint is not resolved, a resident should refer their complaint to a “designated person”, such as a local MP, councillor or tenant panel, (known as the democratic filter), but if they do not want to do this or the designated person does not resolve or refer it on themselves, a resident must wait for eight weeks before the

complaint can be referred to the Housing Ombudsman. There is a perception that the process of seeking redress took too long, and that the “democratic filter” contributed to delays.

15. Should we reduce the eight week waiting time to four weeks? Or should we remove the requirement for the 'democratic filter' stage altogether?

- Support the option to reduce the waiting time to four weeks
- Support the option to remove the 'democratic filter' stage altogether
- Support no change
- Not sure

Reforming the filter stage would require primary legislation. We therefore also want to explore what more could be done in the meantime to help ensure that “designated persons” better understand their role and help to deliver swift, local resolutions for residents.

16. What can we do to ensure that “designated persons” are better able to promote local resolutions?

Designated people play an important role in the processing of complaints and can act as a mediator to resolve those complaints that require further intervention. To do this consistently across the country, clear guidance and training is needed to those who undertake this role.

Training should be consistent to ensure that those who undertake the role are clear of their remit and the options for resolution that are available to them. This could be supported with clear guidance that is open to all to see and refer to.

We are looking at awareness of housing dispute resolution services more widely as part of our housing redress consultation. We also want to consider if there is a case for an awareness campaign to support social residents in particular to understand their rights to seek redress and to know how to make complaints and escalate them where necessary.

17. How can we ensure that residents understand how best to escalate a complaint and seek redress?

WCHG are keen that tenants are clear on the options that are available to them during a complaints process and the ways in which they can escalate. Our feedback

shows that tenants are happy to make complaints and are happy to ask on how to do so, if they are not sure.

Communication is key to ensuring that tenants are aware of their ability to complain and this should be explained at each transaction point with an organisation.

WCHG gathered views from 600 tenants of the contents of the Green Paper and their views on complaints are summarised below...

85% of tenants asked stated they knew how to make a complaint to WCHG, the remaining 15% stated they didn't know, but would look it up or would be happy to ask the Group how to do it.

Over 95% of tenants asked would be happy to make a complaint against the Group if they wanted to and the Group continues to promote this as an option in all its contacts. This helps to create open dialogue with tenants to resolve issues.

80% of tenants supported a tenant's complaints panel to help facilitate complaints on behalf of tenants, however, there was a clear concern of tenants finding out other tenants business. They trust the Group to handle their data and information sensitively, but, this would be harder to maintain if information was provided to another source.

We want to understand whether more residents need to be able to access independent advice and potentially advocacy to support them in making a complaint.

18. How can we ensure that residents can access the right advice and support when making a complaint?

In order to ensure that tenants are well advised each organisation should be able to sign post individuals to key designated people / advocates / advice services who are accredited to provide appropriate advice and guidance. This could be consolidated into a national database and will help to ensure that those who are contacted have the relevant skills to act in the best interests of the tenant.

Each provider should provide a clear standard set of information on the options and routes that are available to them and this should be publically available to all tenants to access at a time and place that is convenient to them.

There are no statutory guidelines setting out time frames within which providers should handle complaints. Dissatisfaction with the length of time it takes to resolve issues was mentioned at our engagement events. We therefore want to consider how to speed up landlord complaints processes.

19. How can we best ensure that landlords' processes for dealing with complaints are fast and effective?

Each landlord can report on the average time to deal with a complaint along with capturing the outcome of it. This information should be shared with local tenants and where it falls below their expectations it should trigger a tenant review of the service provided. This is the current arrangement in WCHG, as part of the governance structure tenants have the power to hold the Group to account for any aspect of performance that they feel is below standard, or requires further attention.

Consideration could be given by the Government to set out a minimum standard or standardised process. So that regardless of where tenants live the process is the same regardless of the landlord. This would need to be clearly set out in order to ensure consistency of its application.

20. How can we best ensure safety concerns are handled swiftly and effectively within the existing redress framework?

Complaints regarding the safety of a property or a tenant are clearly a high risk area for an organisation. Therefore consideration should be given within any guidelines to having a shorter time to respond to these complaints. This may involve a short timescale to resolve any immediate danger and then agreeing a further timescale to resolve any outstanding works and actions. Where the risk relates to fire safety or an immediate threat to life, options should be available to have responses independently verified to substantiate the work of the landlord and reassure the tenant.

Frameworks could be developed for any safety concerns to be reported through to the Boards of the landlord. This will ensure that tenants get a full response from the Board on the matter and the Board can ensure that appropriate action is taken if necessary. This information could then be made available on the websites to show the open and transparent process (ensuring subjects rights under GDPR are considered)

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Chapter three - Empowering residents and strengthening the Regulator

We consider that key performance indicators should be focused on issues of key importance to residents, covering those identified through our engagement, such as:

- Keeping properties in good repair;
- Maintaining the safety of buildings;
- Effective handling of complaints;
- Respectful and helpful engagement with residents; and,
- Responsible neighbourhood management, including tackling anti-social behaviour.

21. Do the proposed key performance indicators cover the right areas?

- Yes
- No
- Not sure

22. Are there any other areas that should be covered?

- Yes
- No
- Not sure

Please explain your answer further below, if you wish to.

Housing Associations deliver more than homes that people live in. As an anchor organisation in the local community they support a wide range of support to community groups, school, employment opportunities and neighbourhood regeneration. It is important that this information is captured and reported to tenants so that they are aware of the additional social value that the Group creates for the community and those who live in it.

WCHG report on the social value that it generates for local tenants and reports this annually to tenants through its Annual Report.

<https://www.wchg.org.uk/news/publications/>

23. Should landlords report performance against these key performance indicators every year?

Yes

No

Not sure

24. Should landlords report performance against these key performance indicators to the Regulator?

Yes

No

Not sure

25. What more can be done to encourage landlords to be more transparent with their residents?

The Group continues to provide data to tenants in a range of formats and locations based on feedback that it receives. The Government should consider formalising these arrangements with a number of key metrics that are specific to all landlords.. This should be supported by local measures that are agreed with tenants to deal with local issues and circumstances. Where possible these could also be benchmarked across the country to help to identify areas of good practice.

Overall the measures have to be those which are important to tenants and provide insight into the running of their landlord. Tenants of WCHG have responded through consultation to say that they are more concerned that the landlord deals with the immediate issues, than how it compares nationally to other providers.

Landlords should then be held to account through their governance structures on the achievement of these measures.

The Regulator already expects landlords to publish information about complaints each year, but approaches vary. We are considering setting out a consistent approach on how landlords should report their complaint handling outcomes, by asking them to report how many complaints were resolved, how many were resolved after repeated complaints and how many were referred to the Ombudsman.

26. Do you think that there should be a better way of reporting the outcomes of landlords' complaint handling? How can this be made as clear and accessible as possible for residents?

Yes

No

Not sure

If yes, how can this be made as clear and accessible as possible for residents?.

Feedback from our tenants is that it is important that complaints are dealt with quickly and that they are resolved at the first point of contact. Therefore consideration should be given to introducing measures that monitor the time taken to resolve complaints and the percentage resolved at the first stage of the process.

Tenant satisfaction with the process should also be considered to monitor the tenants' journey through a company's complaints process regardless of the outcome of the complaint.

27. Is the Regulator best placed to prepare key performance indicators in consultation with residents and landlords?

Yes

No

Unsure

Please explain your answer further below, if you wish to.

Housing providers are best placed to prepare performance indicators with its own tenants, however, if these are to be used to judge each landlord. Then the Regulator needs to provide clear guidance on the performance indicators. Landlords will take responsibility and accountability for publishing and reporting on these at least annually.

28. What would be the best approach to publishing key performance indicators that would allow residents to make the most effective comparison of performance?

Key performance indicators should be published in a range of formats in order to ensure that all tenants are aware of the information and can access more information if they require it. The frequency of the reporting should be considered with tenants in

order to ensure that the results are actionable and meaningful. Guidelines should be provided for reporting frequencies with a minimum standard established.

We want to consider the role of financial incentives and penalties to promote the best practice and deter the worst performance. For example, whether key performance indicators should help inform or influence the extent to which landlords receive funding and link the Affordable Homes Programme funding to the Regulator's governance rating as well as the viability rating.

29. Should we introduce a new criterion to the Affordable Homes Programme that reflects residents' experience of their landlord?

- Yes
- No
- Not sure

Please explain your answer further below, if you wish to.

Caution needs to be taken when adopting this approach; the measures need to be fair and proportionate. KPIs need to be taken in the context in which they are reported and in fair comparison to others. Without this funding could be denied to an area and its residents due to the landlords failing, further perpetuating a cycle of deprivation.

Examples of this can be seen in the OFSTED regime within education, where some schools within deprived areas will struggle to meet national standards, to further label them as failing schools is too simplistic of a summary.

30. What other ways could we incentivise best practice and deter the worst, including for those providers that do not use Government funding to build?

The Government should continue to monitor housing providers to ensure that they are using their disposable resources appropriately including development of new homes. Those who are poorly performing should be asked to explain their plans and actions that they are taking to make best use of their resources. Boards should then be held to account for the decisions that they make through the In Depth Assessment (IDA) process as a minimum.

We want to understand more about whether the regulatory framework is setting the right expectations on how landlords should engage with residents, and how effective

current resident scrutiny measures are. Landlords are required to consult residents at least once every three years on the best way of involving them in the governance and scrutiny of the housing management service, and demonstrate how they respond to tenants' needs in the way they provide services and how they communicate.

31. Are current resident engagement and scrutiny measures effective?

- Yes
- No
- Not sure

32 What more can be done to make residents aware of existing ways to engage with landlords and influence how services are delivered?

WCHG have a strong tenant involvement structure that underpins the Governance of the Group. We believe that this is a model that needs to be reflected in all organisations. Tenants need to be at the heart of an organisation and support it in the delivery of Corporate Goals. Each organisation should actively encourage tenant involvement and capture feedback at all opportunities.

Complaints processes need to capture and input feedback into future service developments and enhancements. This helps to ensure that tenant who want to get involved can have their voice heard, if only, for a short period of time and then they can drop out once they feel that their voice has been heard. This is a move away from the more traditional models of having set meetings and panels, to one which is interest focussed and based on the immediate concerns of the tenant.

A number of national tenant and resident organisations in the sector have been exploring the option of an independent platform for tenants, based on widespread engagement with tenants, to enable them to have their voices heard more effectively at a national level.

33. Is there a need for a stronger representation for residents at a national level?

- Yes
- No

Not sure

If you answered yes, how should this best be achieved?

Our tenants have mixed views on the need for representation at a national level. Tenants want to ensure that their voice is heard at a local level on local issues that are important to them. There is however the need for real tenant's stories to be heard and fed into the national policy agenda and this may require an enhanced voice for both tenants and providers.

Feedback from WCHG tenants was that only 50% of tenants believe that tenants have a voice when it comes to the national level agenda. Tenants were clear that they need a voice at all levels in order to inform the future development of the services that are offered, some tenants were happy as long as at a local level their views were listened to, this is summarised by one tenant as

"It's not important at national level as long as my landlord listens to me"

We want to offer residents greater opportunity to exercise more choice and influence over the day to day housing services. We are exploring options to demonstrate how community leadership can be embedded in the governance and culture of mainstream landlords.

34. Would there be interest in a programme to promote the transfer of local authority housing, particularly to community-based housing associations?

Yes

No

Don't know

If you answered yes, what would it need to make it work?

35. Could a programme of trailblazers help to develop and promote options for greater resident-leadership within the sector?

- Yes
- No
- Not sure

36. Are Tenant Management Organisations delivering positive outcomes for residents and landlords?

- Yes
- No
- Don't know

Please explain your answer further below if you wish to.

37. Are current processes for setting up and disbanding Tenant Management Organisations suitable? Do they achieve the right balance between residents' control and local accountability?

- Yes – the current processes are suitable and achieve the right balance.
- Yes – the current processes are suitable but do not achieve the right balance
- No – the current processes are not suitable and do not achieve the right balance
- Not sure

Please explain your answer further below, if you wish to.



There have been schemes, such as Local Management Agreements and Community Cashback (called Give it a Go grants) which have been designed to support social residents to take responsibility for a service within their local community.

38. Are there any other innovative ways of giving social housing residents greater choice and control over the services they receive from landlords?

Tenants should be involved in the procurement of the services that they are likely to receive and also the specification of the products that they will receive in their homes. They will therefore be able to understand the value for money of the services provided to them, whilst retaining confidence that they are effectively managed by their landlord.

39. Do you think there are benefits to models that support residents to take on some of their own services?

- Yes
- No
- Not sure

If yes, what is needed to make these work?

Careful consideration needs to be given to this in order to ensure that it is appropriately regulated and managed without creating bureaucracy in the process. Where adopted clear principles of equality and transparency are embedded within the process.

40. How can landlords ensure residents have more choice over contractor services, while retaining oversight of quality and value for money?

As Q38. Tenants should be involved in the procurement of the services that they are likely to receive and also the specification of the products that they will receive in their homes. They will therefore be able to understand the value for money of the

services provided to them, whilst retaining confidence that they are effectively managed by their landlord.

The Government has recently announced a significant programme of leasehold reform which will benefit all leaseholders, both in the private and social sectors.

41. What more could we do to help leaseholders of a social housing landlord?

Leaseholder management is currently undertaking reform and therefore it is important that this is communicated to leaseholders by their management provider. Key to this will be the involvement of leaseholders in consultation on events that will impact on them or their lease. Therefore, any works that are due should be clearly explained to leaseholders along with the procurement process and results that took place to obtain the services that are provided. Leaseholders can then hold the management provider to account for the delivery of the contract.

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Chapter three continued - Empowering residents, making sure their voices are heard

Parliament has set the Regulator of Social Housing a consumer objective, which is:

- to support the provision of social housing that is well-managed and of appropriate quality;
- to ensure that actual or potential tenants of social housing have an appropriate degree of choice and protection;
- to ensure that tenants of social housing have the opportunity to be involved in its management and to hold their landlords to account; and,
- to encourage registered providers of social housing to contribute to the environmental, social and economic well-being of the areas in which the housing is situated.

42. Does the Regulator have the right objective on consumer regulation?

Yes

No

Not sure

Please explain your answer further below, if you wish to.

The Consumer Regulations needs to encompass the wide range of interactions that housing providers have with its tenants and the wider community.

As Q22. Housing Associations deliver more than the homes that people live in. As an anchor organisation in the local community they support a wide range of support to community groups, school, employment opportunities and neighbourhood regeneration. It is important that this information is captured and reported to tenants so that they are aware of the additional social value that the Group creates for the community and those who live in it.

Across Greater Manchester Housing Providers GMHP, social value is the core of the service that is offered to the communities that are served and reported on. Some of the key benefits are detailed in the 2018 Infographic

[\(https://gmhousing.co.uk/2018-social-value-infographic/\)](https://gmhousing.co.uk/2018-social-value-infographic/)

Some headline measures include:-

- GMHP have supported 2219 residents into work,
- GMHP have supported 1015 community groups,

- 81% of staff live in Greater Manchester
- 1,957 staff have been trained in Carbon Literacy
- 1,947 people have moved from homeless to housed
- 834 new homes have been built
- Supported tenants to volunteer 155,945 hours to their local community.

The Regulator has published four outcome-based consumer standards to deliver the consumer regulation objective. These are:

1. The Tenant Involvement and Empowerment Standard (July 2017) which includes a requirement for landlords to provide choices and effective communication of information for residents on the delivery of all standards, and to have a clear, simple and accessible complaints procedure.
2. The Home Standard (April 2012) which requires homes to be safe, decent and kept in a good state of repair.
3. The Tenancy Standard (April 2012) which requires registered providers to let their home in a fair, transparent and efficient way, and enable tenants to gain access to opportunities to exchange their tenancy.
4. The Neighbourhood and Community Standard (April 2012) which requires registered providers to keep the neighbourhood and communal areas associated with the homes that they own clean and safe; help promote social, environmental and economic well-being in areas where they own homes; and work in partnership with others to tackle anti-social behaviour in neighbourhoods where they own homes.

43. Should any of the consumer standards change to ensure that landlords provide a better service for residents in line with the new key performance indicators proposed?

Yes

No

Not sure

If yes, how?

The Social Value of each organisation needs to be captured and reported on consistently in order that tenants are aware of the wider work that Housing Associations undertake in the local community.

We also want to know whether landlords and residents would benefit from further guidance on what good looks like, without being overly prescriptive.

44. Should the Regulator be given powers to produce other documents, such as a Code of Practice, to provide further clarity about what is expected from the consumer standards?

Yes

No

Not sure

Clear Codes of Practice should be in place in order to ensure that tenants have confidence in the standards that they can expect from their landlord. These should be similar to the Governance Code developed by the National Housing Federation in partnership with providers.

Where a landlord breaches a consumer standard, the Regulator can only use its regulatory and enforcement powers if there is or may be a “serious detriment” to existing or potential residents. The Regulator interprets this as meaning where there is “serious actual harm or serious potential harm to tenants.”

45. Is “serious detriment” the appropriate threshold for intervention by the Regulator for a breach of consumer standards?

Yes

No

Not sure

If no, what would be an appropriate threshold for intervention?

There needs to be a lower level of intervention based on the range of performance indicators that are agreed, The Regulator should consider continued failings of a landlord or poor performance as a trigger for intervention. The level of intervention should be proportionate to the detriment experienced and work with landlords to agree appropriate responses.

To support a more proactive approach to enforcing the consumer standards we are considering arming residents with information through the introduction of a number of key performance indicators and for landlord performance to be published. Our current thinking is that the Regulator should monitor the key performance indicators to identify where there may be issues of concern with performance. The Regulator would then be able to make a risk-based assessment of how and where to intervene, including through more regular or phased interventions.

46. Should the Regulator adopt a more proactive approach to regulation of consumer standards?

- Yes
- No
- Not sure

The Regulator should have a range of interventions that they can put in place to deal with the regulation of the consumer standards. The Regulator should collate data from a range of sources to gather the full picture of the customer experience in an organisation before seeking remedial actions to take place. Those providers that are failing their tenants should be held to account for their poor performance and given chances to improve the situation before sanctions are taking. By being proactive and clear on the situations that will cause intervention housing providers will be driven to improve the services offered to its tenants.

47. Should the Regulator use key performance indicators and phased interventions as a means to identify and tackle poor performance against these consumer standards?

- Yes
- No
- Not sure

If yes, how should this be targeted?

The Regulator working with providers needs to agree the key metrics that can be used to inform a range of interventions. The indicators need to be appropriate for the individual organisation and reflect the priorities of the tenants who live in the local area. There can be no one size fits all approach, but the Regulator should consider softer contacts with providers to ensure that they plans in place to address areas of poor performance.

It is vital that whatever metrics are put in place, they need to be underpinned by a very clear and transparent methodology to ensure consistency. The past experience in the sector has been that this is not the case and makes meaningful comparisons difficult.

We want to make sure that regardless of whether someone is a resident of a housing association or a local authority, the same minimum standards of service apply. The

Government respects the democratic mandate of local authorities, but this must be balanced against the need to ensure that residents are protected.

48. Should the Regulator have greater ability to scrutinise the performance and arrangements of local authority landlords?

Yes

No

Not sure

If yes, what measures would be appropriate?

It would be beneficial if all housing was regulated to the same standard.

Where a breach of the consumer standards meets the “serious detriment” test, the Regulator will publish a regulatory notice and consider the most appropriate course of action.

The Regulator is able to use a number of regulatory and enforcement powers where necessary to ensure compliance with the standards. The Regulator has different tools available depending on the landlord, and has published guidance setting out how it will use its powers. The key powers include:

Powers applicable to all landlords :

- Survey to assess the condition of stock
- Inspection to establish compliance with the regulatory requirements
- Hold an Inquiry where it suspects landlord mismanagement
- Issue an Enforcement Notice
- Requirement to tender some or all of its management functions
- Requirement to transfer management of housing to a specified provider

Powers applicable only to private registered providers:

- Issue Fines
- Order payment of compensation to a resident
- Appointment of manager to improve performance of the landlord
- Transfer land to another provider to improve management of land (following an Inquiry)
- Suspension and removal of officers in cases of mismanagement (during or after Inquiry)
- Appoint a new officer to address service failure and improve management of company

Power applicable only to local authority landlords:

- Appoint an adviser to improve performance

49. Are the existing enforcement measures described above adequate?

Yes

No

Not sure

If you answered no, what other enforcement powers should be considered?

As part of examining the scope of the Regulator's role we want to consider the case for extending its remit to other organisations that manage social housing. The Regulator will hold the local authority landlord to account for the way services are delivered so it is vital that the local authority has good oversight arrangements in place to ensure that management organisations provide a good service.

50. Is the current framework for local authorities to hold management organisations such as Tenant Management Organisations and Arms Length Management Organisations to account sufficiently robust?

Yes

No

Not sure

If you answered no, what more is needed to provide effective oversight of these organisations?

We want to be clear and transparent about how the Regulator is accountable to Parliament for meeting its statutory objectives. Upcoming legislative changes will shortly establish it as a standalone Non-Departmental Public Body. As such it will be accountable to Parliament in the same way as other Non-Departmental Bodies.

51. What further steps, if any, should Government take to make the Regulator more accountable to Parliament?



A New Deal for Social Housing

Chapter Four - Tackling stigma and celebrating thriving communities

We want to celebrate residents' role in shaping fantastic places by recognising the best neighbourhoods.

52. How could we support or deliver a best neighbourhood competition?

Wythenshawe has a strong community spirit that celebrates the unique character of its neighbourhoods. Whilst it is important to celebrate those neighbourhoods that are thriving, this needs to be offset with penalising those communities that are experiencing community difficulties. To single out the best neighbourhood could lead to further stigma being heaped onto those neighbourhoods who do not perform well in the neighbourhood competition.

The Government should consider investing more into neighbourhood management partnerships to come up with local initiatives for tenants to develop their own neighbourhood plans and competitions. This fosters positive conversation about an area and celebrates each unique quality rather than driving competition between areas. The celebration of successes and development of more local partnerships will underpin local level regeneration, as no one wants to be identified or labelled as a loser.

53. In addition to sharing positive stories of social housing residents and their neighbourhoods, what more could be done to tackle stigma?

Wythenshawe's Real Lives programme has been in place to show the real stories behind the people who live and work in Wythenshawe. The government needs to do more to tackle stigma associated with social housing, areas of deprivation and poverty, which are associated with a place and not a specific tenure type.

Landlords have a large number of tenants who have important stories to share and this will promote the tenure of social housing. The government needs to condone any language that is derogatory to social housing tenants through their own media or in the public domain.

Key facts about the state of social housing need to be communicated widely to demonstrate the people who are living in these homes and the positive impact that they have on the community, rather than focussing on the "Jeremy Kyle" tenant story.

Famous people who have lived and worked in social housing should speak up about the realities of living in social housing and how it enabled them to develop and grow.

Tenants were asked if they felt that there was a stigma to be a social housing tenant

“No got lots of friends all over no one judges only the government”

“Yes you can feel embarrassed”

“I am 91 years old there has always been a stigma living in council housing”

“It depends where your social house is. I love where I am and very happy”

“Yes I think it does sometimes -a bit sorry for myself”

When asked what the Government could do to improve the situation Tenants struggled to come up with fundamental solutions which reflects the complexity of the issue. Tenants asked that more funding is put into social housing and housing is made more affordable for all to access.

Stereotypes need to stop being reinforced through government language and TV dramas, there needs to be more positive role modelling of social housing tenants and community life.

“The media needs to stop focusing on the negative. There are lots of programmes that focus on people on benefit who think it’s an easy life, showing the negative side and not people who genially require help and need the benefits. Disabled people are shown in a negative light.”

We want to embed a customer service culture and attract, retain and develop the right people with the right behaviours for the challenging and rewarding range of roles offered by the sector.

54. What is needed to further encourage the professionalisation of housing management to ensure all staff delivers a good quality of service?

Housing management already attracts talent from all sectors who bring with them professionalism to the services that they offer to tenants. Housing offers a wide range of professions that provide transferable skills to people in the labour market. Sector specific qualifications such as the Chartered Institute of Housing are further tools to ensure that sector specific training is available to those working in the industry.

However, more can be done to improve the attraction of the sector for employment, previous government communications and portrayals in the media have attached a stigma to both living and working in social housing. The Housing industry needs to work to tackle these stereotypes and in the case of Housing Associations show that it is operated as a commercial business with a social conscious.

We are minded to introduce a key performance indicator that will capture how well landlords undertake their neighbourhood management responsibilities.

55. What key performance indicator should be used to measure whether landlords are providing good neighbourhood management?

WCHG supports the need for appropriate measures to track neighbourhood management. This needs to provide a balanced view of the work that housing providers undertake to support the local community.

The NHS recommendation model has some positive aspects and is in line with the Net Promoter Score model; however within social housing it also assumes a degree of purchasing power which for the large majority of social housing tenants is not realisable. Each landlord will have a unique set of circumstances and history for its stock and its tenants. Therefore, any comparisons need to be based on the full range of metrics and social factors that underpin the results.

56. What evidence is there of the impact of the important role that many landlords are playing beyond their key responsibilities?

WCHG have keen to demonstrate the work that they deliver beyond the homes that they provide. This is detailed in the social value that is generated by working with partners to tackle crime, improve education and employment opportunities. WCHG reports on this work through its Annual Report to all tenants. More information on WCHG's social impact at <https://www.wchg.org.uk/about-us/social-impact/>

57. Should landlords report on the social value they deliver?

Yes

No

Not sure

Please explain your answer further below, if you wish to.

As set out in Q56, WCHG already reports on the social value that it generates to all tenants. Consideration should be given to formally adopting a methodology and requiring housing providers to report on the key outcomes that they support in their local community. Work across Manchester has already been undertaken to work together to report on the outcomes that can be delivered in partnership. Full information is available here <https://gmhousing.co.uk/about/social-value/>

We are proposing to introduce a key performance indicator to help tackle anti-social behaviour, but we will want to consider how this could impact on areas, and whether it could lead to some people feeling more stigmatised.

58. How are landlords working with local partners to tackle anti-social behaviour?

Wythenshawe has strong working relationships with local partners to tackle crime and anti-social behaviour. This is supported by a dedicated wardens team and its own CCTV service which works with the police to provide valuable evidence. During austerity the Group has had to come up with new ways of working to support the reduction in services from other providers. Most recently the Wythenshawe Integrated Neighbourhood Service (WINS) was established to share data on high users of services and safeguarding issues. This brings together representatives from all services that work in the local area to share information and agree joint actions plans to resolve the underpinning issues in peoples lives. The outcomes are tracked and have been extremely positive, a recent review of 18 cases has identified savings to the state of over £190k, through children not going into care, reductions in domestic abuse, reductions in hospital admissions and reductions in alcohol abuse.

59. What key performance indicator could be used to measure this work?

As set out in Q55. Performance indicators need to be balanced in order to understand the character of a local area. Some suggestions for possible measures include:-

- Satisfaction with Value of Money of Rent
- Satisfaction with repairs service provider
- Satisfaction with neighbourhood as a place to live
- Net Promoter Score for landlord

All these measures need to be underpinned with clear definitions to ensure that they are consistent and captured in the same manner for all providers to be able to compare with confidence.

We want to ensure that the revised National Planning Policy Framework is applied to social housing in the right way. In particular we will:

- Strengthen planning guidance to take into account the principles of Secured by Design: to ensure that external spaces, parks, streets and courts are well-lit and well maintained so they are safe from crime and the fear of crime.
- Strengthen guidance to encourage healthy and active communities: building on the NPPF's healthy and safe communities chapter.
- Strengthen guidance to encourage new affordable homes to be designed to the same high-quality as other tenures and well-integrated within developments.

- Encourage design that reflects changing needs: for example, inclusive design for an ageing population and family housing at higher densities for effective use of land.

60. What other ways can planning guidance support good design in the social sector?

Social Housing needs to be integrated into future schemes in order to ensure that the stigma of social housing. Standards on social housing developments should match those on other tenures. It is important to develop working neighbourhood where people can interact freely regardless of their tenure.

Places need to be designed in consultation with the existing communities in order to ensure that they can be integrated into the existing communities and infrastructure.

Neighbourhood planning gives communities power to agree and implement a shared vision for their neighbourhood. However, we are aware that too often local people hear about schemes after a planning application has been submitted.

61. How can we encourage social housing residents to be involved in the planning and design of new developments?

Communities needs to be consulted on the planning and development of new developments. Information on the housing demand for the local area needs to be clearly communicated. Community events for new developments are key to ensuring that tenants are aware of the scope of developments and how they will be integrated into the wider community.

A new deal for social housing

Chapter Five: Expanding supply and supporting home ownership

62. Recognising the need for fiscal responsibility, this Green Paper seeks views on whether the government's current arrangements strike the right balance between providing grant funding for Housing Associations and Housing Revenue Account borrowing for Local Authorities

Yes, current arrangements strike the right balance

No, they don't strike the right balance

Not sure

Please explain your answer further below if you wish to.

Housing Associations have the capacity to build more homes alone and in partnership with other providers and the private sector. The Government should release more land to housing associations and free up banked land from other sources in order to aid the housing crisis. This can be further supported by ensuring that the planning process is proportionate and supports social housing tenures.

The Government need to consider longer term commitments to local areas rather than time bound bids for funding. This will enable all partners to clearly plan for the future develops of the local communities in which they work.

63. How we can boost community led housing and overcome the barriers communities experience to developing new community owned homes?

Community led homes could be developed with the support and guidance from neighbouring housing associations. This will help to ensure that appropriate management and governance can be embedded into small community based organisations.

We want to give housing associations and others the certainty they require to develop ambitious plans to deliver the affordable homes this country desperately needs

64. What level of additional affordable housing, over existing investment plans, could be delivered by social housing providers if they were given longer term certainty over funding?

Social Housing Providers funding is secured in line with their business plans and the headroom that they have to invest in new homes. If levels of grant funding and rent levels were confirmed beyond the current programmes, housing associations would be able to commit to additional homes including affordable housing. The current

Governments commitment to a new wave of funding needs to continue in order to ensure that landlords can plan longer term development projects.

We are determined to remove the barriers that many shared owners face. We want everyone who enters shared ownership to have the opportunity to increase equity in their home.

65. How can we best support providers to develop new shared ownership products that enable people to build up more equity in their homes?

Shared Ownership is a key product for housing providers to deliver as part of a package of home ownership routes. The government can work to promote the product and support people into making the first step into this product. Shared ownership has been around in the UK for a number of years and has a higher take up in Europe, therefore lessons from Europe need to be applied.

Consideration should be given to providing further grant to shared ownership to ensure that there is sufficient homes to meet the demand in the local area. This could be further supported by national research into the demand for shared ownership and similar products.

Key to shared ownership is the ability to increase the equity in their homes, this needs to be delivered effectively without additional costs to the tenants and the provider. The Government should review the legal fees associated with increasing equity at a rate of 1%

THANK YOU FOR TAKING THE TIME TO SHARE YOUR THOUGHTS

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, , may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the EU General Data Protection Regulation, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included at Annex A.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the complaints procedure at <https://www.gov.uk/government/organisations/department-for-communities-and-local-government/about/complaints-procedure>.

Annex A

Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name, address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gsi.gov.uk

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

3. With whom we will be sharing your personal data

Your data will not be shared with anyone outside MHCLG.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation

5. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.

6. Your personal data will not be used for any automated decision making.

7. The data you provide will be directly stored by Survey Monkey on their servers in the United States. We have taken all necessary precautions to ensure that your rights in terms of data protection will not be compromised by this. Your data will also be stored in a secure government IT system.