HIGH PEAK BOROUGH COUNCIL

Economy & Growth Select Committee

27 September 2018

TITLE:	**Social Housing Green Paper: A New Deal for Social Housing**
PORTFOLIO HOLDER:	**Councillor Julie McCabe (Executive Councillor for Housing and Communities)**
CONTACT OFFICER:	**Mary Walker- Head of Customer Services**
WARDS INVOLVED:	**All**

Appendix 1: Green paper consultation questions

1. **Reason for the Report:**

1.1 The purpose of this report is to update members on the recently published social housing green paper which sets out a vision and strategy for reforming social housing.

2. **Recommendation**

2.1 That members note the contents of this report and provide comments for inclusion in the Council's response to green paper proposals.

3. **Executive Summary**

3.1 Drawing on government engagement with social tenants following the tragic events at Grenfell Tower, the green paper seeks to rebalance the relationship between landlords and tenants, tackle stigma and ensure social housing is a stable base that supports people and social mobility.

3.2 There are five core themes or principles;

- Ensure that homes are safe and decent
- Effective resolution of complaints
- Empower residents and strengthen the regulator
- Tackle stigma and celebrate thriving communities
- Expand supply and support home ownership (which can be seen alongside previous White Paper commitments to fix the broken housing market)

3.3   This report provides a summary of the main policies proposed under each theme. The paper is a consultation document with many proposals set out as statements of intent alongside options for dealing with perceived problems. Government consultation seeks views on green paper proposals (deadline 6th November 2018) alongside further consultations. These support the [review of the regulatory regime for social housing](#) and explore [options to change the rules governing the use of money raised from Right to Buy receipts](#).

4.   **How this report links to Corporate Priorities**

4.1   This report links to the Council's aims to help create a safer and healthier environment for our communities to live & work, meet our financial challenges and provide value for money and to help create a strong economy by supporting further regeneration of towns and villages.

5.   **Options and Analysis**

5.1   Recommended - That members note the content of the report and provide comments for inclusion in the Council's response to green paper proposals. That members receive further reports from officers in relation to specific elements at appropriate future meetings as further guidance and clarity is released.

6.   **Implications**

6.1   Community Safety - (Crime and Disorder Act 1998)
       None

6.2   Workforce
       Certain elements of the green paper may require additional resource to implement and manage

6.3   Equality and Diversity/Equality Impact Assessment
       Proposed initiatives within the green paper may require appropriate policies and procedures. All policies are to be applied fairly and consistently and where appropriate

6.4   Financial Considerations
       There are significant financial implications relating to implementing certain proposals within the green paper

6.5   Legal
       None

6.6   Sustainability
       None

6.7   Internal and External Consultation
       None

6.8   Risk Assessment
        None

7.   **Background and Detail**

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7.4   **Ensuring that homes are safe and decent**

7.4.1   The importance of taking meaningful action to help social tenants feel safe is clear. To address resident concerns about safety, quality and maintenance of their homes, government proposes to:

- Implement recommendations from the Hackett Review of Building Regulations and Fire Safety. This will include legislation to reform the current system and ensure residents have a much stronger voice in an improved fire safety system
- Establish a pilot with a group of social housing landlords to trial options to improve communication and engagement with residents on safety issues
- Review whether the Decent Homes Standard provides adequate safety and standards for social tenants. This may include adding new minimum standards around energy efficiency and fire safety to mirror those recently introduced in the private rented sector, with for instance EPC band C by 2030.

7.4.2   Following the Hackett Review HPBC's fire safety has been reviewed. Alongside fire safety audit of communal areas of housing blocks, further work to support sheltered scheme fire risk assessment recommendations has been completed and an evaluation of 2017 stock condition survey to ensure compliance is underway. There will be other considerations that would need to

be looked at as part of any future improvements to buildings to ensure the voice of tenants is heard.

7.4.3 A review of quality standards for housing which is often dependent upon tenure, is positive however the Association of Retained Council Housing (ARCH) highlight that changes to property standards could impact upon the sustainability of HRA business plans and Local Government Association (LGA) have called for any new burdens to be fully funded.

7.5   Effective resolution of complaints

7.5.1 Tenants considered complaint handing processes to be confusing and overly bureaucratic, to improve upon this government proposes to;

- Speed up complaints processes especially for things relating to safety
- Explore ways to improve the use of mediation in landlord/ tenant disputes
- Reform or remove requirements for complainants to go through a designated person (i.e. MP, councillor or tenant panel) or wait eight weeks before Ombudsman contact.
- Explore ways to raise tenants awareness of their rights and available landlord complaint options

7.5.2 HPBC has already simplified the two stage complaints procedure, which provides for a manager response within 10 working days and as necessary director review within 20 working days. In the event that a customer may remain dissatisfied there is no requirement for a designated person to mediate on behalf of a complainant prior to an ombudsman approach. Performance indicators in this area are on or above target;

Performance Indicator	Target	2017/18 result
Stage 1 resolution	97% within 10 working days	97%
Repeat complaints	Within 5% of total complaints	4%

7.6   Empowering residents and strengthening the regulator

7.6.1 To ensure delivery of good quality, safe, well managed social homes with the right services;

- New performance indicators for publication in the form of league tables to enable comparison
- Performance could then be taken into account in the bidding process and allocation of government funding (Affordable Homes Programme) to support development of new homes
- Review and changes to the system of regulation. This could include enabling a more proactive regulator approach to scrutinise and enforce consumer standards (covering tenant involvement and empowerment, homes, tenancies and neighbourhoods and communities) which is presently limited by a 'serious detriment' test

- Options to give tenants a voice on policy issues to make tenant engagement more consistent and establish a national platform by perhaps establishing a representative body
- Options to promote more choice over services, community ownership or community leadership
- Value for money for leaseholders, including increased transparency about repairs and maintenance management, service charges and difficulties buying properties in a shared block

7.6.2 The regulatory framework for social housing covers both councils and housing association landlords, however council landlords are not accountable to the regulator on the full framework. Views are invited on whether the performance indicators should be reflected in 'consumer' ratings and governance and viability ratings. There is much deliberation about the value of rating systems and impact for tenants and service users. 'Now is an opportunity for landlords to show that the tenant focus that led to their creation is still at the heart of their organisations.'

7.7 Tackling stigma and celebrating thriving communities

7.7.1 To breakdown inequalities, negative perceptions of social housing and ensure tenants feel pride in their communities;

- Seeks views on positive messaging and providing support for community events and initiatives
- Explores options for improving neighbourhood management and addressing anti-social behaviour
- Encourages greater levels of professionalism and a 'customer service culture' with a performance indicator to understand service improvement and social value.
- To publish further planning guidance to encourage good design in new affordable homes to the same standard of other tenures and ensure integration within developments

7.8 Expanding supply and supporting home ownership

7.8.1 To deliver more affordable homes in line with Housing White Paper 'fixing our broken housing market' and support home ownership government proposes to:

- *Support local authorities to build more.* Views are sought on the right balance between grant funding and HRA borrowing. New flexibilities to spend money from Right to Buy sales on new homes are being explored. Housing and Planning Act 2016 legislation that would have required local authorities to sell vacant higher value stock is to be repealed; the money generated through this policy was due to fund an extension of right to buy to all housing association tenants. Explore the role of local housing companies in delivery of new build affordable housing as an alternative to HRA delivery.

- Explore ways to boost community-led housing. With better understanding of how public and private investment can improve existing housing, new community owned homes and enabling resident led estate regeneration
- *Help housing associations and others to build more.* By entering into deals to provide longer term funding certainty which is intended to address the 'stop-start' nature in the current approach to five year funding allocations (Shared Ownership and Affordable Homes Programme 2016-2021)
- Ensure best use of existing stock for those who need it most through gathering evidence nationally about approaches to social housing allocation
- *Support home ownership.* A large scale voluntary right to buy pilot with housing associations commenced August 2018 to test the extension of the policy and a new feature will be tested – a 'portable discount' allowing a resident to move their discount to a different property. Explore ways to make it easier for new shared owners to increase ownership share.
- Not implement Housing and Planning Act 2016 provisions that would have required local authorities to grant tenancies on a fixed term basis. Local authorities will be able to use fixed term tenancies at their discretion, however legislation will be brought forward to ensure protections for victims of domestic abuse, such that existing secure/ assured tenants that need to move as a result of domestic abuse shall retain a lifetime tenancy

7.8.2 Flexibility in shared ownership stair casing is welcome, however costs associated with valuation and conveyancing may prohibit and benefit regions where property values are higher. Commentators call for a sector wide approach that supports long term investment in existing and new housing stock, as well as providing a robust approach to affordability. The Council's Accelerated Housing Delivery Programme provides a tripartite approach to delivery, summarised below;

- Open for Business approach to planning applications and regulatory process
- Accelerating development on un-implemented sites by enabling private sector developers and land owners
- Proactive delivery of Council owned sites with residential allocations by utilising council's resources to achieve greater control and certainty of delivery

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Web Links and Background Papers	**Location**	**Contact details**
[Social Housing Green Paper: A New Deal for Social Housing](#)	.gov website	Michelle Costello Housing Strategy Technical Officer Michelle.Costello@highpeak.gov.uk

Appendix 1: Green paper consultation questions

Part 1: Ensuring homes are safe and decent (four questions)

1. How can residents best be supported in this important role of working with landlords to ensure homes are safe?
2. Should new safety measures in the private rented sector also apply to social housing?
3. Are there any changes to what constitutes a Decent Home that we should consider?
4. Do we need additional measures to make sure social homes are safe and decent?

Part 2: Effective resolution of complaints (seven questions)

5. Are there ways of strengthening the mediation opportunities available for landlords and residents to resolve disputes locally?
6. Should we reduce the eight week waiting period to four weeks, or should we remove the requirement for the "democratic filter" stage altogether?
7. What can we do to ensure that the "designated persons" are better able to promote local resolutions?
8. How can we ensure that residents understand how best to escalate a complaint and seek redress?
9. How can we ensure that residents can access the right advice and support when making a complaint?
10. How can we best ensure that landlords' processes for dealing with complaints are fast and effective?
11. How can we best ensure safety concerns are handled swiftly and effectively within the existing redress framework?

Part 3: Empowering residents and strengthening the Regulator (25 questions)

12. Do the proposed key performance indicators cover the right areas? Are there any other areas that should be covered?
13. Should landlords report performance against these key performance indicators every year?
14. Should landlords report performance against these key performance indicators to the Regulator?
15. What more can be done to encourage landlords to be more transparent with their residents?
16. Do you think that there should be a better way of reporting the outcomes of landlords' complaint handling? How can this be made as clear and accessible as possible for residents?
17. Is the Regulator best placed to prepare key performance indicators in consultation with residents and landlords?
18. What would be the best approach to publishing key performance indicators that would allow residents to make the most effective comparison of performance?
19. Should we introduce a new criterion to the Affordable Homes Programme that reflects residents' experience of their landlord? What other ways could we

incentivise best practice and deter the worst, including for those providers that do not use Government funding to build?

20. Are current resident engagement and scrutiny measures effective? What more can be done to make residents aware of existing ways to engage with landlords and influence how services are delivered?

21. Is there a need for a stronger representation for residents at a national level? If so, how should this best be achieved?

22. Would there be interest in a programme to promote the transfer of local authority housing, particularly to community-based housing associations? What would it need to make it work?

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

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

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

26. Do you think there are benefits to models that support residents to take on some of their own services? If so, what is needed to make this work?

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

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

29. Does the Regulator have the right objective on consumer regulation? Should any of the consumer standards change to ensure that landlords provide a better service for residents in line with the new key performance indicators proposed, and if so how?

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

31. Is "serious detriment" the appropriate threshold for intervention by the Regulator for a breach of consumer standards? If not, what would be an appropriate threshold for intervention?

32. Should the Regulator adopt a more proactive approach to regulation of consumer standards? Should the Regulator use key performance indicators and phased interventions as a means to identify and tackle poor performance against these consumer standards? How should this be targeted?

33. Should the Regulator have greater ability to scrutinise the performance and arrangements of local authority landlords? If so, what measures would be appropriate?

34. Are the existing enforcement measures set out in Box 3 adequate? If not, what additional enforcement powers should be considered?

35. Is the current framework for local authorities to hold management organisations such as Tenant Management Organisations and Arms Length Management Organisations to account sufficiently robust? If not, what more is needed to provide effective oversight of these organisations?

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

Part 4: Tackling stigma and celebrating thriving communities (eight questions)

37. How could we support or deliver a best neighbourhood competition?
38. In addition to sharing positive stories of social housing residents and their neighbourhoods, what more could be done to tackle stigma?
39. What is needed to further encourage the professionalisation of housing management to ensure all staff deliver a good quality of service?
40. What key performance indicator should be used to measure whether landlords are providing good neighbourhood management?
41. What evidence is there of the impact of the important role that many landlords are playing beyond their key responsibilities? Should landlords report on the social value they deliver?
42. How are landlords working with local partners to tackle anti-social behaviour? What key performance indicator could be used to measure this work?
43. What other ways can planning guidance support good design in the social sector?
44. How can we encourage social housing residents to be involved in the planning and design of new developments?

Part 5: Expanding supply and supporting home ownership (four questions).

45. Recognising the need for fiscal responsibility, this Green Paper seeks views on whether the Government's current arrangements strike the right balance between providing grant funding for housing associations and Housing Revenue Account borrowing for local authorities.
46. How we can boost community-led housing and overcome the barriers communities experience to developing new community owned homes?
47. What level of additional affordable housing, over existing investment plans, could be delivered by social housing providers if they were given longer term certainty over funding?
48. How can we best support providers to develop new shared ownership products that enable people to build up more equity in their homes?