



## **THIS ITEM IS FOR INFORMATION ONLY**

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<b>Title of meeting:</b>	Cabinet Member for Housing & Tackling Homelessness
<b>Subject:</b>	Update report - meeting the housing regulation act and housing standards
<b>Cabinet Member:</b>	Councillor Darren Sanders, Cabinet Member for Housing and Tackling Homelessness
<b>Date of meeting:</b>	18 <sup>th</sup> September 2024
<b>Report by:</b>	James Hill - Director for Housing, Neighbourhood and Building Services
<b>Author:</b>	Nicola Clannachan - Head of Housing Community Services
<b>Wards affected:</b>	All

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**1. Requested by** Cllr Darren Sanders, Cabinet Member for Housing and Tackling Homelessness

### **2. Purpose**

- 2.1 To update on changes to the housing standards as of 1<sup>st</sup> April 2024 and the Regulator for Social Housing's inspection regime.
- 2.2 To provide an update on the actions taken by Housing, Neighbourhood and Building Services in response to legislative change, as agreed in the last update report February 2024.
- 2.3 To update on the tenant satisfaction measures results submitted to the housing regulator in June 2024 and resultant actions to be taken by the service.
- 2.4 To update on the complaints self-assessment submitted to the housing ombudsman in June 2024 and resultant actions to be taken.
- 2.5 To highlight the annual report for 23/24 which has been sent to all residents and leaseholders in the summer edition of House Talk magazine.
- 2.6 To update on the self-assessment against the consumer standards

### **3. Information Requested**

- 3.1 On 29 February 2024 the Regulator for Social Housing (RSH) set out its new standards for social housing landlords, designed to protect tenants and improve the



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service they receive. They also confirmed how they will regulate landlords against these standards.

3.2 The changes - a result of the Social Housing Regulation Act, came into effect from 1 April 2024 and apply to all social landlords, including councils and housing associations.

3.3 Under the new standards landlords will need to:

- ensure tenants are safe in their homes
- listen to tenants' complaints and respond promptly to put things right
- be accountable to tenants and treat them with fairness and respect
- know more about the condition of every home and the needs of the people who live in them
- collect and use data effectively across a range of areas, including repairs

3.4 To hold landlords to account, the RSH will:

- inspect larger landlords regularly to check they are meeting the outcomes in the standards
- scrutinise data about tenant satisfaction, repairs and other relevant issues
- ensure landlords protect tenants and put things right when there are problems
- use a range of tools when needed, including new enforcement powers
- focus on the financial viability and governance of housing associations as part of its integrated regulation

3.5 The inspection programme started from April 2024 and run in four-year cycles. Along with the inspections, RSH will continue its responsive engagement, considering cases referred by tenants and other stakeholders, and taking action against landlords when required.

3.6 RSH's 2024/25 annual registration fee invoice for Portsmouth City Council was received and paid, at an amount of £74,783.59. Funding had been set aside in the budget in expectation of this charge, however this does represent an additional pressure to the budget.

3.7 On 24<sup>th</sup> July 2024 the RSH published the first set of regulatory judgements from its planned inspection programme. For local authority landlords only the consumer standards grading applies.

3.8 RSH consumer grades. There are four consumer grades:

### **3.8.1 Grading Description**

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- C1 Overall the landlord is delivering the outcomes of the consumer standards. The landlord has demonstrated that it identifies when issues occur and puts plans in place to remedy and minimise recurrence.
- C2 There are some weaknesses in the landlord delivering the outcomes of the consumer standards and improvement is needed.
- C3 There are serious failings in the landlord delivering the outcomes of the consumer standards and significant improvement is needed
- C4 There are very serious failings in the landlord delivering the outcomes of the consumer standards. The landlord must make fundamental changes so that improved outcomes are delivered.

As of 9<sup>th</sup> August 2024, 10 consumer standard gradings had been published on the RSH's regulatory inspection table. Two landlords had received C1 grading, with eight landlords receiving C3 grading.

### **4. Portsmouth City Council landlord response to changes**

- 4.1 A report presented in February 2024 set out the actions taken in preparation of the changes proposed and set out future intended actions with an update report to be brought forward mid-municipal year. City council officers have continued to work in response to the new consumer standards. Actions taken have included:
  - 4.1.1 Meeting with the regulator for social housing, with attendance of briefings to understand the implication of the new standards
  - 4.1.2 Update briefings completed to councillors, the chief executive, housing management teams and wider council department management teams
  - 4.1.3 Video content created for residents, with support from our resident consortium members, published on the website and on the House Talk Facebook page
  - 4.1.4 Continued review of the website, with new content created, including a new performance page <https://www.portsmouth.gov.uk/services/housing/council-tenants-and-leaseholders/our-landlord-performance/>
  - 4.1.5 Published an annual report which has been sent to all residents and leaseholders in the summer edition of House Talk magazine <https://www.portsmouth.gov.uk/wp-content/uploads/2024/08/10.954-house-talk-summer-aug-2024-aa-accessible.pdf> The annual report highlights much of the work that the landlord service delivered across 23/24, and contains the tenant satisfaction measure results which have been submitted to the housing regulator, and discusses the complaints received across that year, in line with the transparency, influence and accountability standard. The annual report is presented with his report as appendix A
  - 4.1.6 Completed and submitted the housing ombudsman's complaint self-assessment, this is discussed further later in this report.

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### 5. Tenant Satisfaction Measures (TSMs)

- 5.1 From April 2023 all social housing providers in England must collect data on tenant satisfaction measures (TSMs). These have been developed by the RSH to assess how well landlords are performing and provide visibility to tenants on a range of indicators, including building safety and repair, respectful and helpful engagement, complaint handling and neighbourhood management.
- 5.2 Collection of data included undertaking a tenant perception survey, which in Portsmouth ran from summer to winter 2023, and the review of management information with reporting on the position, as of 31<sup>st</sup> March 24.
- 5.3 PCC's TSM results were submitted to the RSH in June 2024, with the results published on the city council website, which includes full analysis of the perception survey and comments submitted by tenants, and in our annual report sent to all residents. A table of our results is below:

#### Year-end 23/24 statistics

TSM No and category	As of 31/3/24
BS01 Proportion of homes for which all required gas safety checks have been carried out.	98.6%
BS02 Proportion of homes for which all required fire risk assessments have been carried out.	99.8%
BS03 Proportion of homes for which all required asbestos management surveys or re-inspections have been carried out.	*94.6%
BS04 Proportion of homes for which all required legionella risk assessments have been carried out.	100%
BS05 Proportion of homes for which all required communal passenger lift safety checks have been carried out.	100%
NM01 (1) Number of anti-social behaviour cases, opened per 1,000 homes.	62.3
NM01 (2) Number of anti-social behaviour cases that involve hate incidents opened per 1,000 homes	1.8
RP01 Proportion of homes that do not meet the Decent Homes Standard	2.6
RP02 (1) Proportion of non-emergency responsive repairs completed within the landlord's target timescale.	83.3%
RP02 (2) Proportion of emergency responsive repairs completed within the landlord's target timescale.	99.1%
CH01 (1) Number of stage one complaints received per 1,000 homes	12.7
CH01 (2) Number of stage two complaints received per 1,000 homes	1.9
CH02 (1) Proportion of stage one complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales.	76.3%
CH02 (2) Proportion of stage two complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales.	70%

\*BS03 short term resource impact at year end. 100% compliance June 24.

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### 23/24 Tenant Satisfaction Measures (TSM) perception survey results

TP No and category	23/24
TP01 Overall satisfaction	85%
TP02 Satisfaction with repairs	82%
TP03 Satisfaction with time taken to complete most recent repair	85%
TP04 Satisfaction that the home is well maintained	79%
TP05 Satisfaction that the home is safe	79%
TP06 Satisfaction that the landlord listens to tenant views and acts upon them	75%
TP07 Satisfaction that the landlord keeps tenants informed about things that matter to them	80%
TP08 Agreement that the landlord treats tenants fairly and with respect	90%
TP09 Satisfaction with the landlord's approach to handling complaints	53%
TP10 Satisfaction that the landlord keeps communal areas clean and well maintained	80%
TP11 Satisfaction that the landlord makes a positive contribution to neighbourhoods	69%
TP12 Satisfaction with the landlord's approach to handling anti-social behaviour	58%

The full tenant perception report can be found on the city council website

<https://yourcityyoursay.portsmouth.gov.uk/portsmouth-city-council-tenant-satisfaction-measures-consultation-2023/>

- 5.4 Most tenants (85%) are satisfied with the service that is provided, with only 6% of respondents saying they were unhappy. 90% feel that they are treated fairly and with respect, with 4% disagreeing. We don't take this for granted and know that some tenants are not satisfied. We are committed to improving services and learning from all feedback. TSM results and commentary from residents have been shared with relevant services areas and repairs contractors to inform on areas for celebration, reflection and improvement.
- 5.5 The tenant perception measures identified that residents in Landport and Paulsgrove are slightly less satisfied with PCC landlord services, as are tenants from ethnically diverse groups; whilst disabled tenants rate landlord services more highly than their non-disabled counterparts. Officers will seek to understand the inconsistencies in experience in greater depth over the coming months.
- 5.6 The TSM results and additional commentary from respondents, plus other reflections from the year, have informed an action plan for the future. This action plan was published in the annual report, circulated via House Talk, and can be viewed on the final page of appendix A.

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### **6. Complaints self-assessment**

6.1 The Ombudsman's Statutory Complaint Handling Code is mandatory for member landlords. Completing a self-assessment forms part of the annual complaint performance and service improvement report set out in provision 8.1 of the Code. The purpose of the self-assessment is to set out how landlords demonstrate their complaint handling service complies with the provisions of the Code. In addition, the self-assessment also supports landlords to inform residents about service provision.

6.2 Completion of the self-assessment typically requires landlords to:

- review current practices to identify any gaps or actions required to comply
- take any necessary action to ensure that Code requirements are met
- gather and document evidence to support the assessment of compliance
- scrutinise and challenge the assessment, to provide assurance
- publish the self-assessment and wider documentation
- communicate and embed changes made through the self-assessment

6.3 Responsibility for landlord complaints passed to landlord services from April 2024 and a self-assessment was completed and submitted to the Ombudsman in June 2024, with areas for improvement identified. The self-assessment is presented in the report appendix - Appendix B.

6.4 The landlord complaints annual report 23/24 is presented in the report appendix - Appendix C. A section in the annual report circulated to all tenants and leaseholders in House Talk has a section on complaints received by the landlord service in 23/24 ensuring visibility for tenants and leaseholders.

### **7. Self-assessment against the housing standards**

7.1 Our self-assessment against the consumer standards is complete and a summary of the self-assessment is in Appendix D.

7.2 The self-assessment largely tells us what our preparation work has shown us in terms of areas where we need to adapt or improve to fully comply with the standards as well as areas of strength where we are fully compliant. Work is planned or underway to meet the standards and we are confident that we will be able to do so.

7.3 The self-assessment in Appendix D highlights areas of improvement and strength. It is a self-assessment and our work with the Social Housing Regulator outlined below and viewing inspection judgements will help us to understand our comparative position.



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- 7.4 To give an indication there are some areas which will require us to ensure we have a robust costed plan to address building issues. We note that as an area of weakness at this stage but our work to reset the capital program and refresh our asset management strategy to take a long-term view of the maintenance needs of our stock will help. The move within building services to undertake individual dwelling stock condition surveys alongside the annual tenancy visits underway in housing management will enable us to demonstrate in time the level of detailed knowledge of buildings and tenancies that the regulator is expecting landlords to have. The self-assessment reinforces areas of strength in terms of our response repairs service, out of hours service and our connection to our customers & communities with our focus on delivering services locally, that comes through in the positive tenant satisfaction measures we returned (see Section 5).
  
- 7.5 The new regulations require landlords to inform the social housing regulator of areas where there are gaps in adherence to the standards. This is referred to as a self-referral and is seen as a positive step by the regulator and the regulator has encouraged landlords to do so to aid them in working with landlords on the areas of improvement. We have initiated that step and will provide the regulator with our self-assessment.
  
- 7.6 We will update our services and the resident's consortium on this final piece of work, and we will use the next edition of House talk to run a feature updating all residents on our position.
  
- 7.7 We know we will be subject to inspection at some point over four years (starting April 2024) so we are keeping an eye on the judgements that are being published and using our networks to learn from other organisations on their experience to help our own improvement journey. That additional insight from the findings of inspections of other landlords, and published findings from the housing ombudsman are informing additional elements for consideration. For example, a reported theme particularly for local authority landlords, is the challenge of effective data collection and record keeping in order to evidence compliance and outcomes for residents.

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Signed by James Hill, Director of Housing, Neighbourhood and Building Services

**Appendices:**

Appendix A - Landlord annual report

Appendix B - Self-assessment against Ombudsman Statutory Complaints Handling Code



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Appendix C - Landlord complaints annual report 23/24

Appendix D - Self-assessment against the Consumer Standards (embedded below)

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>
<b>RSH sets new standards to drive improvements in social housing</b>	<a href="https://www.gov.uk/government/news/rsh-sets-new-standards-to-drive-improvements-in-social-housing">https://www.gov.uk/government/news/rsh-sets-new-standards-to-drive-improvements-in-social-housing</a>
<b>How we approach regulatory judgements and gradings</b>	<a href="https://www.gov.uk/government/publications/how-we-approach-regulatory-judgements-and-gradings">How we approach regulatory judgements and gradings - GOV.UK (www.gov.uk)</a>
<b>Regulatory judgements and enforcement notices, and gradings under review</b>	<a href="https://www.gov.uk/government/publications/regulatory-judgements-and-regulatory-notices#full-publication-update-history">https://www.gov.uk/government/publications/regulatory-judgements-and-regulatory-notices#full-publication-update-history</a>
<b>Update on our preparedness for the Social Housing Regulation Act and Building Safety Act.</b>	<a href="https://www.portsmouth.gov.uk/media/1234567/Preparedness-for-the-Social-Housing-Regulation-Act-and-Building-Safety-Act-February-2024.pdf">Preparedness for the Social Housing Regulation Act and Building Safety Act February 2024.pdf (portsmouth.gov.uk)</a>
<b>Regulatory standards for landlords</b>	<a href="https://www.gov.uk/government/publications/regulatory-standards-for-landlords">Regulatory standards for landlords - GOV.UK (www.gov.uk)</a>
<b>Housing Ombudsman Complaint Handling Code</b>	<a href="https://www.housing-ombudsman.org.uk/wp-content/uploads/2022/03/Complaint-Handling-Code-Published-March-2022-1-1.pdf">https://www.housing-ombudsman.org.uk/wp-content/uploads/2022/03/Complaint-Handling-Code-Published-March-2022-1-1.pdf</a>

**Appendix D - Self-assessment against the Consumer**



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<b>Self-Assessment Summary - Consumer Standard August 2024</b>	
<b>Consumer Standard</b>	<b>Current Position</b>
<b>Neighbourhood &amp; Community Standard</b>	<p>We provide services to support social and economic opportunities for our residents and engage with partners to keep our communities safe. We provide ASB services to our residents and engage with partners and other agencies to ensure that those residents experiencing ASB are supported to resolve the issues impacting them however we had already identified that there was opportunity to improve in this area. <u>The TSM score for ASB confirmed that we have some work to do to improve tenants satisfaction</u> with this area and we have an improvement plan in place to address this.</p>
<b>Safety &amp; Quality Standard</b>	<p>Whilst we believe that overall our homes are in a good condition and are in a good state of repair, as supported by TSM scores, and we have a responsive repairs service in hours and out of hours, the revised requirements and recent changes to building safety legislation mean that we need to have more detailed information about each of our homes and we need to prioritise our available budget to address works identified. Our programme of undertaking individual dwelling stock condition surveys, building safety and fire risk assessments and completion of building safety cases will inform the route to full compliance with this standard. Our work to refresh our Asset Management Strategy will additionally support a long term plan for our housing stock. We also need to consider our approach to the decent homes standard which is subject to consultation and a new standard expected to be released.</p>
<b>Tenancy Standard</b>	<p>We believe that we are broadly compliant with this standard in that we give 100% nomination rights to our partner local authorities, we predominantly provide secure tenancies giving security of tenure, support to mutually exchange and tenants can apply to transfer where they meet the criteria. <u>We want to go further and provide more support for those residents that are under occupying</u> and want to move and we are currently exploring possible service models to address this.</p>
<b>Transparency, Influence and accountability standard</b>	<p>We provide real opportunities for our residents to engage with us and to influence policy and service design as well as being involved in senior officer recruitment and procurement of third party providers. We have improved our web pages and the design of House Talk magazine based on resident feedback and we publish information about our services in the magazine and on our web pages including our complaints annual report and our TSM results. We have identified that <u>we need to improve the amount of information we provide about our services outside of the web site</u> and so we have plans in place to address this. We also need to <u>improve our level of knowledge about individual residents</u> and our annual tenancy visits are a key part of this. We also need to <u>improve how we use the data we hold in various systems about our tenants to ensure we are providing equitable service</u> outcomes across different tenant groups.</p>