

# LANDLORD SERVICES ADVISORY BOARD (EXECUTIVE WORKING GROUP)

Thursday, 28 September 2023 - 10.00 am

Council Chamber, Council Offices, The Burys, Godalming

## A G E N D A

### **Circulation:**

Members:

Cllr Paul Rivers (Chair)

Terry Daubney, Waverley Tenants' Panel  
(Vice Chair)

Cllr Jacquie Keen

Cllr Alan Morrison

Cllr John Robini

Chris Austin, Lucas Field Residents Group

Robert Stratford, Waverley Tenants Panel

Sally Purcell, Waverley Tenants Panel

Cllr Janet Crowe

Danielle Sleightholme (co-optee)

### **1 Apologies for absence**

To receive apologies for absence.

### **2 Notes of the previous meeting**

To agree the notes of the meeting held on 20<sup>th</sup> JULY 2023 attached here and published on the Council's website.

### **3 Declarations of interest**

To receive any declarations of interests under the Waverley Members' Code of Conduct.

### **4 Questions from Members of Public**

### **5 Questions from Members**

### **6 Responsive Repairs and Voids Update**

Matt Alexander (Housing Operations Manager) to deliver presentation with contract manager and contactor (Ian Williams).

### **7 Customer Experience Group presentation**

Presentation from the Customer Experience Group and Joseph Warriner

(Housing Graduate Management Trainee) highlighting Complaints Review and recommendations from the CEG.

8 **Regulator for Social Housing Consultation** (Pages 5 - 56)

Following the newly enacted housing legislation, the Regulator for Social Housing is now consulting on a set of 4 proposed consumer standards and a Code of Practice.

**Recommendation**

That the Board considers the RSH proposals and comments on the:

- proposed Safety and Quality Standard
- proposed Transparency, Influence and Accountability Standard
- proposed Neighbourhood and Community Standard
- proposed Tenancy Standard, and
- proposed Code of Practice

9 **Q1 Corporate Performance Report (2023-24)** (Pages 57 - 72)

The Q1 Corporate Performance Report, Annexe 1, provides an analysis of the Council's performance for the first quarter of 2023/24.

The Housing Service performance information has been extracted for the LSAB. The full performance report can be found on the Council website.

The report to be presented to the Board for comment and recommendations to be made to the Executive or Joint Management Team.

10 **Asset Management IT Solution** (Pages 73 - 108)

Board to consider the Asset Management System Procurement report and annexes.

Formal Decision to be taken by Cllr Paul Rivers, Co-Portfolio Holder for Housing (Services & Operations) in the meeting to follow.

11 **Aids and Adaptations Extension Procurement** (Pages 109 - 118)

Board to consider proposal to undertake major adaptations to a Council property, as set out in the report.

Formal Decision to be taken by Cllr Paul Rivers, the Co-Portfolio Holder for Housing (Services & Operations), in the meeting to follow.

12 **HRA ex local authority buy back** (Pages 119 - 158)

Board to receive report and annexes for note and comment.

Formal Decision to be made by Paul Rivers, Co-Portfolio Holder for Housing (Services & Operations), in the meeting to follow.

13 **Work programme**

Work programme to follow.

14 **Date of next meeting**

The next meeting of the LSAB will be held on 19<sup>th</sup> OCTOBER 2023.

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## LANDLORD SERVICES ADVISORY BOARD (EXECUTIVE WORKING GROUP)

20 July 2023

### NOTES

Present:

Cllr Paul Rivers (Chair)  
Terry Daubney, Waverley Tenants' Panel  
(Vice Chair)  
Cllr Jacquie Keen  
Cllr Alan Morrison  
Cllr John Robini  
Chris Austin, Lucas Field Residents Group  
Robert Stratford, Waverley Tenants Panel  
Sally Purcell, Waverley Tenants Panel

Apologies:

Danielle Sleightholme (Co-optee)

In attendance:

#### 10 Apologies for absence

Apologies were received from Danielle Sleightholme.

#### 11 Notes of the previous meeting

Terry Daubney, Vice Chair and Leader of the Tenant's Panel, asked for clarity around the re-let period. Andrew Smith, Executive Head of Housing, confirmed that the re-let period starts when the tenancy legally ends.

Matt Alexander (Housing Operations Manger) responded to the following matter's arising from the notes of the previous meeting;

1. Gas safety software – The Board requested more information about what the software does, when it was picked up and whether it was initiated by us or the new contractor.

Response:

"We purchased TCW earlier this year. This was initiated by WBC. Prior to the introduction of this software, it would be a manual task of Compliance Officers to check certificates which was both time-consuming, less accurate due to human error and only a percentage of all certificates would have been checked. In summary, this is a software package that extracts and analyses ALL certificates (not just for gas but ALL the Compliance areas) based on parameters and current regulations, and would then deem if compliant or not. The certificates are then stored in one location and easily accessible, if and when required. Where the software deems a certificate noncompliant, this could be for numerous reasons, i.e. incorrect date, no signature, incorrect address or readings, information out of set parameters. These would then be rechecked and investigated by the Compliance Officer and/or Contractor if necessary.

We can then use this information to quickly and accurately understand performance KPIs, create statistics and a dashboard for monthly/weekly/daily checks where

considered appropriate.

Gas has been installed onto the software and we are working to ensure this is accurate. Electrical certificates are a work in progress; the initial issues have been identified but we are reliant on our contractors to assist with the ratification. Lifts will go on next and then the remaining Compliance areas will follow.

It has had its challenges with the sheer number of certificates, but the Compliance Team are working through these and we feel that this will ultimately be an incredibly useful/critical tool for Compliance.”

2. The Board sought further clarification on capped gas.

Response:

“As a general rule (or certainly now going forward) we won't actively cap any tenanted property unless a health and safety risk is identified. For example, where we could not complete a service and certificate due to debt and tenants are being difficult with access. This will be on a case-by-case basis and will be communicated with the tenant.

Otherwise, the only properties that will be capped will be void properties.

It has become apparent during this Gas review that we do have a number of tenanted properties that are capped (historical). These have been identified and the Compliance Team in conjunction with the Housing Management Team are investigating and working with the tenants to ascertain the reasons for this.

We do have a small number of tenants that adamantly do not want to use gas.

These, again, will be investigated individually and discussed on how to proceed with these going forward (perhaps a signed letter confirming this is their instruction). But the capped gas will still be checked annually, and welfare checks will be carried out on a regular basis, particularly in the winter months. Ideally, we still want to provide gas and it is still there if required – it would just be a case of reconnecting.

For note, Capped properties should still be checked annually and welfare checks should still be initiated especially in the winter months.”

Danielle Sleightholme, Tenant’s Panel Co-optee (in writing) requested follow up on the Re-let Review and Decant Policy queries that arose from the previous meeting. Annalisa Howson (Housing Service Improvement Manager) advised that these 2 items were in progress and noted on the Forward Plan. She agreed that there were decants that had raised issues and concerns but these were being looked at forensically to identify lessons learned. Discussions with tenants had been sought and Tenant’s Panel involvement is to be arranged.

**12 Declarations of interest**

**13 Housing Services Damp and Mould Policy**

Steph Aves, Special Projects Officer, presented the Damp and Mould Policy to the Board, to be formally adopted by the Co-Portfolio Holder for Housing (Services & Operations) in the meeting to follow.

She noted that the policy was created in response to statutory guidance issued in the Housing Ombudsman Service Spotlight report in October 2021 and the Regulator of Social Housing, in a report entitled Damp and Mould in Social Housing: Learning the Lessons, 28 June 2023. The Policy was also formulated in light of disrepair claims in terms of damp and mould. She noted the introduction of a damp and mould tracker, which requires that within 6 months of remedial works and 12 months there will be a follow up. A case management IT system is also in the

process of being set up to assist with achieving these actions. Timescales will be highlighted in the accompanied Procedure policy, which is to be shared with the CEG and Tenant's Panel imminently.

Matt Alexander also advised that specialised training would be rolled out for technical officers and contractors with Mould Consultants. He noted that they were also in the process of acquiring additional resources to ensure that inspections were carried out and specialist resources to assist with inspections. Additional feedback will be brought to the Board at a later date. Matt also noted that stock condition surveys had identified a number of homes with damp and mould, which were being dealt with as part of the damp and mould implementation programme.

Cllr Robini referred to page 4 of the Damp and Mould Policy, specifically under 'Redecoration'. He asked for more information and clarity on the following extracts from the Policy: "will consider how best to assist vulnerable or disabled tenants with redecoration" and "damage due to disrepair, the obligation is on the landlord to both repair and make good including any redecoration." Steph Aves explained that disrepair damage referred to the instances where the Landlord has not carried out their obligation to maintain the property, such as damaged rendering leading to damp and mould. She clarified that re-decorating of properties was assessed on a case by case basis but it was made clear that work would not be left unfinished or undecorated if the tenant is unable to do so themselves. She explained that redecoration was part of resolving damp and mould.

Cllr Keen explained that she was pleased that inspections would now look at the fabric of the building as a whole-house approach.

Cllr Morrison queried the volume of properties that have been identified with a damp/mould issue. Matt Alexander noted that, at this stage the stock condition surveys had found around 70 out of 1,000 (7%) of surveys identified a damp and mould problem. He further clarified that some cases had gone unreported and were identified during inspections. He urged that tenants report these cases to the Council.

The Board were satisfied with the Damp and Mould Policy and had no further comments to make.

## **14 Housing Services Fire Safety policy**

Drew Roberts, Fire Safety Compliance Officer, presented the updated Fire Safety Policy to the Board, to be formally endorsed by the Co-Portfolio Holder for Housing (Services), Cllr Paul Rivers, in the consultation with the Executive Head of Housing, Andrew Smith.

Terry Daubney, Vice Chair and Leader of the Tenant's Panel made a few suggested revisions to the document, including;

- Clarity on the meaning of CDM (Construction Design & Management)
- Clarity on the meaning of 'bi-annual' in context of the Senior Living reviews.
- He recommended that a tenant representative is included in the safety inspections for the twice-yearly Senior Living Reviews

Drew Roberts agreed to amend the policy to clarify the meaning of bi-annual and CDM. He had also been in discussions with David Brown (Senior Living Manager) earlier in the week who had agreed to identify volunteer tenant representatives to accompany officers on the senior living inspections.

Chris Austin, Tenant's Panel Member, gave feedback on the Policy and explained that he felt it was mostly aimed at multi-storey properties, blocks of flats and Senior Living homes, but queried how the Policy would apply to individual houses and bungalows. He further queried how tenants would be made aware of this Policy i.e. will it be included in a pack at the start of a tenancy? Drew Roberts explained that the Policy is all-encompassing and does apply to houses and bungalows and he noted the landlord's responsibilities such as providing smoke detectors and carrying out gas and fire alarm servicing. Annalisa Howson, Housing Improvements Manager, noted that a synopsis/summary of the policy and fire safety advice is included in the Tenant's pack at the beginning of the tenancy. These resources are also accessible and available on the website for transparency. She informed Members that the weekly newsletter circulated to tenants often includes information on fire safety and links to policies. Hugh Wagstaff, Head of Housing Operations, further noted that the legislation informing this Policy had predominantly focused on blocks of flats and officers will take comments about individual homes and bungalows on board to make the Policy accessible and relevant to all. Cllr Keen advised that regular reminders for tenants to comply with fire safety policies and procedures should be sent via the newsletters.

Cllr Robini queried what would happen in a block of flats when certain flats are sold privately? Drew Roberts confirmed that legislation requires the Council to write to all occupiers in a flat block, so leaseholders would also get a letter on fire safety. He noted that the Council may have less control over the provision of smoke detectors but will follow up on whether leaseholders are required to have smoke detectors installed. **Drew agreed to provide further clarity after the meeting.**

The Board agreed to this policy with a few minor amendments mentioned above.

## **15 HRA Buy Back - Shamley Green**

Hugh Wagstaff, Head of Housing Operations, introduced the buy back proposal set out in the report. In the meeting to follow, the Co-Portfolio Holder for Housing, Cllr Rivers will make the formal decision to delegate authority to the Executive Head of Housing to approve the final terms of the purchase.

Cllr Robini questioned the sum mentioned in the exempt annex which was allocated for works required to bring the property to a lettable standard. Hugh Wagstaff explained that this was an opportunity to bring the property to the highest standard including energy efficiency, and this sum indicated the highest amount that could be spent on refurbishment, although the full amount will likely not be spent. Works such as new a bathroom and kitchen will be needed. He advised that this will also be an investment into the property as it is unlikely further work will be needed for the foreseeable future.

The Board were satisfied with the proposals set out in the report.

## **16 Fire equipment servicing procurement**

Drew Roberts addressed the Board and introduced the procurement of the new Fire Equipment Servicing contract with Sureserve Fire and Electrical Ltd for the period 2023 to 2026. To be approved formally by the Co-Portfolio Holder for Housing (Services and Operations), Cllr Paul Rivers in the meeting to follow.



He noted that relevant due diligence was taken in this procurement process and consultations with Fusion 21 and the assessment of their framework contractors found that Sureserve came out on top. In consultation with the Procurement Officer, it was agreed that the preferred route would be to directly award a new contract to Sureserve Fire and Electrical Ltd, under the same contract terms as before, via a framework that has already been competitively tendered at a higher contract value. The new contract would better reflect the reality of the cost of running the fire safety systems.

Chris Austin, Tenant's Panel Member, queried whether the over-spend could occur again under the new contract? In response, Drew Roberts explained that the contract value increase and amendment of the terms of the contract would ensure that these issues do not arise again in the future.

## **17 Feedback from CIH Manchester Conference**

Annalisa Howson addressed the Board and provided a presentation update from the Chartered Institute of Housing National Conference, Manchester.

**Cllr Rivers actioned that the presentation should be shared with the Executive.**

## **18 Executive Head of Housing Update**

Executive Head of Housing, Andrew Smith, noted that there is now a full compliance team in action managed by Matt Alexander.

He further informed the Board that there would be two Co-PFH for Housing decisions on the Executive forward plan to be approved over the summer. Decisions include; Buy-back for a 3 bed family home and Variation to the Gas Contract.

## **19 Work Programme**

Annalisa Howson informed the Board that the following items are expected in the meeting to be held in September:

- Q1 Performance Report
- Responsive repairs and voids progress update with Ian Williams and contract manager
- Asset Management IT Solution procurement
- RSH Consultation documents

## **20 Date of next meeting**

The next meeting of the LSAB will be held on 28<sup>th</sup> SEPTEMBER 2023.

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Waverley Borough Council

**Report to:** Landlord Services Advisory Board

**Date:** 28 September 2023

**Ward(s) affected:** All

**Report of Director:** Community Wellbeing

**Author:** Annalisa Howson, Housing Service Improvement Manager

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**Executive Portfolio Holder responsible:** Cllr Paul Rivers

**Tel:** 01483 420747

**Email:** [paul.rivers@waverley.gov.uk](mailto:paul.rivers@waverley.gov.uk)

**Report Status:** Open ~~/Confidential/Part Confidential~~

## Regulator of Social Housing Consultation on Proposed Consumer Standards

### 1. Executive Summary

The Social Housing (Regulation) Act received Royal Assent, on 20 July 2023. The Regulator of Social Housing (RSH) is now consulting on a set of four proposed consumer standards and a Code of Practice. The act has strengthened the RSH powers to proactively regulate and inspect social landlords.

The RSH are seeking opinions on whether:

- the consumer standards proposed would set the right expectations for landlords, and if
- the Code of Practice proposed gives helpful examples of how to meet the standards.

The Housing Service is seeking the Boards views and comments to inform Waverley's consultation response.

## **2 Recommendation to LSAB:**

That the Board considers the RSH proposals and comments on the:

- proposed Safety and Quality Standard
- proposed Transparency, Influence and Accountability Standard
- proposed Neighbourhood and Community Standard
- proposed Tenancy Standard, and
- proposed Code of Practice

## **3 Reason(s) for Recommendation:**

To ensure the Board's comments are included in Waverley's consultation response.

## **4 Exemption from publication**

No

## **5 Purpose of Report**

To share the RSH proposals and seek Boards views. The Board has a role to ensure the Council meet the regulatory standards when implemented.

## 6 Strategic Priorities

The report supports the Council's Corporate commitment to promote *"Good quality housing for all income levels and age groups"* and aim to *"be the best council landlord in the South East and to be acknowledged so by our tenants."*

## 7 Background

7.1 The RSH have been given new powers to help improve the quality of housing and services for social housing tenants in a way that lasts. To help make this happen, the standards set expectations that social housing landlords have to meet.

7.2 The Code of Practice gives examples of the sorts of things landlords should think about to make sure they meet the standards. These standards are building on and replacing five existing consumer standards.

7.3 The RSH want to know what people think about the proposed consumer standards and Code of Practice. The proposed standards were circulated to the Board early August to give the opportunity to review the documents, over the summer.

7.4 The Board meeting is an opportunity to discuss and comment on the following standards:

- i Proposed Safety and Quality Standard including stock quality, decency, health and safety, repairs and maintenance and adaptations.
- ii Proposed Transparency, Influence and Accountability Standard including fairness and respect, diverse needs, engagement with tenants, information about landlord services, performance information and complaints.
- iii Neighbourhood and Community Standard including maintenance of share spaces, local cooperation, safer neighbourhoods and domestic abuse.

iv Proposed Tenancy Standard including allocations and letting, tenancy sustainment and evictions, tenure and mutual exchange.

v Proposed code of practice

## **8 Consultations**

With Co-Portfolio Holder for Housing, Tenants Panel, Housing Managers and LSAB.

## **9 Key Risks**

9.1 Failure to input consultation will mean Council unable to raise any concerns with regulatory regime.

9.2 Failure to raise awareness of the new regulatory regime and requirement on social landlords to provide assurance that standards met.

## **Financial Implications**

No current implications, actions to meet and evidence requirements to be considered with 2024/25 budget setting

## **Legal Implications**

No current implications

## **Human Resource Implications**

No current implications

## **Equality and Diversity Implications**

No current implications

## Climate Change/Sustainability Implications

No current implications

### Summary of Options

- 15.1 no consultation response
- 15.2 rely on officer comments for consultation response
- 15.3 seek LSAB views to provide comprehensive consultation response

### Conclusion

To provide a comprehensive consultation response and raise awareness of future standards the LSAB are asked to review standards and make comments on if they agree or disagree with proposals. Officers will arrange feedback to RSH by 17 October 2023.

### Background Papers

n/a

### Appendices

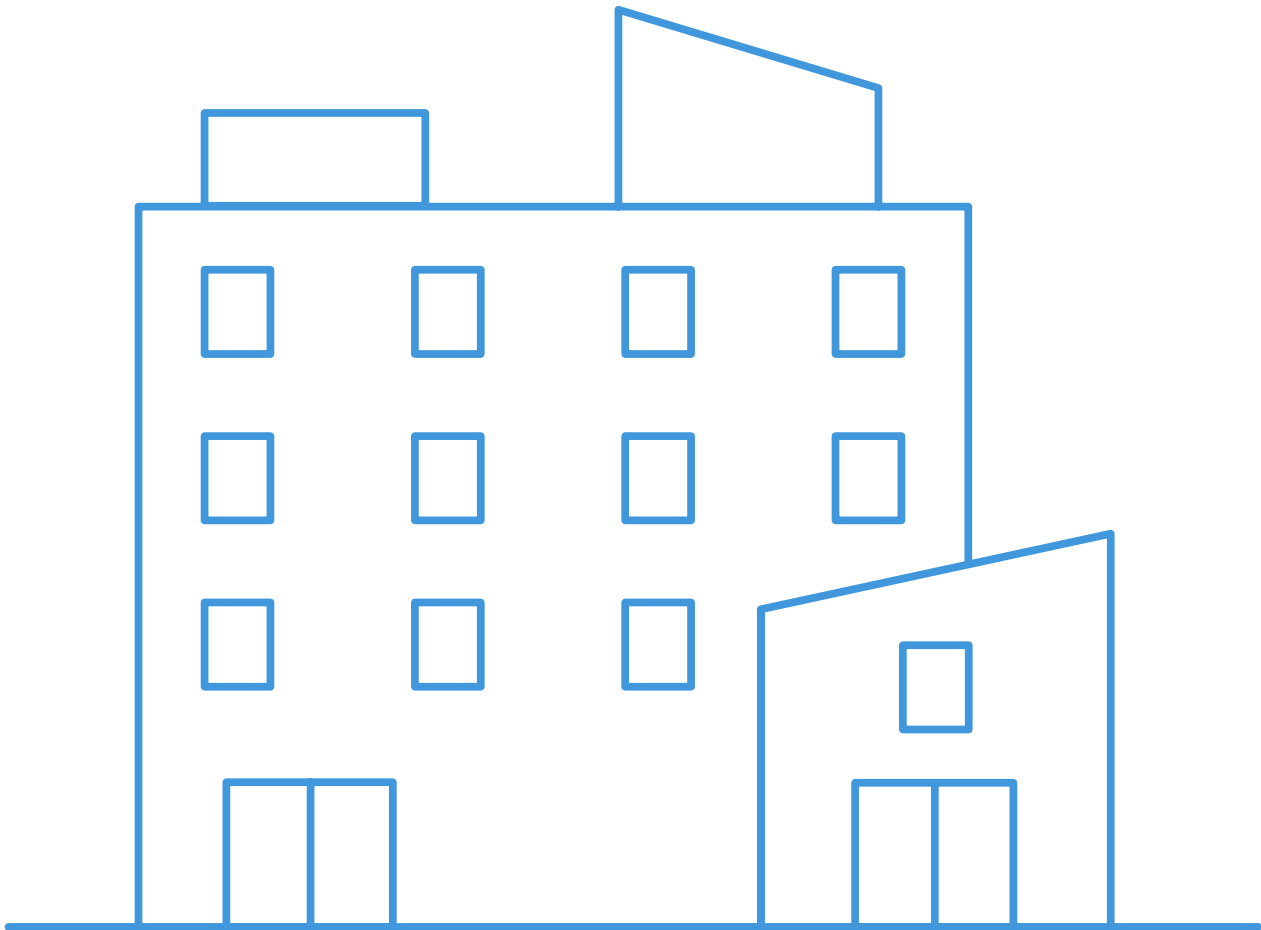
- 18.1 Annexe One [Consumer Standards Consultation](#)
- 18.2 [Proposed Code of Practice](#)

Please ensure the following service areas have signed off your report.  
Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	29/08/23 CK

Legal / Governance	
HR	n/a
Equalities	n/a
Lead Councillor	19/08/2023
CMB	n/a
Executive Briefing/Liaison	n/a
Committee Services	





# Consumer Standards Consultation

What we are proposing and  
how to have your say

# About the consultation

The Regulator of Social Housing is creating a set of four consumer standards and a Code of Practice to go with them.

We are being given new powers to help improve the quality of housing and services for social housing tenants in a way that lasts. To help make this happen, the standards set expectations that social housing landlords have to meet and that we will seek assurance against. The Code of Practice gives examples of the sorts of things landlords should think about to make sure they meet the standards.

These standards are building on and replacing five existing consumer standards. We want to know what people think about our proposed consumer standards and Code of Practice.

This document summarises what we are proposing and tells you how to share your views with us.

Another document, [Consumer standards consultation: reshaping consumer regulation](#), contains all the details of our proposals and the thinking behind them, including information that is not in this summary. That document is our statutory consultation document. We encourage you to read the consultation document as well as this summary, especially if you want to share your views with us.

## Why are these changes happening?

In 2020, the government published [The charter for social housing residents: social housing white paper](#), which describes ways to improve things for people living in social housing.

Our documents [Reshaping consumer regulation: our principles and approach](#) and [Reshaping consumer regulation: our implementation plan](#) explain how we are meeting these expectations.

Among other things, the white paper says we should use our powers to make sure landlords are accountable for:



providing their tenants with good quality homes and services



prioritising tenants' safety



treating tenants with respect



being open and honest with tenants.

In July 2023, the Social Housing (Regulation) Act 2023 became law. This Act updates our responsibilities and our powers. It means we can strengthen how we regulate landlords. We can already investigate landlords when someone refers them to us, and take action if they fail to meet our standards in a way that seriously harms (or could seriously harm) tenants. The Act means that starting in April 2024, we can assess landlords more routinely and proactively, and take action in a wider range of circumstances.

All these changes mean it is important to take another look at the standards social housing landlords have to meet. We need a revised set of consumer standards that work for tenants, landlords and us.

We are interested in your opinion on whether:

- the consumer standards we are proposing would set the right expectations for landlords
- the Code of Practice we are proposing gives helpful examples of how to meet the standards.

## What has happened so far and our next steps



# More detailed information

[Consumer standards consultation: reshaping consumer regulation](#)

– Regulator of Social Housing

[Social Housing \(Regulation\) Act 2023](#)

– UK Parliament

[Reshaping consumer regulation: our implementation plan](#)

– Regulator of Social Housing

[Reshaping consumer regulation: our principles and approach](#)

– Regulator of Social Housing

[The charter for social housing residents: social housing white paper](#)

– Ministry of Housing, Communities & Local Government

# How to share your views



You can find our consultation questions on pages 22-24 of this document.



To answer any of our consultation questions, [please respond online](#).



We need to hear from you by 17 October 2023.

Please make it clear which questions you are responding to, and include:

- your name
- a contact email address (if possible)
- whether you are responding as an individual and, if you are, whether you are a social housing tenant in rental accommodation, a shared owner in social housing, or someone else (please give details)
- whether you are responding on behalf of an organisation and, if you are, whether it is a large (1,000 or more social housing units) or small (fewer than 1,000 social housing units) private registered provider or local authority registered provider, a stakeholder organisation, or something else (please give details).

## Other ways to respond

If you cannot use the website, you can also email or post your responses.

Please only respond to the consultation once. For example, if you respond online, you do not need to email us your responses as well.

**Email:** [consultation@rsh.gov.uk](mailto:consultation@rsh.gov.uk)

Please write “Consumer standards consultation” in the subject line.

**Post:**

Consumer Standards Consultation  
The Regulator of Social Housing  
Referrals and Regulatory Enquiries Team  
Level 2  
7-8 Wellington Place  
Leeds LS1 4AP

## Registered providers

The proposed standards talk about “registered providers”. A registered provider is an organisation registered with us to provide social housing. They can include:

- private registered providers (including profit-making organisations, and non-profit organisations like housing associations and co-operatives)
- local authority registered providers.

For simplicity, in this summary we mostly say “social housing landlords” or “landlords” instead of “registered providers”.

## Alternative formats

We have also published an [accessible Easy Read summary](#) of the consultation document.

If you need the information in this document in a different format, please:

- **Email:** [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk)
- **Call:** 0300 124 5225
- Write to us.

## Your privacy

Please do not share sensitive personal data (e.g. health information), information that identifies other individuals, or any information in your response which you would not be happy for us to make publicly available. Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with legislation (e.g. the Freedom of Information Act 2000).

We intend to publish a summary of the responses we receive. We also intend to publish a list of all individual respondents to the consultation, who have told us that they are happy for their name to be included. If you would like your name to appear on the list, please say this in your response.

Please see the [privacy notice](#) on our website for information about how we process and protect personal data and for information on exercising your rights over your data. We are using the platform Snap Surveys to gather responses to the consultation. Responses will be held on this platform for no longer than nine months from the consultation closing date. You can read Snap Surveys' privacy information [here](#).

Please read the Survey Introduction and see chapter 12 of the statutory consultation document and the privacy notice on our website for information about how we process and protect personal data.

# Our aims

We want the changes we are making to the consumer standards to:

- make a meaningful difference to tenants
- be possible for landlords to achieve
- be something we can regulate.

You might find it helpful to keep these aims in mind when thinking about our proposals and responding to the consultation.

## Informing our thinking

As part of drafting our proposed standards, we spoke to people they would affect, including more than 2,000 tenants.

We listened and reflected on what they said is important to them. These insights helped to shape our proposals, making sure they are stronger and more meaningful.

## How we regulate

We want our proposed standards to be suitable for our approach to regulating social housing, where:

- we set the standards
- landlords (and their boards and councillors) have to make sure they are meeting the standards

- landlords have to make sure they can show tenants – and us – how they are meeting the standards
- landlords help tenants understand how they are performing, so tenants can hold their landlords to account.

We have developed our proposed consumer standards to work with this approach.

Our standards are outcome-focused. This means they say what outcomes landlords have to achieve. It is then up to each landlord to decide the best way to achieve those outcomes for tenants and their organisation.

Changes introduced in the Social Housing (Regulation) Act 2023 mean we can also create a Code of Practice to go with our consumer standards. We have created a draft Code of Practice which gives examples of the sorts of things landlords should think about to make sure they meet the standards.

## Fulfilling our responsibilities

We want our proposed standards to help us meet the government's expectations and fulfil our new responsibilities.

The charter for social housing residents: social housing white paper says landlords must be accountable for:

- providing their tenants with good quality homes and services
- prioritising tenants' safety
- treating tenants with respect
- being open and honest with tenants.

The Social Housing (Regulation) Act 2023 updated our responsibilities to put more emphasis on the safety and energy efficiency of social housing, and the transparency of landlords. We think our proposed standards will help us fulfil these responsibilities.

We have assessed the current five consumer standards and our proposed standards to see what impact they would have on equality. We have had these assessments in mind from a very early stage. They have helped shape our proposed standards.

## Directions from the government

The government has officially instructed (or 'directed') us to include certain things in the consumer standards.

So far, the government's directions cover tenure, quality of accommodation, tenant involvement and mutual exchange.

The government recently updated the directions covering tenant involvement and mutual exchange. Our proposed standards follow the government's latest directions in these four areas.

We are not asking for your views on whether these parts of the standards should be included or not (because we have been directed to include them).

We are still interested to know if you think our proposed standards properly follow the government's directions on tenant involvement and mutual exchange, as these have been revised.

[Directions to the Regulator of Social Housing: Tenant involvement and mutual exchange \(updated\)](#)

The Social Housing (Regulation) Act 2023 says the government has six months to give us a direction, covering:

- landlords giving their tenants information about their rights
- how tenants can complain about their landlord.

The Act also says the government can direct us on landlords' competency and conduct, and tenants' access to information.

This means the standards we are proposing will probably change in the future, when we get new directions from the government.



# Summary



## The Safety and Quality Standard

Building on and replacing the existing [Home Standard](#)

This standard would mean landlords have to provide their tenants with safe, good quality homes and effective landlord services.

For details, see:

- This document pages 11-12
- Consultation document paragraphs 6.1-6.20



## The Transparency, Influence and Accountability Standard

Building on and replacing the existing [Tenant Involvement and Empowerment Standard](#) and [Tenant Satisfaction Measures Standard](#)

This standard would mean landlords have to be open with their tenants and treat them with fairness and respect.

This means tenants should be able to:

- make use of their landlord's services, in a way that meets their needs
- make complaints when necessary
- influence their landlord's decision-making
- understand how their landlord is performing
- hold their landlord to account.

For details, see:

- This document pages 13-15
- Consultation document paragraphs 7.1-7.19



## The Neighbourhood and Community Standard

Building on and replacing the existing [Neighbourhood and Community Standard](#)

This standard would mean landlords have to work with other organisations to help make sure tenants can live in safe and well maintained neighbourhoods.

For details, see:

- This document pages 16-17
- Consultation document paragraphs 8.1-8.8



## The Tenancy Standard

Building on and replacing the existing [Tenancy Standard](#)

This standard would mean landlords have to allocate and let homes fairly. It also sets requirements for how landlords manage and end tenancies.

For details, see:

- This document pages 18-19
- Consultation document paragraphs 9.1-9.11



# Safety and Quality Standard

Providing safe, good quality homes is the main purpose of a landlord. The quality of a tenant's home has a big effect on their quality of life.

The Safety and Quality Standard would mean landlords have to provide their tenants with safe, good quality homes and effective services.

We are proposing a standard with five main requirements that landlords have to meet.

## Requirement 1

### Quality of homes

Registered providers must have an accurate, up-to-date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.

To maintain the required safety and quality of their tenants' homes, landlords need to know what state they are in. With that in mind, this requirement says landlords need to know the condition of their homes.

Our proposed standard requires landlords to do physical assessments of their homes, keep accurate records of the results for each individual home, and use the results (along with other information) to keep homes in a good condition.

## Requirement 2

### Decent homes

Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.

The government directed us to include this requirement on quality of accommodation and has not updated its direction yet, so we have not made any big changes here – only simplified the requirement. With that in mind, we are not asking a question about whether it follows the government's direction accurately.

### Requirement 3

## Health and safety

When acting as landlords, registered providers must take all reasonable steps to ensure the safety of tenants in their homes and associated communal areas.

This requirement makes landlords' health and safety responsibilities clearer – for example, by saying they should act on the results of health and safety checks in a reasonable amount of time and consider tenants' safety when designing and delivering their services.

### Requirement 4

## Repairs, maintenance and planned improvements

Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

This requirement says landlords need to maintain and repair their tenants' homes promptly and properly.

We are proposing strengthening the standard by saying landlords also need to:

- make it easy for tenants to report a repair or a maintenance issue
- keep tenants updated about work on their homes
- understand what they are responsible for in communal areas, and fulfil those responsibilities.

The current Home Standard says landlords should get repairs right first time. This means different things to different landlords, so instead, our proposed Safety and Quality Standard says landlords should listen to tenants and use their views to set schedules for repairs, maintenance and planned improvements.

### Requirement 5

## Adaptations

Registered providers must assist tenants seeking housing adaptations to access appropriate services.

For tenants who need them, home adaptations mean they can live safely and independently in their home. This requirement says landlords need to help tenants who need adaptations in their homes to find and make use of relevant services, and clearly communicate how they will do this.



# Transparency, Influence and Accountability Standard

To improve tenant-landlord relationships, tenants need to be able to get relevant information from their landlords, and landlords need to listen to their tenants and act on their views.

The requirements in our proposed Transparency, Influence and Accountability Standard would help landlords achieve this.

We are proposing a standard with seven main requirements that landlords have to meet.

## Requirement 1

### Fairness and respect

Registered providers must treat all tenants with fairness and respect.

Fairness and respect should be at the heart of how landlords provide their services.

## Requirement 2

### Diverse needs

Registered providers must take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants.

This requirement says landlords need to understand tenants' needs and take action to meet those needs, so their tenants have fair access to their services, and the outcomes of those services are equitable for tenants. It also says landlords need to allow advocates or other representatives to support their tenants.

How landlords design and deliver their services and communications to meet their tenants' needs is relevant to all the requirements of all standards, not just this one.

### Requirement 3

## Engagement with tenants

Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered.

Listening to tenants helps landlords provide tenants with the good quality homes and services they need.

Our proposed standard recognises that some tenants will want to get involved directly with their landlord's decisions, and others will just want to be kept informed. It also strengthens the requirement for registered providers to consult tenants about significant proposed changes, like a change of landlord.

The government directed us to include parts of this requirement. Our statutory consultation document, [Consumer standards consultation: reshaping consumer regulation](#), tells you exactly which parts. We would like to know whether you think our proposed standard accurately follows [the government's direction](#), as well as whether our proposed standard sets the right expectations.

### Requirement 4

## Information about landlord services

Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.

We have heard that tenants value clear and timely communication about landlord services. It helps to show fairness and respect, and can help tenants hold their landlords to account.

This requirement means landlords need to tell tenants about things like:

- the services they provide and how tenants can access them
- the standard of safety and quality tenants can expect from their homes and communal areas
- progress, next steps and results of services the landlord is providing
- rent and service charges
- where to find relevant policies (which must be fair and reasonable and, where relevant, say how landlords make decisions and how to appeal those decisions)
- who in the organisation is responsible for making sure the landlord meets the consumer standards.

### Requirement 5

## Performance information

Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services.

This requirement says landlords have to give their tenants information about their performance. This information includes the Tenant Satisfaction Measures, which we consulted tenants, landlords and others about in 2021 and which came into force from April 2023, as well as other information.

This includes landlords sharing information with tenants about how they are spending their income. This is something the government committed to in [The charter for social housing residents: social housing white paper](#).

#### Requirement 6

## Complaints

Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

This requirement says the way landlords handle complaints should be simple and accessible, and they should tell tenants about it.

Our proposed standard and the Housing Ombudsman Service would work alongside one another.

#### Requirement 7

## Self-referral

Registered providers must communicate in a timely manner with the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards.

This requirement says landlords need to be transparent with the Regulator of Social Housing. If a landlord discovers an area where they might not be meeting our standards, they should let us know. This supports our co-regulatory approach.



# Neighbourhood and Community Standard

Part of a landlord's role is to work with others to help with the upkeep and safety of the neighbourhoods and communities their homes are part of.

The proposed Neighbourhood and Community Standard would say landlords need to work with other organisations to help make sure tenants can live in safe and well maintained neighbourhoods.

We are proposing a standard with four main requirements that landlords have to meet.

## Requirement 1

### Maintenance of shared spaces

Registered providers must work co-operatively with tenants, other landlords and relevant organisations to contribute to the upkeep and safety of shared spaces associated with their homes.

“Shared spaces” are spaces where the landlord is not legally responsible for upkeep and safety, but can work with others to improve things for tenants. This requirement says landlords need to co-operate with tenants and other organisations on the safety and upkeep of these spaces.

## Requirement 2

### Local cooperation

Registered providers must co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where they provide social housing.

Landlords are not always the main organisation responsible for the neighbourhoods their homes are in. Still, they can improve things for their tenants by working with other organisations in the area. This requirement says landlords need to let tenants know how they are doing this.



### Requirement 3

## Domestic abuse

Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

This requirement says landlords need to have a policy for tackling domestic abuse and related issues.

### Requirement 4

## Safer neighbourhoods

Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) in the neighbourhoods where they provide social housing.

Social housing tenants are more likely to experience crime and anti-social behaviour than other types of tenants. This requirement says landlords need to work with others to help reduce and tackle anti-social behaviour, and to consider and communicate how they will tackle hate incidents.

It also says landlords need to support tenants affected by anti-social behaviour. This can include vulnerable people who behave anti-socially.



# Tenancy Standard

The new Tenancy Standard would require landlords to allocate and let homes fairly, and set expectations for how landlords manage and end tenancies.

We are proposing a standard with four main requirements that landlords have to meet.

## Requirement 1

### Allocations and lettings

Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account.

This requirement includes allocating adapted and purpose-built homes to tenants who need them, where possible. It says landlords should work with local authorities to help them meet local needs for social housing.

The current Tenancy Standard says landlords need to make sure homes do not stay empty too long between lettings.

We have removed this requirement from our proposed standard to keep it focused on fairness and transparency.

## Requirement 2

### Tenure

Registered providers must offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock. In doing so, registered providers must meet all applicable legal requirements.

The government directed us to include this requirement on tenure and has not updated its direction yet, so we are not asking a question about whether it follows the government's direction accurately.

On top of what the government directed us to include, our proposed standard says that when offering a tenancy, landlords have to meet any relevant legal requirements and think about whether that tenancy is right for the tenant and the home.

### Requirement 3

## Tenancy sustainment and evictions

Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.

Our proposed standard says if it is not possible for a tenant to stay in their home, their landlord needs to give them help and advice about their options before the end of the tenancy.

### Requirement 4

## Mutual exchange

Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

This requirement means that where tenants have the option, landlords need to give them the systems and support they need to swap their home with another tenant. Swapping homes, or “mutual exchange”, can be complex, so we are also proposing that landlords help tenants make informed decisions: for example, by explaining what it would mean for their tenure, rent and service charges.

The government directed us to include parts of this requirement. Our statutory consultation document, [Consumer standards consultation: reshaping consumer regulation](#), tells you exactly which parts. We would like to know whether you think our proposed standard accurately follows the [government’s directions](#).

# Code of Practice

We are proposing a Code of Practice to go with the four consumer standards, which gives examples of the sorts of things landlords should think about to make sure they meet the standards. This would help tenants and landlords to understand what the standards mean for them.

If a landlord breaches the standards, we have the power to take action if necessary. The Code of Practice, on the other hand, is more about helping landlords understand what is useful to think about and how they might meet the standards.

We might also refer to the Code of Practice when we need to decide whether or not a landlord meets the standards.

Our proposed Code of Practice does not cover every single requirement in the four consumer standards. Instead, it focuses on the areas where we think it is helpful to expand on the standards – by giving examples, for instance.

This does not mean the requirements covered in the Code of Practice are more important than the others. Landlords have to meet all the requirements of our standards, whether the Code of Practice specifically mentions them or not.

You can find the draft Code of Practice in annex 2 of [Consumer standards consultation: reshaping consumer regulation](#).

# Our impact assessments

We would like to know whether you agree with the conclusions in our Regulatory Impact Assessment and our Equality Impact Assessment.

The Regulatory Impact Assessment looks at the costs and benefits of introducing the consumer standards. The Equality Impact Assessment looks at what effects introducing the standards might have on members of groups that are protected by equality laws.

You can find the draft Regulatory Impact Assessment in annex 3 of [Consumer standards consultation: reshaping consumer regulation](#). You can find the draft Equality Impact Assessment in annex 4.

# Consultation questions

We encourage you to answer as many questions as possible, but you do not have to answer every question.

You may find it helpful to read our statutory consultation document, [Consumer standards consultation: reshaping consumer regulation](#) before answering these questions.

If you are responding by email or post, please make it clear which questions you are responding to.

We would like to know whether our proposed standards:

- cover the right areas
- set the right expectations of landlords
- are easy to understand for both landlords and tenants.

It would be helpful if you could tell us what you think about these points in any comments you provide.

## → Question 1

Overall, do you agree that the proposed Safety and Quality Standard sets the right expectations of landlords, as set out in chapter 6 of the consultation document?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

For information to help you answer this question, see pages 11-12 of this document.

## → Question 2

Overall, do you agree that the proposed Transparency, Influence and Accountability Standard sets the right expectations of landlords, as set out in chapter 7 of the consultation document?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

For information to help you answer this question, see pages 13-15 of this document.

### → Question 3

Do you agree that the proposed Transparency, Influence and Accountability Standard accurately reflects the government's 'tenant involvement direction' to the regulator?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

**For information to help you answer this question, see:**

- This document page 14
- Consultation document paragraphs 7.7 to 7.10
- [Updated direction to the Regulator of Social Housing on tenant involvement](#)

### → Question 4

Overall, do you agree that the proposed Neighbourhood and Community Standard sets the right expectations of landlords, as set out in chapter 8 of the consultation document?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

**For information to help you answer this question, see pages 16-17 of this document.**

### → Question 5

Overall, do you agree that the proposed Tenancy Standard sets the right expectations of landlords, as set out in chapter 9 of the consultation document?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

**For information to help you answer this question, see pages 18-19 of this document.**

### → Question 6

Do you agree that the proposed Tenancy Standard accurately reflects the government's 'mutual exchange direction' to the regulator?

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

**For information to help you answer this question, see:**

- This document page 19
- Consultation document paragraphs 9.10 to 9.11
- [Updated direction to the Regulator of Social Housing on mutual exchange](#)

## → Question 7

The proposed Code of Practice is designed to help landlords understand how they can meet the requirements of the standards. Do you agree that the proposed Code of Practice meets this aim? Please see chapter 10 of the consultation document for more information on the Code of Practice.

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

For information to help you answer this question, see page 20 of this document.

## → Question 8

A draft Regulatory Impact Assessment has been produced to help in understanding the costs, benefits and risks of introducing a revised set of consumer standards and Code of Practice. Do you agree with our conclusions in the draft Regulatory Impact Assessment? Please see chapter 11 of the consultation document for more information on the Regulatory Impact Assessment.

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

For information to help you answer this question, see page 21 of this document.

## → Question 9

The draft Equality Impact Assessment looks at what effects introducing the consumer standards might have on members of groups that are protected by equality laws. Do you agree with our conclusions in the draft Equality Impact Assessment? Please see chapter 11 of the consultation document for more information on the Equality Impact Assessment.

**Please state if you agree or disagree. Please provide comments if you wish to explain your response.**

For information to help you answer this question, see page 21 of this document.



# About us

The Regulator of Social Housing regulates registered providers of social housing in England. We want the social housing sector to be viable, efficient, well governed, and able to deliver homes that meet a range of needs.

Registered providers of social housing include:

- housing associations, co-operatives and other non-profit organisations
- profit-making organisations
- local authorities.

Our work helps to make sure social housing tenants have:

- appropriate quality homes that are well managed, safe and energy efficient
- choice
- protection
- ways to get involved with how their homes are managed
- landlords that act transparently.

We set standards that all registered providers of social housing must meet. In certain circumstances, we may take action if a provider breaches these standards.

We have a duty to work in a way that minimises interference and, as far as possible, is proportionate, consistent, transparent and accountable.

## Contact us

If you want to respond to this consultation, see page 5 of this document.

We encourage you to read the [statutory consultation document](#) as well as this summary, especially if you want to share your views with us.

If you have a more general query:

Email: [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk)

**Call:** 0300 124 5225

**Post to:**

Regulator of Social Housing  
Level 2  
7-8 Wellington Place  
Leeds  
LS1 4AP

Thank you for taking the time to read this summary and share your responses to our proposals. Your opinions are important to us.



Regulator of  
Social Housing

[gov.uk/government/organisations/  
regulator-of-social-housing](https://www.gov.uk/government/organisations/regulator-of-social-housing)



Regulator of  
Social Housing

Annex 2  
**Consumer standards  
Code of Practice**

**July 2023**

DRAFT

## Consumer standards Code of Practice

### The role of the Code of Practice

1. This Code of Practice (the Code) is designed to amplify some of the requirements in the consumer standards (the Standards) by elaborating on the content, with illustrative examples where we think they are useful. It aims to help registered providers understand what the regulator is looking for when seeking assurance from them on meeting the Standards. The Code does not elaborate on all expectations set out in the Standards, only where the regulator considers that amplification of the Standard may help registered providers understand how compliance with the Standard can be achieved. This does not indicate the relative importance of different elements of the Standards. Registered providers must comply with all of the Standards.
2. Registered providers should have regard to the Code when assessing their compliance against the Standards. In considering whether they have been met, the regulator will have regard to the Code. It is therefore important that registered providers are familiar with its content. However, it is the Standards rather than the Code that registered providers must meet.
3. The regulator adopts a co-regulatory approach to its work. It sets both economic and consumer standards designed to help it to deliver its statutory objectives. Responsibility lies with the Boards and councillors of registered providers to meet the standards. The Code fits with the co-regulatory regime by allowing registered providers to develop their own approaches to achieve the outcomes and expectations set out in the Standards. Board and councillors of registered providers should have robust mechanisms in place to provide them with assurance that their organisation complies with the Standards.
4. Examples of how registered providers might achieve compliance are not intended to be exhaustive nor prescriptive. Should a registered provider comply with the requirements of the Standards in a different manner then it is free to do so. If there are any conflicts between the Code and the Standards, the Standards take precedence.
5. The Code is structured to follow the same order of the different sections as they appear in the Standards. At the beginning of each theme in the Code, we state clearly which required outcome and specific expectations we are expanding upon.

6. Registered providers are required to comply with the Standards. This applies both where the registered provider delivers services to tenants directly and where services are delivered via other organisations. Where they contract out any landlord services to a third party, the registered provider remains responsible for complying with the Standards and should have assurance that the Standards are being met.
7. The outcomes in the Standards are interdependent as they all share a common aim of ensuring the provision of effective landlord services and quality, well-maintained and safe homes. Providers should consider that if they are unable to demonstrate compliance with one element of the Standards, this is likely to mean that there are gaps in their assurance of compliance with other requirements.
8. The Code refers to a number of documents, some of which are owned by the regulator, and some are owned by other organisations. These documents and links to them may be updated, amended and replaced from time to time, and it is the responsibility of registered providers to ensure that they comply with the latest version of these documents at any point in time.

# Safety and Quality Standard

## Stock quality

(Relevant to required outcome 1.1.1 and specific expectations 2.1.1 and 2.1.2)

9. Providing safe and well-maintained homes is a fundamental responsibility of all registered providers. Having a sufficiently detailed understanding of the condition of their homes at an individual property level is vital to providers being able to achieve this and helps to ensure that they comply with all applicable requirements. In achieving this outcome, private registered providers should be mindful of the regulator's requirement in the Governance and Financial Viability Standard in relation to maintaining a thorough, accurate and up to date record of their assets and liabilities.
10. Registered providers are expected to undertake regular physical assessments of both the inside and the outside of all their homes. They should assess whether their homes are:
  - safe and free from serious hazards
  - kept in good repair
  - meet relevant standards prescribed in law.
11. Registered providers should survey homes frequently enough and in sufficient depth to maintain their assurance on the quality and safety of their stock. Appropriate frequency and depth will be influenced by a range of factors, including but not limited to, property age, construction, and archetypes as well as data from complaints and reports from repairs and maintenance programmes. For some registered providers, a five-year rolling programme of stock condition surveys across all homes might be appropriate; however for some providers or for some of their stock, more frequent assessments might be needed, for example where there are high levels of responsive repair requests or recurring problems which might be indicative of wider issues.
12. Registered providers should ensure that they not only have a robust approach to assessing and recording the conditions of their homes, but they should also use information from other sources such as complaints to ensure they have a rounded view of the condition of their stock and the needs of individual tenants living in those homes. Where investment and repair requirements are identified, registered providers should have appropriate systems in place to ensure they are acted upon in an appropriate and timely manner.

## **Decency**

(Relevant to required outcome 1.2.1)

13. Registered providers are required to comply with section 5 of the Government's Decent Homes Guidance, and should have an approach to repairs, maintenance and planned improvements which ensures that their homes are maintained to meet all criteria of the Decent Homes Standard, including being free from Category 1 hazards.
14. Registered providers' understanding of the condition of their homes should include compliance against all criteria of the Decent Homes Standard. In addition, registered providers should have an effective plan in place to ensure compliance with all criteria of the Decent Homes Standard is maintained.
15. Where a registered provider has agreed a period of non-compliance with the Decent Homes Standard with the regulator, it should ensure that it meets all applicable health and safety legal requirements for the duration of the period and should communicate the non-compliance with the Decent Homes Standard and its implications to affected tenants.

## **Health and safety**

(Relevant to required outcome 1.3.1 and specific expectations 2.2.1 and 2.2.3)

16. As part of achieving this outcome, registered providers must ensure they understand and comply with all applicable health and safety legal requirements, including secondary legislation (in relation to, for example, gas safety, fire safety, electrical safety, water safety, lift safety, asbestos safety, smoke alarms and carbon monoxide). In ensuring compliance, registered providers are expected to have regard to appropriate statutory guidance and to meet the legal requirements relating to the role of the health and safety lead.
17. Registered providers should ensure that they maintain sufficient assurance that they meet all relevant health and safety requirements, which reflects the level of potential risk and impact on tenants. They should have a full understanding of what the data is telling them about how safe tenants are, the effectiveness of controls in place and how tenants' needs are being met.

18. As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks. Examples of actions that providers may take to ensure the safety of tenants include, housing tenants together appropriately when allocating shared properties, assessing the vulnerability and risk of anti-social behaviour victims in considering what action to take, and taking into account individual tenants' safety, security and health when prioritising repairs.

## **Repairs, maintenance and planned improvements**

(Relevant to required outcome 1.4.1 and specific expectations 2.3.3,2.3.4 and 2.3.5)

19. Registered providers are expected to have in place and comply with effective policies, procedures and processes in relation to repairs, maintenance and planned improvements that take into account tenants' views and diverse needs. This may include, for example, increasing the priority of repairs for some older tenants and where a household member is disabled, and installing extra locks and security lights for tenants experiencing domestic abuse or anti-social behaviour, in order to safeguard them.
20. Registered providers should communicate promptly with tenants about repairs, maintenance and planned improvements and keep them regularly updated on progress and how they are resolving any issues. For example, they should aim to consult affected tenants in a timely manner before the start of any planned improvement programmes, and update affected tenants if providers foresee any delays to the programme. In doing so, they should be mindful of the regulator's requirements in relation to the diverse needs of tenants.
21. In relation to communal areas, where there is an arrangement in place for a third party to manage a communal area on a registered provider's behalf, the registered provider is required to ensure that the communal area is well-maintained, and to hold the third party to account if it is not.



## Adaptations

(Relevant to required outcome 1.5.1 and specific expectation 2.4.1 and 2.4.2)

22. Not all registered providers directly provide a housing adaptations service, but nonetheless they should all have a process in place to assist tenants in need of housing adaptations, which they must communicate to tenants. As part of this communication, registered providers are expected to inform tenants about the application process, and where relevant, providers should make clear any local variations to the application process that may apply. Assistance to tenants requiring a housing adaptation may take the form of, for example, providers applying for an adaptation to the relevant organisation on a tenant's behalf or establishing clear timescales with the relevant organisation providing the adaptation.
23. Where the housing adaptations service is provided by a third party, the registered provider should not unreasonably withhold permission for a housing adaptation to be installed in a tenant's home. Where the registered provider provides a housing adaptations service, they should not unreasonably refuse a tenant's request for a housing adaptation. Where a registered provider does not meet a tenant's request for a housing adaptation, the provider should consider whether it is appropriate to offer alternative measures in order to support the affected tenant.

# Transparency, Influence and Accountability Standard

## Fairness and respect

(Relevant to required outcome 1.1.1)

24. All tenants deserve to be treated with fairness and respect and this principle should underpin how registered providers deliver all landlord services. Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, providers should consider how they can adapt their services and communications to meet individual tenants' needs.

## Diverse needs

(Relevant to required outcome 1.2.1 and specific expectations 2.1.1., 2.1.2, 2.1.3 and 2.1.4)

25. Registered providers are expected to consider the diverse needs of their tenants across all landlord services and housing. It should be integral to the culture of the organisation. Examples of how providers can ensure fair access for tenants to landlord services may include, investigating any complaints of alleged discrimination from tenants promptly and implementing any relevant learning, providing regular equality, diversity and inclusion training for staff, Board members or councillors, and carrying out work to understand the barriers different groups of tenants might face in accessing services and working to remove those barriers.
26. Registered providers are expected to have robust information about their tenants and keep this information up to date. This should include, but not be limited to, in relation to the protected characteristics, and their support and communication needs. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they make use of the data to improve and tailor services. Some providers may gather this information via periodic face-to-face contact with tenants, for example, while others may decide to use all points of contact with tenants to request the information, where appropriate. Registered providers should explore a range of different solutions to ensure they maximise the response rate for collecting this information from tenants.
27. As part of achieving this outcome, registered providers should also use relevant information about their tenant base as a whole, in addition to information about individual tenants, to inform the design and delivery of their strategies, policies and landlord services.

28. Registered providers should regularly assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services. Providers should take account of the findings of their assessments and should be able to demonstrate actions they have taken as a result.
29. Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs. This could include, for example, by informing tenants when they report a repair that a choice of appointment time is available, or that information can be supplied in alternative formats such as pictorial and in different languages on request.
30. Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services, for example, in order to report a complaint on a tenant's behalf and to discuss progress of a repair or a housing application.

## **Engagement with tenants**

(Relevant to required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2., 2.2.3, 2.2.4, 2.2.5 and 2.2.6)

31. Genuine consideration of tenants' views should be at the heart of registered providers' different levels of decision-making about the delivery of landlord services. Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered, as part of their decision-making about their organisation's landlord services. This may include, for example, in relation to agreeing their asset management strategy, the setting of service standards, agreeing responsive repair timescales and setting performance targets for different landlord services. In addition, consideration of how to improve and tailor landlord service delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service delivery.
32. Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.
33. Assistance that registered providers offer to tenants wishing to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services may include, for example, providing venues for meetings, administrative support, funding and training.

34. Where a registered provider is considering a change in landlord or a significant change in management arrangements, it is important that in their consultation with affected tenants they tailor their communication methods and take all reasonable steps to ensure that all affected tenants have access to and can understand the landlord's proposals. This should include tenants who may experience communication barriers, have additional support needs and are unable to use online services.
35. Consultation with tenants must be meaningful, which includes engaging with affected tenants in a range of ways. Providers should begin their consultation with affected tenants at an early stage in the process, while there is scope to influence the decision and/or outcome and should run the consultation for a sufficient amount of time to give affected tenants an equitable opportunity to consider and respond to the proposals. Registered providers should make clear any potential material impacts, positive and negative, of the proposed changes, for example, any impact on rent and service charge levels, service delivery or security of tenure. They should also set out clearly the main reasons for the changes being proposed to affected tenants. Board and councillors of registered providers should assure themselves that feedback from affected tenants has been genuinely considered in their decision-making about proposals, and the provider should demonstrate this to affected tenants.

## **Information about landlord services**

(Relevant to required outcome 1.4.1 and specific expectations 2.3.1., 2.3.2 and 2.3.4)

36. Effective communication with tenants and the provision of clear and accessible information is at the heart of an effective tenant/landlord relationship. Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.
37. Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service. For example, where a tenant reports a repair to their landlord, the registered provider should keep them updated about progress of the repair on a regular and ongoing basis, particularly where there is going to be a delay in carrying out the repair, or where multiple trades and visits are required.
38. The expectation that registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers applies to all registered providers, whether they employ paid staff or not.

## Performance information

(Relevant to required outcome 1.5.1 and specific expectations 2.4.2b, 2.4.3 and 2.4.4.a, 2.4.4.b and 2.4.4.d)

39. Tenants having access to reliable and accurate performance information about landlord services helps to ensure transparency and to drive effective tenant scrutiny.
40. In addition to complying with the regulator's requirement to publish their performance against the tenant satisfaction measures (TSMs) in a form required by the regulator; registered providers should, following engagement with their tenants, also consider publishing some or all TSM data at a more granular level and/or on a more frequent basis, in order to support tenant scrutiny. For example, they may report some or all TSM data separately for:
  - Entities within their group and/or
  - Specific property types such as general needs or housing for older people and/or
  - Different geographical areas
  - Specific tenant groups (relevant to the TSM tenant perception measures: TP01-TP12) such as tenants who share different protected characteristics.
41. Where a registered provider publishes TSM data in more detail as set out in paragraph 39, they should ensure, as far as possible, that they calculate and report the data in accordance with the regulator's TSM requirements. Any significant deviation from these requirements should be clearly set out alongside the reported TSM data.
42. It is important that tenants and other stakeholders are able to trust what TSM data tells them about landlords' performance. Registered providers should ensure they have adequate assurance that they comply with the regulator's TSM requirements.
43. Registered providers should be able to demonstrate that they understand their performance, including where and why performance has changed over time. They should have clear and measurable plans in place to improve performance where required and should be able to demonstrate that they are effectively delivering to those plans. When providing performance information, registered providers should consider how they can support tenants to understand the information being presented, including relevant performance improvement plans, for example, by including contextual and benchmarking information.
44. In providing information about how they have taken tenants' views into account, registered providers should be able to demonstrate any changes they have made to landlord services as a result of insight from tenants' views, including learning from complaints.

45. In providing information to tenants on directors' remuneration and management costs, registered providers should consider the regulator's note on how to calculate these costs, which can be found on our website.

## **Complaints**

(Relevant to required outcome 1.6.1 and specific expectations 2.5.1, 2.5.2 and 2.5.3)

46. Addressing complaints fairly, effectively and promptly is essential for providers to build trust with tenants. Providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.
47. In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.
48. In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.
49. Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

## **Self-referral**

(Relevant to specific expectation 2.6.1)

50. The regulator requires registered providers to tell it at the earliest opportunity about any material issues that indicate there has been or may be a breach of the Standards. This transparency is an essential part of providers meeting their co-regulatory responsibilities. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further.

# Neighbourhood and Community Standard

## Maintenance of shared spaces

(Relevant to required outcome 1.1.1 and specific expectation 2.1.1)

51. 'Shared spaces' are spaces used by a registered providers' tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.
52. Although the maintenance of shared spaces as defined in the Standards is not the responsibility of registered providers, they are expected to liaise with other parties as appropriate to ensure this outcome is achieved. This may entail, for example, working with local partners to develop a community garden in the local area, or liaising with partners to organise the removal of fly tipping.

## Local cooperation

(Relevant to required outcome 1.2.1 and specific expectation 2.2.1)

53. The regulator acknowledges that the roles registered providers play in promoting social, environmental and economic wellbeing in the areas in which they operate are likely to vary, as providers need to take account of their strategic objectives, the views of tenants and their presence in those areas, amongst other considerations.

## Safer neighbourhoods

(Relevant to required outcome 1.3.1 and specific expectations 2.3.1, 2.3.2, 2.3.3 and 2.3.5)

54. Anti-social behaviour (ASB) and hate incidents can have a significant negative impact on tenants of social housing, both for those experiencing them directly and for those living in the community where the ASB and hate incidents are occurring.
55. In order to deter and tackle ASB and hate incidents effectively in areas where they operate, registered providers must work with appropriate partners, with a common aim of trying to reduce ASB and hate incidents. Joint initiatives may include, for example, providing mediation services to try to resolve disputes before they escalate, undertaking security measures and environmental improvements and providing diversionary activities.

56. It is vital that registered providers have effective policies and processes to tackle ASB and hate incidents, and they should communicate these to tenants. These should include their approaches to investigating reports of ASB and hate incidents (including the roles of other relevant agencies), the support available to affected tenants and the actions they take to deal with perpetrators of ASB and hate incidents.
57. Registered providers should take into account the diverse needs of tenants in considering how tenants report ASB and hate incidents to them and eliminate any barriers to reporting such incidents.
58. In managing reports of ASB and hate incidents, including keeping tenants informed about the progress of their ASB case, registered providers should be mindful of their data protection obligations and any ongoing legal proceedings.
59. We expect registered providers to take a victim-centred approach to supporting tenants affected by ASB. This support can take different forms such as, for example, making a referral to an external support agency or taking into account the wishes of the complainant when determining the course of action the provider will take. As part of this approach, registered providers should consider how they support vulnerable perpetrators of ASB, to help them to sustain their tenancy.

## **Domestic abuse**

(Relevant required outcome 1.4.1 and specific expectations 2.4.1 and 2.4.2)

60. Registered providers should understand the significant impact that domestic abuse can have both on tenants experiencing it and their household members. In achieving this outcome, registered providers should make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations.
61. As part of their approach to domestic abuse, registered providers should consider, for example, the skills of staff supporting tenants experiencing domestic abuse and any appropriate specialist training they would benefit from, offering to provide a same-sex staff member to support them, or offering appropriate referrals to specialist domestic abuse agencies.
62. Registered providers should have a victim-centred approach to assisting tenants who experience domestic abuse. To be able to identify and respond appropriately to reports of domestic abuse, registered providers should ensure they have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics, such as disability and race. As part of their approach, registered providers must handle sensitive information relating to cases of domestic abuse in compliance with relevant legislation.



63. The duty referred to in 2.4.2 refers to the duty placed on local authorities in the Domestic Abuse Act 2021 (the Act) to develop and implement a strategy for accommodation-based support (which according to the Act is support in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation) in its area. Further information about this duty can be found in the government's statutory guidance: Domestic Abuse Act 2021 - GOV.UK ([www.gov.uk](http://www.gov.uk)).

DRAFT

# Tenancy Standard

## Allocations and lettings

(Relevant to required outcome 1.1.1 and specific expectations 2.1.1, 2.1.2, 2.1.4 and 2.1.6)

64. Registered providers should have effective policies and processes in place for allocating their homes and should work effectively with local authorities to help meet identified local housing need. They should clearly set out their decision-making criteria, including in relation to transfers.
65. In order to be able to take the needs of tenants and prospective tenants into account in the allocations process, registered providers will need to have a robust and accurate understanding of local housing need and their homes, including in relation to which homes have been adapted.
66. Tenancy fraud can take a number of forms. Actions providers can take to prevent and tackle tenancy fraud include, carrying out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and take action against suspected tenancy fraud.
67. Information on the government's CORE (COntinuous REcording of Lettings and Sales in Social Housing in England) system is available at: CORE - CORE - Home ([communities.gov.uk](http://communities.gov.uk)).

## Tenancy sustainment and evictions

(Relevant to required outcome 1.2.1 and specific expectations 2.2.1 and 2.2.2)

68. Registered providers may provide support directly to tenants to help them maintain their tenancy or licence, or they may signpost tenants to appropriate organisations to provide this support. Examples of support that may be provided include, helping tenants to manage their money and maximise their income, offering energy advice, and helping vulnerable tenants to be able to live independently, including those who experience mental health issues, or drug and alcohol dependency.

69. Where a registered provider ends a tenancy or licence, they must offer those affected timely advice and assistance. This assistance can take the form of, for example, helping affected tenants to apply for alternative housing or signposting them to appropriate support and advice services. Registered providers should ensure that any advice and assistance about housing options is offered at the earliest opportunity in the process, to enable those affected to understand the process of finding suitable alternative accommodation.
70. Alongside other objectives, such as minimising loss of rental income, registered providers should bear in mind their objectives as landlords of social housing, including in relation to preventing homelessness and helping tenants to maintain their tenancies, when considering whether to escalate eviction proceedings.

## Tenure

(Relevant to required outcomes 1.3.1 and 1.3.2 and specific expectations 2.3.1b, 2.3.1d and 2.3.1g)

71. Registered providers should consider the suitability of the tenancies that they issue, taking into account the tenants' needs and the purpose of the accommodation. They must comply with all relevant law in issuing tenancies or terms of occupation. Where appropriate, they may wish to seek legal advice.
72. Registered providers that make use of licences as the basis of occupation should ensure that they use them appropriately.
73. As part of setting out their approach to tenancy management, registered providers should help tenants understand both their own responsibilities and those of their landlord in relation to their tenancy.
74. In relation to 2.3.1b and 2.3.1d, registered providers should only grant tenancies for a minimum fixed term of less than five years in exceptional circumstances and should not adopt a blanket approach to granting such tenancies. For example, all tenants in a particular area or all tenants of a certain age. Where a registered provider makes use of fixed term tenancies for a term of less than five years, they should set out in a policy the circumstances in which they will do so.
75. As part of meeting 2.3.1g, registered providers should be able to demonstrate how they have taken into account the needs of vulnerable households in their approach to tenancy management.
76. For clarity, reference to the use of probationary tenancies in our requirements includes the use of introductory or other equivalent tenancies.

## Mutual exchange

(Relevant to required outcome 1.4.1 and specific expectations 2.4.3)

77. Support to relevant tenants wishing to mutually exchange may include, for example, registered providers supplying them with clear and simple information about the mutual exchange process, including the associated responsibilities of the landlord and of the tenant, and helping tenants to register with an online mutual exchange service if required.

## Legal status of the Code

78. This Code is issued by the Regulator of Social Housing, under section 195(1) of the Housing and Regeneration Act 2008 (as amended) (the Act).
79. Section 195(2) of the Act provides that the regulator may have regard to the Code when considering whether the Standards have been met.



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Regulator of Social Housing  
Level 2  
7-8 Wellington Place  
Leeds LS1 4AP

**The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.**

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## Waverley Borough Council

**Report to:** Landlord Services Advisory Board

**Date:** 28 September 2023

**Ward(s) affected:** All

**Report of Director:** All Executive Head of Housing

**Author:** Jenny Sturgess, Policy and Performance Officer

**Tel:** 01483 523 465

**Email:** jennifer.sturgess@waverley.gov.uk

**Executive Portfolio Holder responsible:** Cllr Paul Rivers, Co Portfolio Holder for Housing

**Report Status:** Open

# Corporate Performance Report Q1 2023-24 (January – March 2023)

## 1. Executive Summary

The Corporate Performance Report, Annexe 1, provides an analysis of the Council's performance for the first quarter of 2023/24.

The Housing Service performance information has been extracted for the Landlord Services Advisory Board. The full performance report can be found on the [council website](#).

The report is being presented to each of the Overview and Scrutiny Committees and Landlord Services Advisory Board for comment and any

recommendations the Committee may wish to make to the Joint Management Team or the Executive.

## **2. Recommendation to Overview & Scrutiny Committee:**

It is recommended that the Board:

- considers the performance as set out in Annexe 1 to this report,
- identifies any areas for comment or further exploration, and
- makes any recommendations to the Joint Management Team or the Executive, as appropriate.

## **3. Reason(s) for Recommendation:**

The quarterly review of the Council's performance is subject to internal as well as external scrutiny. This approach allows for a transparent assessment of how each service performs against its set goals and targets. It also allows the Board members to raise any areas of concern to the Joint Management Team or the Executive, which in turn drives service improvement.

## **4. Purpose of Report**

The focus of this comprehensive report is the corporate level performance analysis. The data is collated at the end of each quarter and a broad range of measures have been included to provide a comprehensive picture, and these are:

- Key performance indicators
- Progress of Internal Audit recommendations
- Complaints monitoring
- Workforce data
- Financial forecasting
- Housing Delivery monitoring



## **5. Strategic Priorities**

Review of the Council's performance in all service areas is central to delivering all of the strategic priorities.

## **6. Background**

- 6.1 The Council's Performance Management Framework provides the governance structure to enable the delivery of the Council's objectives. Performance monitoring is conducted at all levels of the organisation, from the strategic corporate level, through the operational/team level, leading to individual staff performance targets.
- 6.2 The report is comprised of the corporate overview section with the Chief Executive's and Section 151 Officer's (Executive Head of Finance) comments, followed by service specific sections with Executive Heads of Service feedback on the performance in their area. The report is used as a performance management tool by senior management.
- 6.3 Annexe One has been edited to provide performance related to the landlord service..

## **7. Consultations**

The report goes through an internal sign off process by the Joint Management Team. The external scrutiny stage starts with the Overview and Scrutiny Committees at the quarterly committee cycle and monthly Landlord Services Advisory Board. Any recommendations made travel to the Executive for consideration and response.

## **8. Key Risks**

The scrutiny process of key performance indicators, goals and targets, laid out in this report, allows for an ongoing assessment of potential risks

arising from underperformance and the monitoring of improvement or mitigation actions put in place to address potential issues.

## **9. Financial Implications**

The report presents the performance status of a wide range of measures from across the Council, including the quarterly update on the budget position.

## **10. Legal Implications**

There are no legal implications arising directly from this report, however some indicators are based on statutory returns, which the council must make to the Government.

## **11. Human Resource Implications**

The report presents the performance status of a wide range of measures from across the Council, including the quarterly update on the staffing situation.

## **12. Equality and Diversity Implications**

There are no direct equality, diversity or inclusion implications resulting from this report. Equality impact assessments are carried out when necessary, across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

## **13. Climate Change/Sustainability Implications**

The report does not have direct climate change implications. Service Plans, which are monitored in this report, take into consideration new environmental and sustainability objectives arising from the [Corporate](#)

[Strategy 2020-2025](#) in light of the [Climate Emergency](#) introduced by the Council in September 2019.

## 14. Suggested issues for overview and scrutiny

Feedback is sought on the performance of the service as set out in Annexe 1 to this report and any recommendations made to the Joint Management Team or the Executive, as appropriate.

## 15. Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

## 16. Appendices

Annexe 1: Corporate Performance Report Q1 2023/24 - Landlord Services Extract

Please ensure the following service areas have signed off your report. Please complete this box, and do not delete.

<b>Service</b>	<b>Sign off date</b>
Finance / S.151 Officer	16/08/2023
Legal / Governance	16/08/2023
HR	16/08/2023
Equalities	16/08/2023
Lead Councillor	22/08/2023
CMB	16/08/2023
Executive Briefing/Liaison	22/08/2023
Committee Services	

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**Corporate**  
**Performance Report**  
**Q1 2023/24**

**Document Version: Final**

**Last update: 20/09/2023 17:18**

**LANDLORD SERVICES EXTRACT:12 SEPTEMBER 2023**

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## 1. Performance Assessment with RAG Rating (Red, Amber, Green)

The Report content has been presented in a visual format and a further explanation of the RAG rating used throughout the report can be found in the tables below.

### 1.1 Performance Indicators RAG Rating per Status Type

Key Performance Indicators (KPIs) Status Types	Explanation of the Status Type
<b>Data only or Data Not Available/ collection on pause (in Grey)</b>	Data only indicators are those that monitor performance of an area which has not yet established performance patterns allowing an improvement target to be introduced, or those which are out of our direct control such as the number of queries we receive from our residents.  We also indicate in grey, statistics for which we were not able to obtain up-to-date figures or areas for which the monitoring activity has been temporarily suspended/paused.
<b>Green</b>	The indicator has performed on or above a set target, no concern.
<b>Amber</b>	<b>Up to 5% off target</b> – Officers investigate the causes of underperformance to establish if an improvement action is required.
<b>Red</b>	<b>More than 5% off target</b> – Officers investigate the causes of underperformance to establish if an improvement action is required.

### 1.2 Service Plans, Internal Audit, Project Management

Action Status Types	Explanation of the Status Rating Type
<b>Completed – on track (in Green)</b>	Action was completed: on time, within the budget & resources achieving desired outcome.
<b>On Track (in Green)</b>	Action is on track to complete on time, within the budget & resources and expected to achieve desired outcome.
<b>Completed – off track (in Amber)</b>	Action was completed but off track meaning that: Was delivered not on time or/and Requiring additional budget or resources or/and Not fully achieving desired outcome
<b>Off track – action taken / in hand (in Amber)</b>	Action has fallen slightly off target: on time or/and budget or resources or/and or quality,  however corrective/improvement actions are already being undertaken to bring it back on track.
<b>Partially Completed</b>	Action has not been fully achieved
<b>Off track – requires escalation (in Red)</b>	Action has fallen significantly off track: on time or/and budget or resources or/and quality  and a managerial intervention/escalation is required in order to bring it back on track.
<b>Cancelled (in Grey)</b>	Cancelled Action Status indicates that we will no longer pursue delivery of this action.
<b>Deferred (in Grey)</b>	Deferred Action Status indicates that the action will not be pursued at present but will/might be in the future.

Action Status Types	Explanation of the Status Rating Type
Transferred (in Grey)	Transferred Action Status indicates that although the action was not yet fully completed its delivery will continue in the coming year or that the action ownership has now changed.

### 1.3 Reporting periods

O&S cycle	Quarter	Reporting Period	Data Collection and Report Preparation	Report details
September O&S	Q1	1 April to 30 June	July and August	Corporate Performance Report
November O&S	Q2	1 July to 30 September	October	Corporate Performance Report
January O&S	Service Plans	September to October	November and December	Service Plans proposals for each Service Area for the year ahead
March O&S	Q3	1 October to 31 December	January and February	Corporate Performance Report & Annual KPIs Review (standalone report)
June O&S	Q4	1 January to 31 March	April and May	Corporate Performance Report, including End of Year Outturn

## 2. Corporate Dashboard – Summary of All Services

### 2.1 Performance Summary from the Management Board on Key Successes, Lessons Learnt, Areas of Concern – Q1 2023/24

#### 2.1.1 Q1 2023/24 Chief Executive's summary:

This is the Quarter 1 report for April to June 2023. Overall performance during the quarter is positive and stable at this early point in the financial year, with certain previously reported areas of concern now showing improvement. The report includes detailed commentary on these.

There is a favourable forecast for the year's Budget. However, local government continues to face a lot of uncertainty from economic factors and government policy. We now move into Budget setting for the coming years in the context of increasing financial challenge for local public services and some other councils issuing serious warnings about sustainability. Waverley will need to plan and act on the financial signs of stress that we foresee in the coming two years.

In May, we welcomed 50 new and returning councillors in our all-out elections, which take place every four years. This was the first set of elections with new rules on voter identification in polling stations and following the borough boundary review, which changed the map and quantity of borough councillors. The elections were a huge effort and carried out successfully. Planning for police commissioner and parliamentary elections in 2024 commences now.

As reported previously, the Council received letters earlier in 2023 from the Department for Levelling Up, Housing and Communities concerning the speed of deciding planning applications. Our latest data, submitted to the Department, indicates that Waverley has exceeded the Government's target over the most recent 2-year period.

Other headlines from this quarter include:

- The new ten-year leisure centre contract was awarded to Everyone Active
- Waverley developments won awards in the inaugural Surrey Building Control Awards
- The Executive decided to support the legal challenge to the decision of the Secretary of State to allow oil and gas exploration at Loxley Well near Dunsfold

**Tom Horwood, Chief Executive**

### 3. Service Dashboard – Housing Services

This service area Housing maintenance and repairs; Landlord services, and Housing Development.

#### 7.1 Key Successes & Lessons Learnt, Areas of Concerns

##### 7.1.1 Summary from Executive Head of Service – Q1 2023/24

###### **Landlord Services**

The Team focussed on gas safety issues during Q1. The project group worked to prioritise and document the gas safety checks process, clear the backlog of overdue visits and invalid certificates, and review the circumstances where the gas supply was capped to homes.

As noted in the Q4 commentary the Council notified the Regulator of Social Housing of the poor performance in ensuring all council homes have a valid gas safety certificate. The Team shared the gas compliance project action plan, wider compliance KPIs and progress made with the Regulator. In May, the Regulator informed the Council that it considered that no breach of regulations had occurred. We continue to act robustly to ensure that the Council remains compliant, and that tenants' safety is prioritised.

Due to the pre-election period the Council was unable to hold a public Landlord Services Advisory Board but arranged tenant-only workshop to review the workplan and following the election in June.

The Housing Operations Projects Governance Group held its first meeting to monitor and provide an overview of all Landlords Service procurement and contracts. Fire safety works and Stock Condition Survey contracts were let.

1,199 stock condition surveys were completed, with a good rate of access to homes; the installation of Carbon Monoxide detectors has continued to 74% of all homes. The programme is due to complete in August 2023 and is on track.

An essential aspect of preparing for the new Social Housing Regulatory Standards is tenant perception of how the service is meeting their requirements, and fieldwork began during the quarter, relating to satisfaction with the service, focusing on safety, repairs, communication, and respect.

Tenant Panel members and members of the Housing Team attended the Southeast Chartered Institute of Housing conference in May; topics covered included challenges to the sector and hearing good practice examples of information management, retrofit programmes, professionalism, and



regulatory reform. Our Service Improvement Manager chaired a session with the Chief Executive of the Regulator for Social Housing.

During the quarter work commenced on an independent review of the Housing service IT systems. It considered the advantages and disadvantages (the good, bad and ugly) of the current systems and how to introduce a system fit for purpose into the future.

Following consultation with tenants the programme of CCTV installation started at Senior Living Schemes, which offers enhanced security and safety for residents.

### ***Housing Delivery***

Delivery of the new build affordable housing programme continues for schemes with full budget approval and those in the pre-development phase.

- **Ockford Ridge (Site C), Godalming:** Phase 1 handover of 8 houses scheduled for October, subject to SSEN upgrade works taking place; no date set for these yet. Remaining phases are also on schedule for early 2024.
- **Ockford Ridge, Godalming Deep Retrofit Pilot:** Niblock Building Contractors Limited have set up site ahead of contract signing expected imminently. Works scheduled for completion in early 2024.
- **Downhurst Road, Ewhurst:** Waverley Building Control have assessed the buildings as Dangerous Structures under the Building Act 1984. Disconnections continue ahead of demolition later this year.
- **Aarons Hill, Godalming:** Potential extension to Pre-Contract Services Agreement to get works started ahead of full contract in the near term.
- **Chiddingfold (5 sites):** the Council will be in contract with the preferred contractor, Feltham Construction Limited in October 2023. First handovers scheduled October 2024.
- **Riverside Court, Farnham:** Fowler Building Contractors Ltd are due to commence works on September 4 and the 2 new units should be completed by late December 2023/early January 2024.
- **Crossway Close, Churt:** A meeting to discuss the proposals for the site has been arranged with the new Executive Head of Planning now that they are in post.

Predevelopment work continues to bring forward other sites:

- **Ockford Ridge (Site F), Godalming:** planning officer to deliver additional comments for architect to make final revisions ahead of public consultation and full planning permission submission.
- **13-22, Springfield, Elstead:** the scheme awaits business case and budget approval in October 2023, following which informal public consultation will precede a formal application for planning permission by the end of this year.
- It is expected that officers will be able to bring business cases for three schemes forward for member consideration in Q2.
- Engagement with developers delivering affordable homes through S106 agreements continue.
- planned site visits with Hambledon Parish Council and Alfold Parish Council to affordable housing schemes currently under construction.

***Andrew Smith, Executive Head of Housing***

## 3.2 Key Performance Indicators Status

### 3.2.1 Table of Service Specific Performance Indicators presenting data for the five past quarters and their performance against the target

PI reference	Description		Q1 22-23	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Target
H2	Total current tenants rent arrears as a percentage of the total estimated gross debit <b>(lower outturn is better)</b>	%	0.8%	0.9%	1.0%	0.9%	1.0%	1%
H3	Average number of working days taken to re-let 'normal void' property <b>(lower outturn is better)</b>	Days	28	26	31	30	39	25
H4	Percentage of annual boiler services and gas safety checks undertaken on time <b>(higher outturn is better)</b>	%	99.9%	99.7%	99.4%	99.3%	99.9%	100%
H5a	Responsive Repairs: How would you rate the overall service you have received? (Tenants' view of the service) <b>(higher outturn is better)</b>	%	79.0%	77.0%	79.0%	74.0%	74.0%	90%
H5b	Responsive Repairs: Average number of days to complete a repair <b>(lower outturn is better)</b>	Days	12	20	20	22	27	7
H6a	Responsive Repairs: Was repair completed right first time? (Tenants' view of the service) <b>(higher outturn is better)</b>	%	58.0%	68.0%	61.0%	64.0%	62.0%	78%
H6b	Responsive Repairs: Percentage of jobs not completed within 28 days <b>(lower outturn is better) *</b>	%	39.0%	14.0%	13.0%	22.0%	39.0%	10%
PI reference	Description		Q1 22-23	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Target
H7	% of tenancy audits completed against scheduled appointments in a quarter.	%	Suspended until April 2023				100%	95%
H10b	Number of affordable homes delivered by the Council (gross) <b>(Data only - higher outturn is better)</b>	No.	21	0	0	0	0	Data only

### 3.2.2 Comment:

#### Relets:

The Team continues to be challenged by the target with an increase in the number of empty homes, embedding new contracts and increase in works required to homes. The Housing Operations Manager will present to Landlord Services Advisory Board on 28 September to give an update on progress and plans to improve performance.

#### Gas Safety:

Following the challenges with the previous contract and embedding of new contractor the team pleased to see an improvement in performance.

#### Responsive Repairs:

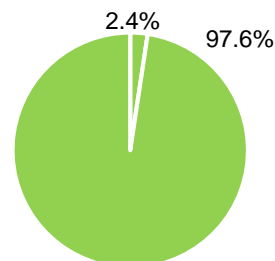
There continues to be challenges with meeting the responsive repairs targets, but the team are working well together and seeing a level of improvement and progress in performance. The Housing Operations Manager will present to Landlord Services Advisory Board on 28 September to give an update on progress and plans to improve performance.

### 3.3 Service Plans – Progress Status

#### 3.3.1 Summary Table and Pie Chart

Q1 Progress on Housing Services Service Plans 2023/26

Total	100%	42
Completed	2.4%	1
On track	97.6%	41
Off track - action taken / in hand	0.0%	0
Off track - requires escalation	0.0%	0
Cancelled / Deferred / Transferred	0.0%	0



#### 3.3.2 Summary comment on the service plans

**Comment:** No comment.

### 3.4 Internal Audit Actions Progress Status

**Comment:** At the end of Q1 there were no outstanding Internal Audit Actions for this service area.

### 3.5 Complaints Statistics

#### 3.5.1 Table presenting statistics of Level 1 complaints for this service area for the past 5 quarters

KPI	Description		Q1 22-23	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Target
Level 1	Total number of Level 1 complaints received in a quarter	Number	New service structure effective 1 October 2022		23	34	44	Data only
Level 1	Number of Level 1 complaints dealt with on time in a quarter	Number	New service structure effective 1 October 2022		19	26	26	Data only
Level 1	Level 1 Response rate (the percentage of complaints responded to against the 10 working days target)	%	N/A	N/A	82.6%	76.5%	59.1%	95%

#### 3.5.2 Table presenting statistics of Level 2 complaints for this service area for the past 5 quarters

KPI	Description		Q1 22-23	Q2 22-23	Q3 22-23	Q4 22-23	Q1 23-24	Target
Level 2	Total number of Level 2 complaints received in a quarter	Number	New service structure effective 1 October 2022		0	23	12	Data only
Level 2	Number of Level 2 complaints dealt with on time in a quarter	Number	New service structure effective 1 October 2022		0	22	12	Data only
Level 2	Level 2 Response rate (the percentage of complaints responded to against the 10 working days target)	%	N/A	N/A	N/A	95.7%	100%	95%

### 3.5.3 Summary Comment on the statistics

Due to an increase in complaints the Team has had challenges in investigating and responding to tenants within the timescales. The Team recognises the pockets of poor service delivery during the gas contract mobilisation and ongoing challenges with responsive repairs.

There has also been an increase in complaints related to damp and mould following the tragic death of Awaab Ishak in Rochdale and the national campaign 'Make Things Right'. Although the Council supports the campaign and publicity of tenants' rights, the advertising campaign was launched on 6 March 2023 with no advance warning and therefore no opportunity to arrange appropriate resources to respond to an anticipated increase in contacts. The Executive Head of Housing is reviewing resources to improve capacity to respond to complaints.

## 3.6 Finance Position at the end of the quarter

### 3.6.1 Housing Services Account Table

HRA					
	Approved Budget £'000	Forecast Outturn £'000	Forecast variance £'000	Adverse/ Favourable	% variance
<b>Housing Services</b>					
Expenditure	30,135	30,124	-11	Favourable	0%
Income	-37,289	-37,370	-81	Favourable	0%
<b>Housing Services Total</b>	<b>-7,154</b>	<b>-7,246</b>	<b>-92</b>	Favourable	<b>1%</b>

### HRA – Core Capital

	Approved Budget £'000	Forecast Outturn £'000	Forecast Variance £'000
Communal & Estate works	190	190	
Health & Safety Works	1,121	1,121	
MRA Prog Decent Homes Occupied Properties	900	900	
MRA Prog Decent Homes Void Properties	630	630	
MRA Prog Disabled Adaptations Occupied Properties	300	300	
MRA Programmed work	3,804	3,524	-280
Roofing & Associated works	1,230	1,230	

	Approved Budget £'000	Forecast Outturn £'000	Forecast Variance £'000
St James Court	140	140	
Structural & Damp works	247	247	
Windows & Doors	450	45	
<b>Grand Total</b>	<b>9,013</b>	<b>8,733</b>	<b>-280</b>

### New Build/Stock Remodelling

	Approved Budget £'000	Forecast Outturn £'000	Forecast Variance £'000
Chiddingfold schemes	7,122	7,122	-
HRA Feasibility Studies	511	511	-
Latent defects	189	189	-
Ockford Ridge schemes	4,613	4,613	-
Pre-development Expenditure	170	170	-
Zero carbon retrofit pilot	1,739	1,739	-
85 Aarons Hill Starter Homes (Land adj)	819	819	-
Borough Wide Refurbishment	339	339	-
Catteshall Lane	2,845	2,845	-
<b>Grand Total</b>	<b>18,351</b>	<b>18,351</b>	<b>-</b>

### 3.6.2 Summary Comment on revenue position at the quarter end

HRA shows overall favourable variance due to additional interest receipts on investments, and savings from expenditure for cyclical repairs, revenue contribution to capital and staffing costs.

HRA Capital programme shows overall favourable variance from savings in procurement and delays in programme timeframes.

The New Build budgets were updated following the strategic review on the Housing Revenue Account in 2022/23.

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# Waverley Borough Council

**Report to:** Landlord Services Advisory Board

**Date:** 28 September 2023

**Ward(s) affected:** All

**Report of Director:** Community Wellbeing

**Author:** Amy Hardie, Housing Service Improvement Officer

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**Executive Portfolio Holder responsible:** Cllr Paul Rivers

**Tel:** 01483 420747

**Email:** paul.rivers@waverley.gov.uk

**Report Status:** Part Confidential

## Housing Service's Asset Management System Procurement Decision: excluding exempt information

### 1. Executive Summary

1.1 The housing services asset management IT system (AMS) is a core system that stores all housing asset information on c.5000 properties and their components. The AMS supports the delivery of core services to tenants alongside the housing management system (HMS). It is essential that the council has a clear understanding of housing assets to manage and maintain homes effectively and meet regulatory and legal requirements.

1.2 Not available in the public domain.

1.3 Following a comprehensive review into the service needs and research into what is available on the market, one product has been identified. It is the only product on the market that meets our user needs, fulfils our technical requirements, and can be installed as a stand-alone system and not part of an integrated HMS.

## **2. Recommendation to Executive**

1.1 That the Co-Portfolio Holder for Housing approves:

- the strategy used to procure an AMS, comprising of a direct award of over £100,000
- follow the framework guidance on issuing direct award to MIS Active Management System through the Vertical Application Solution, a Crown Commercial Framework Agreement, RM6259, and
- the delegation of authority to award the resultant contract to the Executive Head of Housing.

## **3. Reason(s) for Recommendation:**

3.1 A comprehensive review of suitable AMS products has been undertaken. The review has consisted of:

- identifying user need including regulatory and legal asset requirements
- identifying technical requirements to:
  - ensure compatibility with Housing IT systems, and
  - ensure compatibility with IT infrastructure,
- ensuring data and information management principles can be upheld, and
- providing opportunities for continuous improvement and future proofing where possible

3.2 Providers have been analysed based on risk in relation to:

- Integration with IT systems
  - How they fit with housing and corporate IT systems
- Capability
  - Can meet specification
- Futureproof
  - Modern technology
  - Can meet data aspirations
  - Fully integrated HMS available



- 3.3 One provider has been found that will be able to align with our needs with minimum risk. If required in the future the system is capable of being implemented at Guildford Borough Council for a reasonable cost.
- 3.4 Due to the urgent need to replace Keystone to protect our asset data, it is recommended that a light implementation or first phase of the replacement product is carried out to protect asset information in the short term, while viable long-term plans are agreed.
- 3.5 Since the AMS project initiation document was approved in January 2023, a Housing Service IT systems review was carried out during April/May 2023 by [Acutance Consulting Limited \(ACL\)](#) and has informed the recommendations in this report.
- 3.6 There are two main IT software procurement frameworks for this type of procurement provided by Crown Commercial Services. [G cloud](#) is predominantly set up for buying cloud based services and is limited to a two-year contract term. [Vertical Application Solution \(VAS\)](#) is set up for locally hosted software and the term of the contracts are not limited.
- 3.7 The council's preference is to host software, and the system is likely to be in place for at least five years. However, officers will seek to include a break clause to give flexibility. Therefore, VAS is the preferred procurement framework.
- 3.8 Lot 3: Housing, Environment and Planning Solutions in the VAS framework has 28 suppliers. Of these, three offer housing management systems but only one, MIS Active Management Systems, offers asset management as a standalone option.
- 3.9 Earlier market research consisted of contacting IT suppliers to identify the range of asset management products available. Five IT suppliers carried out demonstrations of their product to a range of officers in Housing and IT and were reviewed against the council's requirements. One provider, MIS Active Management Systems, can align with the requirements with minimum risk and are on the preferred procurement framework.
- 3.10 Suppliers have been asked as part of this process what the cost implications of future collaboration with Guildford is likely to be. MIS Active Management Systems have stated there will be no charge for contractual changes. There will be no software cost and annual charges are charged at £1 per property. There will be an implementation cost for migration of data and configuring the system to allow for user permissions to be split and accessed by both services.

#### **4. Exemption from publication**

- 3.1 Yes, part of the report. All exempt information has been omitted from this report and can be found in the confidential version (Annex 1).
- 3.2 Not available in the public domain.

## **5. Purpose of Report**

- 4.1 To seek approval to secure a contract with MIS Active Management Systems Limited to provide Active H software for a least 5 years to replace the Housing Service's asset management IT system.
- 4.2 The asset management system is a core system that stores information on housing assets of c.5000 homes and the components within those homes which informs capital works programmes and cyclical work cycles. It also holds some legal compliance information such as the asbestos register which contractors are required to access before entering homes to carry out works. It will also hold data from the stock condition survey currently being undertaken.

## **6. Strategic Priorities**

- 6.1 The report supports the council's corporate commitment to promote "*Good quality housing for all income levels and age groups*" and aim to "*be the best council landlord in the South East and to be acknowledged so by our tenants.*"

## **7. Background**

- 7.1. The housing regulatory landscape is evolving in response to the Housing White Paper 2017. Tenant Satisfaction Measures (TSMs) were introduced in April 2023 to assess the performance of registered providers of social housing in England. The TSMs measure both tenant satisfaction and compliance with consumer standards set by the Regulator for Social Housing. Effective data management directly impacts on both as it sits at the core of being able to improve our services to meet the needs of our tenants, meet regulatory requirements, and meet our commitments to reducing carbon emissions from our homes.
- 7.2. Not available in the public domain.
- 7.3. The project will ensure that AMS is fit for purpose, both now and in the future. The new system will help deliver the objectives and targets in the Housing Asset Management Strategy 2022-2030.
- 7.4. The council is currently undertaking a stock condition survey of all its homes at the cost of £300,000. For the data collected to be stored, managed, and used effectively a new AMS is required.

## **8. Consultations**

- 8.1. No formal public consultation process required.
- 8.2. Report will be shared with Landlord Services Advisory Board.

## **9. Key Risks**

- 9.1. Not available in the public domain.

## **10. Financial Implications**

- 10.1 Within the 2023/24 capital budget an allowance of £60,000 was made to upgrade/change the AMS. This, alongside the revenue budget of £26,400, which is the existing budget for maintenance of the system, will be used to fund this proposal. The ongoing maintenance cost of £13,700 for the MIS system will result in a saving of £12,700 from 2024/25 onwards.
- 10.2 The first phase of implementation can be managed within existing resources, with the Housing Asset Management team and support from the IT, Business Transformation, and Service Improvement teams. The second phase, developing compliance and planned works systems, is likely to require additional resources. A request for resource is to be made separately, as this report covers the procurement and phase one only.

## **11. Legal Implications**

- 11.1 The report is seeking approval of a procurement strategy and delegation of authority to award the resultant contract.
- 11.2 Not available in the public domain.
- 11.3 It is proposed that the services be procured via Vertical Application Solutions Framework RM6259 (the framework agreement/FA). The FA is in place until September 2025 and has been lawfully procured. Call off must be undertaken in accordance with the procedure outlined in schedule 7 of the FA and the resultant contract must be in the form set out in schedule 6 of the FA.
- 11.4 The strategy for procuring these services as outlined in section three of the report will ensure compliance with Chapter 8 PCR 2015 and the council's Contract Procurement Rules.
- 11.5 The decision to award will be subject to further report to Head of Housing and the legal team must be consulted for the purposes of engrossment and sealing of the call off

contract. For the purposes of compliance with regulation 112, upon award of the contract, the council must publish certain information about the resultant contract on Contracts Finder.

- 11.6 Finally, there are no immediate data protection issues arising from the report. Should any arise during the procurement process, they will be resolved by way of special conditions being set out in the order form.

## **12. Human Resource Implications**

- 12.1. Staff training on the AMS

## **13. Equality and Diversity Implications**

- 13.1. The current system is limited to how it records aids and adaptations and how disability information is passed to contractors. The new system will seek to improve this, enabling services to be tailored to tenants needs.

## **14. Climate Change/Sustainability Implications**

- 14.1. The service is committed to reducing its carbon footprint. Having better quality data on our homes will allow us to manage resources efficiently when decarbonising homes.
- 14.2. The system has a planned maintenance function so decarbonisation projects can be managed more efficiently.
- 14.3. The provider achieved ISO 14001 accreditation in 2022. ISO 14001 provides assurance to company management and employees as well as external stakeholders that environmental impact is being measured and improved.

## **15. Summary of Alternative Options**

### **Do nothing**

Not available in the public domain.

### **Alternative option 1 – Interim solution**

An alternative option has been to consider an interim solution while further reviews of the council's wider IT infrastructure are undertaken. An interim solution was not found. There is not a corporate asset management system that could be used.

## 16. Conclusion

16.1 A comprehensive review and market research has been completed to identify the most suitable new AMS. Thank you to the IT Manager, Data Manager, Procurement Officer, and housing team for their support and engagement with the project. An AMS system and provider has been identified and the team are ready to progress to the implementation project to improve asset information and services to tenants.

## 17. Appendices

17.1 Annex 1: Committee report including confidential information

17.2 Annex 2: Project Outcome Report (confidential)

Please ensure the following service areas have signed off your report. Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	21/06/2023 CK
Legal / Governance	21/06/2023 AO
HR	16/06/2023 JD
Equalities	n/a
Lead Councillor	22/08/2013
CMB	01/08/2023
Executive Briefing/Liaison	22/08/2023
Committee Services	

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## Waverley Borough Council

Report to: Landlord Services Advisory Board  
Executive – Co Portfolio Holder Decision Meeting

Date: 28 September 2023

Ward(s) affected: Farnham

Report of Director: Community Wellbeing

Author: Hugh Wagstaff, Strategic Asset Manager

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Executive Portfolio Holder responsible: Paul Rivers

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Report Status: Part Confidential

# Housing Revenue Account Buy Back Ex-Local Authority Property, Weybourne, Farnham

## 1. Executive Summary

The purpose of this report is to request the Executive's approval to buy back an ex-council home in Weybourne, Farnham to provide quality housing in an area with high housing need.

The purchase of the home will be funded from the Housing Revenue Account buy back reserve. After one year from purchase the property will start to make a net income contribution to the Housing Revenue Account.

## **2. Recommendation to Executive**

The Executive - Co Portfolio Holder is asked to:

- 2.1. Approve the principle of the buy back on the terms set out in the report, and the use of the buyback reserve for this, together with any related professional costs and Stamp Duty Land Tax. Further approves the property being appropriated for Housing Purposes as part of the Housing Revenue Account.
- 2.2. Delegate to the Executive Head of Housing to approve the final terms of the purchase.
- 2.3. Grant delegated authority to the Executive Head of Legal and Democratic Services to approve the final form of wording of any legal agreements related to the purchase.

## **3. Reason(s) for Recommendation:**

- 3.1. To support the Council's ability to meet housing needs in the borough.

## **4. Exemption from publication**

- 4.1. Partial Exemption. Annexes exempt.

## **5. Purpose of Report**

- 5.1. To delegate authority to the Executive Head of Housing to purchase the property for a mutually agree sum.

## **6. Strategic Priorities**

- 6.1. The report supports the Council's Corporate commitment to promote *"Good quality housing for all income levels and age groups"* and aim to *"be the best council landlord in the South East and to be acknowledged so by our tenants"*

## **7. Background**

- 7.1. The home located in Weybourne, Farnham is a 3 bed semi-detached freehold property constructed circa 1960's. The property was purchased from the Council, by a Housing Association in 2012 at a reduced price of £90,000 due to a restrictive covenant in place restricting its use to "sheltered housing or support housing only", as such the property cannot be sold for general housing use, without the covenant being removed.
- 7.2. The current owner has approached the Council with an opportunity to buy back the property.
- 7.3. In Dec 22, the Council instructed an independent valuation of the property with Consultants Perry Hill (annexe 1).
- 7.4. In June 23, following a period of negotiation Perry Hill have recommended the purchase of the property with vacant possession at an agreed purchase price of £215,000 as equitable. (Annexe 2)
- 7.5. There is a reserve available specifically for buy back within the Housing Revenue Account.
- 7.6. The works to bring the property up to a lettable standard will be procured through a competitive tender. The required budget for the works has already allocated from the Housing Operations' planned works budget allocation for 2023/24.

## **8. Consultations**

- 8.1. The Portfolio Holder for Housing has been consulted and has approved the recommendations in the report.

## **9. Key Risks**

- 9.1. The purchase of the home does not proceed because the seller withdraws.

## **10. Financial Implications**

- 10.1. There is a buy back reserve and the total available is £908,000. The purchase of this property will be funded from this reserve. Any revenue costs will be funded from existing revenue budget within the Housing Revenue Account (HRA). Once let, the rental income from this property will cover the costs of maintenance and any other running costs. From year 1 this property will start to make a net income which will contribute to the bottom line of the HRA business plan and support the long-term sustainability of the business plan.

## **11. Legal Implications**

- 11.1. The Council is empowered to acquire property in relation to providing social housing, this includes the repurchase of property previously sold. In undertaking such purchases, the Council has to have regard to its duties of best value and ensure that any purchase represents fair value for money.

## **12. Human Resource Implications**

- 12.1. No HR implications



### **13. Equality and Diversity Implications**

13.1. This report supports families with children to be housed in homes that meet their housing needs.

### **14. Climate Change/Sustainability Implications**

14.1. Works undertaken to the home will ensure the home meets at least an Energy Performance Certificate (EPC) C standard when let.

### **15. Conclusion**

15.1 The purchase of the property will help the Council meet the housing need of its residents and provide a net income to the Housing Revenue Account after 1years.

### **16. Background Papers**

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

### **17. Annexes:**

Annexe One – Valuation Report – Exempt

Annexe Two – Recommendation letter – Exempt

Annexe Three – DCLG 2012 approval - Exempt

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<b>Service</b>	<b>Sign off date</b>
Finance / S.151 Officer	CK 30.06
Legal / Governance	IH 30.06
HR	N/A

Equalities	30.06
Lead Councillor	4.07
CMB	11.07
Executive Briefing/Liaison	22 August 2023
Committee Services	

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